

**ORAL ANSWERS TO QUESTIONS**

**MUNICIPAL & DISTRICT COUNCILS, CASINOS, SILWF, MGI,  
MINISTRIES OF HEALTH AND ENVIRONMENT – EMPLOYEES -  
DISMISSAL**

**The Leader of the Opposition (Mr P. Bérenger)** (*By Private Notice*) asked the Prime Minister, Minister of Defence and Home Affairs, Minister of Civil Service & Administrative Reforms, Minister of Rodrigues & Outer Islands whether, in regard to persons having been, or, being dismissed from employment in the Municipal and District Councils, Casinos, the Sugar Industry Labour Welfare Fund, the Mahatma Gandhi Institute, the Ministry of Health and Quality of Life and the Ministry of Environment and National Development Unit, he will –

- (a) give the number in each case, indicating when recruitment procedures were initiated, and employment effected;
- (b) say if all established procedures were followed, and
- (c) give the reasons for their dismissal, indicating whether there has been a Government policy decision on the issue;

or, for the benefit of the House, obtain the above information.

**The Prime Minister:** Mr Deputy Speaker, Sir, the House will appreciate that all the information sought at part (a) of the question will take some time to compile. I wish to assure the House, that as soon as this information is available, it will be tabled.

As regards part (b) of the question, I can assure the House that all the established procedures had been followed for the termination of employment of the persons concerned. I am informed that legal advice has been sought and obtained in appropriate cases.

As far as part (c) is concerned, it has been the policy adopted by successive Governments to terminate the employment of people recruited during the period immediately preceding General Elections. The House will recall that in 1982, the employment of some 20,906 persons recruited before the election, was terminated on 19 June 1982. The House will also recall that on 20 October 2000, Government decided that the employment of 97

labourers recruited in the Ministry of Agriculture before the elections should be terminated. Government also decided on the same day that the same principle should apply in all other Ministries and Departments.

Mr Deputy Speaker, Sir, in the course of my intervention on the Government programme 2005/2010, on 09 August 2005, I informed the House of the commitment of my Government to reform the electoral system to ensure, *inter-alia*, that abuses of State machinery and electoral bribes are monitored and checked by the Electoral Supervisory Commission.

In this context, it is my intention to introduce appropriate legislation which would ensure that such recruitment do not take place henceforth, once Parliament is dissolved unless such recruitment is urgently required.

**Mr Bérenger:** Mr Speaker, Sir, I am quite surprised that the information is not available. There has been a Government decision and I take it that Government has taken its decision after compiling information on all the different sectors concerned. Am I right in thinking that Government has been in presence of the information that is now going to be provided?

**The Prime Minister:** Mr Deputy Speaker, Sir, I have just given an example to the Leader of the Opposition. For example, in Municipalities, all sorts of recruitment have been made. Not only labourers, refuse collectors, tradesman assistants have been recruited from different manual grades, but have also been recruited on different dates. That is why, to compile the information in order to give the precise number, is going to take some time. But, as I said, this information will be tabled.

**Mr Bérenger:** The hon. Prime Minister has referred to the Municipalities; precisely, I was going to move on to that. He has made reference to two cases, going back to 1982 and so on. I'll deal with it. But, is the hon. Prime Minister aware that, in the case of the Municipalities that have been referred to, in fact, all procedures have been followed. Interviews have been made as far back as 2001. There has been a waiting list, and every year, as vacancies have occurred, people have been picked from that waiting list to be employed in the Municipalities through the Local Government Service Commission, and this is what happened again...

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr Bérenger:** It has nothing to do with the election. It is an ongoing exercise, with interviews, I repeat, having taken place in 2001, a waiting list prepared and recruitment effected through the Local Government Commission every year.

**The Prime Minister:** Mr Speaker, Sir, it is quite amazing. If the interviews were done in 2001, why is it that it is on the eve of the election that recruitment was made?

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr Bérenger:** It seems the hon. Prime Minister has not heard what I said. I repeat what I said: interviews were held as far back as 2001, a waiting list was prepared and, as people were promoted, or retired, or dead, every year – not now - elections or no elections, these vacant posts have been filled from that waiting list. In the case of the Municipalities, will the Prime Minister agree that all procedures were followed, the waiting list existed and it has nothing to do with elections?

**The Prime Minister:** I don't know whether the Leader of the Opposition, who was then Prime Minister, was aware of it, but some people received their letters from people in influence, not to say Ministers, on the eve of the elections. I, personally, don't think the then Prime Minister knew about it, but these letters were hand delivered by some people.

**Mr Bérenger:** It is very unfair. Can I invite the Prime Minister, since he makes wild allegations like that, to table copies of all such correspondence? Will he do it?

**The Prime Minister:** I told the Leader of the Opposition that when this was happening, I made a press conference and I showed letters that were given to people on the eve of the election.

**Mr Bérenger:** The Prime Minister should table them! If the letters are available, if he showed them, can I request that such correspondence, if it exists, be tabled?

**The Prime Minister:** The letters that were given are standard. It does not say "today is the eve of the election". It is a standard letter that was given on the eve of the election and members of the press know it because

during the press conference, I showed the letter which shows that on the eve of the election, people were receiving letters.

**Mr Bérenger:** It takes place with the Local Government Service Commission and other such institutions.

Mr Deputy Speaker, Sir, at paragraph (b), the way the question is drafted, I meant to know from the Prime Minister whether all established procedures were followed for recruitment purposes. The question is clear. The hon. Prime Minister replied by saying that all established procedures have been followed for dismissal. Will he confirm that, in fact, all established procedures were followed, not only in the case of the Municipalities, but in all these cases, and if not, in which cases and how were established procedures not followed?

**The Prime Minister:** As I say, I will be able to answer that question once I know all the details. Although it looks on papers that procedures have been followed, but, in fact, there are cases - I am not exaggerating - where they were not.

*(Interruptions)*

**Mr Bérenger:** The hon. Prime Minister will allow me to say that it is quite shocking. We are dealing with people who, in most cases, have been in employment for months, not yet a year, but for months! And now, we hear these kind of things, Mr Deputy Speaker, Sir! It is very, very unfair.

Can I ask the hon. Prime Minister whether he will agree with me that what we are dealing with now, has nothing to do with the two cases that he referred to? We are here dealing with *ti dimounes*, ordinary people, who have been recruited through established procedures ...

*(Interruptions)*

... with funds available. So, everything is in order. Can I ask the hon. Prime Minister whether he will agree with me that this has nothing to do with the two cases which he referred to. If you will allow me, Mr Deputy Speaker, since it was referred to by the hon. Prime Minister, the first case relates to the thousands of people who queued up outside Government House on the eve of the 1982 general election and were recruited without any procedure being followed and sent to the DWC without any funds being available. Will the hon. Prime Minister...

*(Interruptions)*

**Mr Varma:** On a point of order, Mr Deputy Speaker, Sir, the hon. Leader of the Opposition should put his question. He is making a statement.

*(Interruptions)*

**Mr Bérenger:** So, can I ask the hon. Prime Minister whether he remembers that this was totally different and irregular and that there was a Commission of Inquiry, presided over by former Chief Justice Lallah, which found that more than a colourable device had been used and blamed very severely the previous Government before 1982 for what took place? Will he agree with me that these are facts?

**The Prime Minister:** What the Leader of the Opposition does not seem to remember is that the United States of America gave the funding for extra employment. That was answered, in fact, in the Commission of Inquiry by the then former Prime Minister, Sir Seewoosagur Ramgoolam, who was made to be brought to the Commission of Inquiry to answer on the charges of having employed people and which we have not done.

*(Interruptions)*

This is what happened to him at the time.

**Mr Bérenger:** The report of former Chief Justice Lallah on this very sad event is a public document and is available. The Prime Minister knows that the previous Government was very severely blamed by the Commission of Inquiry chaired by former Chief Justice Lallah. Will the hon. Prime Minister check on the second point raised, because I understand that he is being fed with wrong information and this case of AREU is being used to convince the Prime Minister and persecute now ordinary employees.

*(Interruptions)*

Will the hon. Prime Minister check that what, in fact, happened, is that on the very eve of the 2000 election, without going through any procedure, they were just recruited without funds being made available whereas, here, we are dealing with situations where funds have been made available, where all procedures have been followed? Can I appeal to the hon. Prime Minister to go and check and if that is the argument being used to convince him to persecute others, he will revisit the issue?

**The Deputy Speaker:** Hon. Leader of the Opposition, the question pertains to Municipal and District Councils, the Sugar Industry Labour Welfare Fund, the Mahatma Gandhi Institute, the Ministry of Health and Quality of Life and the Ministry of Environment and National Development Unit. It has nothing to do with this issue.

**Mr Bérenger:** It was raised by the hon. Prime Minister. Can I insist again that, not only ordinary labourers are being penalised, but also binders, clerks, qualified people who were in a District Council or a Municipality. This is not the first time, it has happened every year since 2000 and even before that as vacancies occurred, people are being promoted, have been moved from one district council, one municipality to elsewhere, because they deserved it. It has nothing to do with the election and now these people are being penalised. Will the hon. Prime Minister check on what I am saying?

**The Prime Minister:** Mr Deputy Speaker, Sir, it cannot be right that, on the eve of the election, people are given letters to do this and that. The hon. Leader of the Opposition has mentioned, for example, the labourers, but the then Permanent Secretary at the Ministry of Agriculture, hon. Mrs Hanoomanjee, is sitting there. She did all the procedures.

*(Interruptions)*

**Mr Bérenger:** I ask again the hon. Prime Minister that, if what he is saying is the truth, will he please table those so-called documents that he is referring to? He should be a gentleman and table those documents, instead of just making wild allegations! Table them!

*(Interruptions)*

**The Prime Minister:** I am not making wild allegations, Mr Deputy Speaker. What I am saying is well-known facts.

**Mr Bérenger:** Mr Deputy Speaker, Sir, can I again appeal to the Prime Minister? Will he agree with me that what is taking place is most unfair and *inhuman*? All procedures ...

*(Interruptions)*

Mr Speaker, Sir, I would have expected the Prime Minister to justify this persecution that is taking place, to tell me that procedures have not been followed or funds are not available. I, myself, would be prepared to listen. But all the information that I have is to the effect that funds are available, procedures have been followed. Can the hon. Prime Minister tell me why he is not in a position to give me one example where funds were not available, are not available or where procedures have not been followed, with tabling of the documents showing same?

**The Prime Minister:** The Leader of the Opposition seems to have forgotten that the Budget was done two months before the election....

*(Interruptions)*

Electoral brides, one after the other, in the Budget! These people were recruited after that Budget, as I said, and I repeat, there were photographs in the papers where people were queuing up for a as health workers and they were told they would get a job if they voted for the Government of the day. That is the problem.

**Mr Bérenger:** Can I ask the Prime Minister to check? This is not true, this is totally incorrect and he keeps on giving the impression, Mr Deputy Speaker, that this is the first time that this recruitment has happened. Can I again ask him to check? This is an ongoing exercise. Such recruitment has taken place every year since 2000 and even before through established procedures! Will he check on that?

**The Prime Minister:** The fact that recruitment is done every year is acceptable, but to recruit people on the eve of election cannot be right.

*(Interruptions)*

Hon. Soodhun was himself delivering letters!

*(Interruptions)*

The hon. Member can challenge what he wants! He was delivering letters!

*(Interruptions)*

Be careful! Do not challenge too much! There may be a Commission of Inquiry and he may be inside!

*(Interruptions)*

**The Deputy Speaker:** Order! I am on my feet! Order, hon. Soodhun! Order!

*(Interruptions)*

Hon. Soodhun! I call you to order once more, hon. Soodhun!

*(Interruptions)*

**Mr Bérenger:** The hon. Prime Minister will have taken note that he is invited by the hon. Member he is pointing at, to come forward with whatever Commission of Inquiry or inquiry he feels should be brought forward. I join with the hon. Member. But, again, I ask the Prime Minister

that when he makes such wild and unfair allegations, to table any documentary evidence to the effect that anything irregular has taken place.

Can I insist that any document available, showing that procedures have not been followed, be tabled - if there is any document to be tabled?

**The Prime Minister:** Mr Speaker, Sir, I don't even have to do that. In "*Le Matinal*" there was a photograph of people in the Ministry, on the eve of election, being recruited as workers. There are people in Curepipe.

*(Interruptions)*

It is in the papers! Go and have a look!

**Mr Bérenger:** We don't do our jobs by reading papers all through!

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr Bérenger:** Just to say how unfair and *inhuman* things are being done...

*(Interruptions)*

Is the hon. Prime Minister aware that, in a good number of cases, funds were available, proper established procedures had been followed, interviews had taken place and that the only thing left was Police clearance? Police takes the time that it takes to give Police clearance.

*(Interruptions)*

Sometimes more than a year, Mr Deputy Speaker, Sir! So, will the hon. Prime Minister check that this is the truth? These people had been waiting for Police clearance for more than a year, and when Police clearance was obtained, they were recruited and, now, they are being persecuted. Does the hon. Prime Minister consider that to be fair and human?

**The Prime Minister:** Mr Deputy Speaker, Sir, how does the hon. Leader of the Opposition reconcile the fact that the Police take so long to give their clearance and on the eve of the election, they suddenly clear things? Why is that so?

*(Interruptions)*

**Mr Bérenger:** It is not on the eve of the election, again, Mr Deputy Speaker, Sir! If the hon. Prime Minister will care to check, these are established procedures! It has nothing to do with elections. These are established procedures and, for a number of jobs, in parastatals and Government, we need Police clearance. It has been established for 20 years. So, it has nothing to do with elections.

**The Deputy Speaker:** The hon. Leader of the Opposition should put his question, please!

**Mr Bérenger:** Some time back, the hon. Prime Minister had also said that recruitment in the Police Force had been done in a way linked to general election. Now, I see that this is done away with. Can I ask the Prime Minister whether this is the result of an inquiry? Because, as I said, all procedures - especially in the case of the Police Service Commission - were followed and recruitment took place every year since 2001 in the Police Force. Can I ask the Prime Minister whether, in fact, he no longer refers to the Police in that case, because there were no improper procedures or practices? And will he carry out the same inquiry as far as the cases which we are talking about are concerned?

**The Prime Minister:** If the Leader of the Opposition wants, I'll carry out an inquiry.

**Mr Bhagwan:** Can I ask the hon. Prime Minister whether he can confirm to the House that these days, certain MPs, on the Government side, are canvassing people whose employment has been terminated to "*vine donne nous ène coup de main dans élections municipales, nous pou faire zotte réreter*"?

*(Interruptions)*

Can the Prime Minister confirm this fact? Certain *coupables* are there!

*(Interruptions)*

**The Deputy Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Mr Deputy Speaker, Sir, I have asked a question.

**The Prime Minister:** Mr Deputy Speaker, Sir, if you look at hon. Bhagwan, you will think he is a saint, who has done nothing, and now he is complaining! In fact, he has done these things.

*(Interruptions)*

**Mr Bhagwan:** I can give names!

*(Interruptions)*

**The Deputy Speaker:** Hon. Bhagwan!

*(Interruptions)*

**Mr Bhagwan:** Go and ask Minister Valayden what he is doing!

*(Interruptions)*

I don't have to take instructions from the hon. Member!

**The Deputy Speaker:** Order, order!

**Mr Bhagwan:** Mr Deputy Speaker, Sir, can I ask the hon. Prime Minister how does he reconcile the fact that people, who were recruited at the Ministry of Environment, on the eve of the 2000 general election by the then Minister, were not laid off at that time? Can he confirm how many labourers were recruited at the Ministry of Environment by the then Minister from two Constituencies, *i.e.* Nos 3 and 19? He had 'two feet', *ène dans No. 3 et ène dans No. 19!* Nobody was laid off after the general election then!

**The Prime Minister:** If the hon. Member wants to give me the list, I'll inform him later.

*(Interruptions)*

**Mr Barbier:** Is the hon. Prime Minister aware that insofar as the case of the Municipality of Port Louis is concerned, these posts exist on the Establishment since years, in fact, more than 10 years? Year after year, it has been the normal practice in the Municipality of Port Louis to...

**The Deputy Speaker:** Hon. Barbier, this question has already been raised by the Leader of the Opposition. If you have a new question, you can put it.

**Mr Barbier:** Mr Deputy Speaker, Sir, what I want to clarify is that, in the case of the Municipality of Port Louis, these posts exist for years on its Establishment. Is the Prime Minister aware of that?

**The Prime Minister:** I think they don't seem to understand. If the posts exist for more than 10 years, why is it that it is on the eve of the election that they were filled? That is what we are asking!

*(Interruptions)*

**The Deputy Speaker:** PNQ Time is over! Next item, please!

## **DIRECTOR OF PUBLIC PROSECUTIONS - FUNCTIONS AND POWERS**

**(No. I B/196) Mr P. Jhugroo (Third Member for Port Louis North and Montagne Longue)** asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will state if Government proposes to revisit the functions and powers of the Director of Public Prosecutions and, if so, will he state which ones will be revisited.

**The Prime Minister:** Sir, in its 2005/2010 Programme, my Government has taken a commitment to review the structure and operation of the judicial system.

The proposal to revisit the functions and powers of the Director of Public Prosecutions (DPP) has been raised since last year, in particular whether there is need for the Director of Public Prosecutions, in cases where he decides not to institute criminal proceedings, to give reasons for his decision.

The House will appreciate that the independence of the DPP is enshrined in the Constitution, which provides at section 72(6) that, in the exercise of his powers, the DPP shall not be subject to the direction or control of any person or authority.

I should point out that the Court can always pronounce itself on the way in which the DPP has exercised its powers and the Supreme Court has done so on a number of occasions.

In my view, any reform relating to the Office of the DPP should only be undertaken after proper consultation.

In this context, I will ask the Attorney-General to do so and consult with the Chief Justice, former and present Judges, the DPP and former DPPs as well as eminent members of the legal profession.

Perhaps one of the proposals should be to publish a code as is done in the UK, where there is a Code for Crown Prosecutors, which is designed to ensure that the public knows the principles that the CPS applies when it makes its decision on whether to prosecute or not. I think that would be an welcome move.

The ultimate aim must be to improve the Criminal Justice System in a more transparent way, while ensuring that the independence of the Director of Public Prosecutions is safeguarded.

**Mr Bérenger:** Will the Prime Minister agree with me that there is, today, in the country, consensus that something needs to be done? There is consensus on that. I heard the hon. Prime Minister say that consultations will take place with a list of personalities and institutions which he referred to, and he did point out that this clause is an enshrined clause in the Constitution. Therefore, to be amended, it needs a three-quarter vote through Parliament. Therefore, will he include, right from the beginning, in the list of consultations to take place, consultations with the Opposition? Because, Mr Deputy Speaker, Sir, the best consultations can take place, but if the Opposition is not convinced, is not taken on board, it will bear no result. So, can I ask the Prime Minister to confirm that it is his intention to work with the Opposition and come to a modern, democratic, transparent consensus on the issue?

**The Prime Minister:** That is what we intend to do, Mr Deputy Speaker, Sir. I think the Opposition also needs to consult lawyers, people that they have in their own party and other people whom they know. I think it is a good thing that there must be consultation for such a drastic move. I must say to the Leader of the Opposition that the initial responses that I am getting is to leave it as it is, but, as I said, I will ask the Attorney-General to have a committee and see what is the result.

**Mr Bérenger:** We don't receive the same information. As I said, I am under the impression that there is a consensus that we do something. Can I ask the Prime Minister whether he has an open mind as far as replacing the individual DPP by a three-member collegial directorate of Public Prosecutions? Instead of one individual Director of Public Prosecutions, we'll have a three-member or even more, but a three-member collegial directorate of Public Prosecutions?

**The Prime Minister:** Sir, I remember that all these debates started in the case of Cehl Meeah when he was released and there was a lot of noise about it. Even we, who were in the Opposition then, were looking at what is happening in other countries and I think I have on record these things. For example, in Europe the tendency is to have a collegial meeting to decide whether to prosecute or not. But here, it is different, and it is enshrined in the Constitution, as the Leader of the Opposition has also pointed out. In fact, there was a question, I think, from one of the backbenchers of the Government of the time - it was in November of last year, as far as I remember - which was put to the Leader of the Opposition who was then Prime Minister. He had also started consultations and the results of these consultations are indicating that there is some reluctance to change, but, as I said, we will look it with an open mind.

#### **ADVISERS - OCTOBER 2000-JULY 2005 - RESIGNATION**

**(No. I B/197) Mr S. Dayal (Second Member for Quartier Militaire and Moka)** asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will state if all political appointees nominated as advisers or otherwise by Government during the period 03 October 2000 to 03 July 2005 have resigned or have been asked to do so and, if not, when will they be asked to vacate or made to vacate the office they are occupying.

**The Prime Minister:** Sir, I am given to understand that most political Advisers employed by the Government during the period 03 October 2000 to 03 July 2005 have either resigned from their employment or have had their contract terminated. It seems there might still be some political Advisers who are trying to negotiate the terms of their going away.

#### **J. D. MR - MAINTENANCE OFFICER - DEATH - POLICE INQUIRY**

**(No. I B/198) Mr S. Sayed-Hossen (Fourth Member for Montagne Blanche and GRSE)** asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether in regard to the death of J. D., he will state -

- (a) the findings of the autopsy and of the forensic analysis, if any, and
- (b) the results of the Police inquiry, if any.

**The Prime Minister:** Sir, I am informed by the Commissioner of Police that on 24 December 2002, the body of late J. D., aged 41, maintenance officer, was found lying in the toilet at the residence of his aunt at Verger Avenue, Morcellement Bismic, Flic en Flac. Police found three syringes together with a small metal cap, a charred metal cap, a cotton bud and two pieces of foil under his body. The body was subsequently sent to Victoria Hospital, Candos for autopsy and the exhibits were secured.

An autopsy, carried out on the same day by a Police Medical Officer, certified that the cause of death was due to “Haemorrhagic Pancreatitis”. Furthermore, the Police Medical Officer had stated that the deceased also suffered from cirrhosis and his death was related to chronic drugs and alcohol consumption.

The Forensic Science Laboratory has also carried out a toxicological examination of post-mortem specimens. The analysis has revealed the presence of residual morphine in the bile sample. The presence of heroin was also detected from the charred metal cap and the cotton bud which were secured as exhibits.

With regard to the last part of the question, I am informed that a Police investigation was carried out and the case has been referred to the Director of Public Prosecutions. On 01 July 2004, the DPP advised that a judicial inquiry should be held.

The judicial inquiry was held before the Bambous District Court and was completed on 18 July 2005. The case file has again been forwarded to the Director of Public Prosecutions on 25 July 2005, for further advice which is awaited.

**Mr Sayed-Hossen:** Mr Deputy Speaker, Sir, may I also request the hon. Prime Minister to inform us whether there have been other cases of unnatural death on the same premises?

**The Prime Minister:** The answer seems to be in the positive, Sir.

## ICAC - EXPENDITURE

**(No. I B/199) Mr D. Boodhoo (Second Member for Piton and Rivière du Rempart)** asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will give the amount of public funds spent by the Independent Commission Against Corruption since its inception up to 30 June 2005.

**The Prime Minister:** Mr Speaker Sir, the Independent Commission Against Corruption started functioning on 01 June 2002. I am informed that since that date and until 30 June 2005 a total amount of Rs235,278,020.08 has been spent by the Commission. Of that amount, a sum of Rs128,846,283.69 has been paid as salaries and allowances.

For the information of the House and for the sake of comparison the amount spent by the former Economic Crime office was as follows -

<b>Financial Year</b>	<b>Amount (Rs)</b>
1999/2000	3.38 m.
2000/2001	4.86 m.
2001/2002	3.96 m.

**Mr Boodhoo:** Mr Deputy Speaker, Sir, can the hon. Prime Minister state, out of the Rs235 m., how much has been spent on motor vehicles?

**The Prime Minister:** I think I will have to look for that information, Mr Deputy Speaker, Sir. I have information for travelling and other allowances, but not for motor vehicles as such. If the hon. Member comes with a substantive question, I will give him the reply.

#### **SIDS CONFERENCE - CARS, SECURITY AND MEALS - EXPENDITURE**

**(No. I B/200) Miss K. R. Deerpalsing (Third Member for Belle Rose and Quatre Bornes)** asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether in regard to the SIDS Conference held in January 2005, he will -

- (a) give the number of convertible cars put at the disposal of Heads of State and Government officials, and

- (b) state the names of the subcontractors for transport, security and meals, together with the amount paid in each category.

**The Prime Minister:** Mr Deputy Speaker Sir, I am informed that for the SIDS Conference no convertible cars were put at the disposal of any Heads of State or Government Officials. However, about hundred and eighty vehicles were put at the disposal of Heads of Delegations, the United Nations Secretary General and his delegation and special guests of the Government of Mauritius.

As regards part (b) of the question, I am advised that during the Conference, general security arrangements were provided by the Police. But at the Conference centre, the UN Security Staff was responsible for security. However, before and after the Conference, that is up to 31 January, a local security firm was entrusted the watchmanship of the Conference Centre. An amount of Rs135,800 was paid for the services by the State Investment Corporation.

Coaches for the transport of delegates were provided by Messrs. Mungroo and Sons, Mauritours Ltd and Rose-Hill Transport. An amount of Rs7,070,940 was paid to the three companies.

Meals for the SIDS Conference were provided by Domaine Les Pailles at a cost of Rs1,170,855.

**Miss Deerpalsing:** Mr Deputy Speaker, Sir, with regard to the convertible cars, may I ask the hon. Prime Minister to inform the House how many exactly were imported for that purpose and what was the duty paid, and if there was no duty paid, what was the amount foregone for the Treasury?

**The Prime Minister:** As I said, no convertible cars were provided for the Heads of States, but 11 convertible cars were imported which were sold to the private sector in the same package. The duty that is foregone for the convertible cars is Rs57,472,367.

**Mr Bérenger:** Mr Deputy Speaker, Sir, what took place, in fact, is that private sector importers were being allowed to import the number of cars without paying taxes and giving a number of cars to Government free after the event. Will he check in the record and confirm that exactly the same practice took place between 1995 and 2000 when he was Prime Minister, except that we obtained a larger number of cars? Will he care to check on that and report?

**The Prime Minister:** Mr Deputy Speaker, Sir, I remember at Committee of Supply on the Budget at that time, hon. Duval saw this in the papers and asked a question and the Prime Minister's answer was: "They are *palabres*".

*(Interruptions)*

I pointed out to the then Prime Minister that he is departing from the established practice at that time. The established practice has always been that you import the cars. Of course, Government gets some cars duty-free and, after the conference, some of the cars are then given to the concessionaries who can sell them. This was a departure from the practice and I was pointing that to the then Prime Minister.

**Mr Bérenger:** It was a departure in the sense that, for reasons relating to the United Nations, the conference was postponed. This is the only point. Will the hon. Prime Minister check on that? All other procedures were established.

**The Prime Minister:** If the Leader of the Opposition remembers, I have just said that 11 convertible cars were brought in that package. That has not been the practice before. It is a clear departure from established practice.

### **PASSPORTS (NEW) - TENDERS**

**(No. I B/201) Miss K.R. Deerpalsing (Third Member for Belle Rose & Quatre Bornes)** asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the new passports being issued, he will state –

- (a) the number of times tenders were called for, and
- (b) whether at anytime the tender exercise was cancelled.

**The Prime Minister:** Mr Deputy Speaker, Sir, I am informed by the Commissioner of Police that tenders for the supply of new machine readable passports were called for on two occasions.

On 04 March 2002, with the approval of the Central Tender Board, seven short-listed firms were invited to bid. However, one of the bidders raised queries to the effect that the tender specifications were meant to restrict and limit potential bidders to a simple possible passport solution

which, itself, was based around a machine manufactured by one particular company only and, therefore, the whole procedure was tailor-made for that one company. That is the complaint that they made.

The queries raised were then brought to the attention of the Central Tender Board and the latter advised that the matter be taken up with the Director of the Central Informatics Bureau. A team, comprising officers of the Passport and Immigration Office and the Central Informatics Bureau, was set up to study the complaints raised by the bidder. Thereafter, a report was submitted to the Central Tender Board on 26 August 2002. The Central Tender Board then advised that the tendering exercise should be cancelled. Thereupon, it was decided to review the tender documents and to call for fresh tenders.

On 12 October 2002, at a meeting held at Police Headquarters, it was decided to enlarge the list of bidders. The passport and Immigration Office was asked to contact our missions abroad to identify potential suppliers.

On 17 April 2003, after the Central Tender Board had vetted the fresh tender documents, bids were called from 44 potential suppliers.

### **DISTRICT & INTERMEDIATE COURTS – BUSINESS HOURS, DETAINEES' ATTENDANCE**

**(No. I B/202) Mr Y. Varma (First Member for Mahebourg & Plaine Magnien)** asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will state if he is aware that business at District and Intermediate Courts starts at 9.30 a.m. and that prisoners reach there at 11.30 a.m. at earliest and, if so, will he –

- (a) state the reasons thereof, and
- (b) use his good offices for remedial action.

**The Prime Minister:** Mr Deputy Speaker, Sir, I am informed by the Master & Registrar that District and Intermediate Courts now open at 9.00 a.m., following instructions conveyed by the hon. Attorney-General, but although they open at 9.00 a.m., the business is still starting at 9.30 a.m. for practical reasons at this moment.

I am further advised by the Commissioner of Prisons that detainees are escorted to District Courts by teams from different Police Stations, whereas detainees to the Intermediate Court are escorted by a team from the

Police Prosecution Unit. An average of 100 detainees from different penal institutions have to attend different Courts daily. Moreover, detainees attending a particular Court can be located in four or five different prisons. The escort teams call at the Prisons as from 9 o'clock in the morning. However, the handing over exercise of detainees to the Police starts around 9.30 a.m. after the detainees have supposedly taken their morning meal and ready to be entrusted to the Police escort. Very often, I am told, delays are caused by the uncooperative attitude of detainees who either complain of the mode of transport or are unwilling to attend Court. In addition, detainees on remand have to collect their belongings before leaving the prisons' place.

At times, the same Police escort teams have to take detainees over from different prisons attending a particular Court. The Police escorts have also to face traffic problems while travelling to the Courts around the island. These reasons account for the delay detainees reach the Courts.

As regards part (b) of the question, I agree totally with the hon. Member that remedial action must be taken.

In fact, a monitoring committee, comprising representatives of the Police and prisons, has been set up to look into the matter in order to ensure timely attendance of detainees before the Courts.

### **INDUSTRIES (LOCAL) – GAS EMISSION - MONITORING**

**(No. I B/203) Mrs S. Grenade (Second Member for GRNW & Port Louis West)** asked the Minister of Environment and National Development Unit whether, with regard to gas emission by local industries, he will state –

- (a) if his Ministry has arranged for facilities and equipment for the monitoring of same, and
- (b) the measures proposed to be taken in case of major departures from existing norms.

**Mr Bachoo:** Mr Deputy Speaker, Sir, with regard to part (a), the reply is yes.

As regards part (b), I am informed that, in case results of monitoring exercises indicate that standards are not being complied with, action is taken by my Ministry in accordance with the Environment Protection Act as follows –

- (i) the issue of a programme notice to the contraveners, specifying the matter constituting the contravention and requesting the organisation to submit by a specified date a written programme of measures proposed to be taken to remedy the contravention;
- (ii) the issue of an enforcement notice in case the contravenor fails to respond to the programme notice. The enforcement notice specifies measures required to remedy the contravention and which are to be implemented within a specified period of time, and
- (iii) the issue of a prohibition notice, in case the contravenor fails to act according to the enforcement notice. The prohibition notice specifies the remedial measures to be taken and the period within which these shall be implemented, as well as any conditions subject to which the activity may be resumed. The contravenor may also be prosecuted for the offence committed in case or failure to comply with the provisions of the enforcement notice.

**POINTE AUX SABLES, BAIN DES DAMES & BAIE DU TOMBEAU  
– WATER QUALITY**

**(No. I B/204) Mrs S. Grenade (Second Member for GRNW & Port Louis West)** asked the Minister of Environment and National Development Unit whether he will state if there has been a recent survey on the state of pollution at sea in the regions of Pointe aux Sables, Bain des Dames and the adjoining areas and, if so, will he make a statement thereon.

**Mr Bachoo:** Mr Deputy Speaker, Sir, I am informed that a recent survey over the period January to July 2005 has revealed the following –

- (a) the water in the lagoon stretching from 700 metres southward of ex-Golden Hotel at Pointe aux Sables to 100 metres northward of the rivulet Terre Rouge at Baie du Tombeau is still contaminated by coliforms to a considerable extent;
- (b) there has been a general improvement in the water quality at Sable Noir and Baie du Tombeau, compared to previous years, except at the mouth of rivulet Terre Rouge and Nassau Bay, and

- (c) the water quality at Pointe aux Sables and Bain des Dames has not changed significantly over the years.

Continuous monitoring of the various stations is being undertaken by my Ministry, the Ministry of Agro Industry & Fisheries and the Wastewater Management Authority.

I wish to inform the House that the water quality in Baie du Tombeau is slowly improving in view of the coming into operation of the sewage outfall at Baie du Tombeau and the decommissioning of the sewage outfall at Roche Bois.

It is expected that the water quality in the region of Pointe aux Sables would improve only after the implementation of the Montagne Jacquot Wastewater Treatment Plant.

**Mr Barbier:** Mr Deputy Speaker, Sir, can the hon. Minister inform the House who carried out the recent survey and whether he is agreeable to lay a copy of the report on the Table of the National Assembly?

**Mr Bachoo:** I will do so, Sir.

**Mr Bérenger:** Mr Deputy Speaker, Sir, the Minister made reference to the coming into operation of the Montagne Jacquot Sewage Treatment Plant, which will lead to an improvement of the situation on this side of Port Louis. Can I ask the Minister if he has the time frame within which this treatment plant will become operational?

**Mr Bachoo:** I don't have the answer right now, Sir.

#### **ADOLPHE DE PLEVITZ S.S.S - C.H. MR – HANDYMAN - EMPLOYMENT**

**(No. I B/205) Mrs S. Grenade (Second Member for GRNW & Port Louis West)** asked the Minister of Education & Human Resources whether he will state the reasons for the termination of the contract of Mr C. H., a handyman on full time employment at the Adolphe de Plevitz State Secondary School.

**Mr Gokhool:** Mr Deputy Speaker, Sir, I am informed that the employee concerned is a part-time redundant handyman of ex-New Secondary School, now redeployed at the Mauritius Educational

Development Company Ltd (MEDCO) and posted to Adolph de Plevitz State Secondary School. This posting is on the basis of an arrangement, which exists between my Ministry and MEDCO, for the gainful employment of redundant employees of ex-private secondary schools on similar terms and conditions.

The hon. Member may wish to note that the policy of the Ministry regarding redundant employees of private secondary schools is premised on an agreement dated May 2000 between Government and trade unions. This agreement safeguards the employment of redundant employees of ex-private secondary schools and allow for them to be absorbed in MEDCO on 'no less favourable terms' and to be redeployed in other institutions in the education sector.

I am informed that, on 17 June 2005, following a request from the zone Director of Education Zone 1, the management of MEDCO, after consultation with the then Chairman, decided, without the approval of the Board of Directors of the company, to offer employment as full time handyman to the employee concerned with effect from 21 June 2005, before the general elections.

It was not in order for the management of MEDCO to convert the part-time employment of the employee concerned into a full-time one, the more so as MEDCO is already overstaffed and is not authorised to employ additional persons without the approval of my Ministry. Further, the decision would have been unfair to the other part-time employees of MEDCO who would have asked that the same treatment be extended to them.

In the circumstance, there was no alternative, but to terminate the illegal full-time employment of the employee concerned and to revert him to his part-time employment. An enquiry has been initiated to situate responsibilities in the matter.

### **GRAND RIVER AND CANAL DAYOT – POWER CUTS – 17 AND 18 AUGUST 2005**

**(No. I B/206) Mr P. Jhugroo (Third Member for Port Louis North and Montagne Longue)** asked the Minister of Public Utilities whether he will, for the benefit of the House, obtain from the CEB, information as to whether the regions of Grand River and Canal Dayot in Port Louis were deprived of electricity during two consecutive nights on 17 and 18 August

2005 and, if so, will be give the reasons therefore and the measures taken to avoid any such recurrence.

**The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun):** Mr Deputy Speaker, Sir, I am informed by the CEB that no fault was recorded on 17 August 2005 in the regions of Grand River and Canal Dayot in Port Louis. However, on 16 August 2005 a fault was recorded at 7.23 hours. It was found that two high tension fuses were blown. They were replaced and supply was restored at 9.30 hours.

On 18 August 2005, an outage was again reported in the same areas at 23.49 hours. The stand-by team of the CEB attended to the fault immediately and replaced one high-tension fuse which had blown. Supply was restored to all customers after about 1½ hours, more precisely at 01.24 in the early hours of the morning of 19 August 2005.

The CEB has carried out investigations to find out the exact reasons for the blowing out of the fuses. It was revealed that the problem was due to a short-circuiting of the high-tension lines by bats.

To avoid any such recurrences, the CEB is arranging for the replacement of the two spans of bare high-tension conductors in the regions of Grand River and Canal Dayot by insulated high-tension torsade cables. I am informed by the CEB that the work will be undertaken after consultation with different stakeholders to determine the proper timing so that no major inconveniences are caused. The work should be completed by mid October.

## **IRRIGATION CANAL PROJECT - PETITE RIVIÈRE - CONTRACT**

**(No. I B/207) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Public Utilities whether, in regard to the covering of the irrigation canal under the Irrigation Canal Project at Petite Rivière, he will state –

- (a) when tenders were launched, and
- (b) whether any contract has been awarded and, if so, when, indicating when work is scheduled
  - (i) to start, and
  - (ii) to be completed.

**The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun):** Mr Deputy Speaker, Sir, as regards part (a), tenders for the covering of the irrigation canal in Petite Rivière were invited on 05 January 2005 with the closing date being 16 February 2005.

As regards part (b), any evaluation team was set up on 29 March 2005 after the National Development Unit had confirmed its participation in the exercise. The team was thus made up of two Engineers from the Water Resources Unit of the Ministry of Public Utilities and one Engineer from the National Development Unit. However, the representative of the National Development Unit did not turn up for the exercise. Despite this constraint, the two Engineers of the Water Resources Unit carried out the work. On 25 May 2005, the evaluation report was sent to the National Development Unit for its views. By the deadline, there had been no reaction from the NDU, implying presumably that they had no objection to the recommendation. Thus, on 08 June 2005, the Ministry of Public Utilities sought the approval of the Central Tender Board for the award of contract. On 15 June 2005, approval was obtained. The letter of intent was finalised while confirmation for funding was being solicited from the NDU. On 15 August, the NDU informed that funds to the tune of Rs4.2 m. had been earmarked for the purpose. Consequently, on 18 August 2005, the letter of intent was issued to the contractor.

The contractor has, on 29 August 2005, signified its acceptance of the conditions of the contract with a completion period of three months. The letter of award is now being finalised. The Water Resources Unit of the Ministry of Public Utilities is closely following up the matter to ensure that this is done at the earliest possible.

**PRIMARY AND SECONDARY SCHOOLS – DECEMBER 1995 TO  
SEPTEMBER 2000 AND SEPTEMBER 2000 TO JULY 2005 –  
CONSTRUCTION – CAPITAL BUDGET**

**(No. I B/208) Mr M. Dowarkasing (Third Member for Curepipe & Midlands)** asked the Minister of Education & Human Resources whether, in regard to the construction of primary and secondary schools during each of the periods December 1995 to September 2000 and September 2000 to July 2005, he will state the capital budget allocated for the projects therefor.

**Mr Gokhool:** Mr Deputy Speaker, Sir, hon. Members are certainly aware that funds are provided in the capital budget on a financial year basis and disbursed as per progress of works and provision of contracts.

## **Primary Schools**

Allocation for construction of primary schools for period 1995/1996 to 2005/2006 (which covers period 1995 to July 2005), was made under one item “construction/improvement of primary schools”.

For the financial years 1995/1996 to 2000/2001 (which covers period 1995 to September 2000) the total amount allocated for the construction and improvement of State primary schools was Rs285.6 m. The actual amount spent for that period was Rs257.7 m.

For financial years 2000/2001 to 2005/2006 (which covers period September 2000 to July 2005), allocation for construction of State primary schools is Rs821 m. The actual amount spent was only Rs171 m.

## **Secondary Schools**

For secondary schools from 1995/1996 to 2000/2001 allocation for construction was made under one item “construction/improvement of secondary schools” whereas for financial years 2001/2002 to 2005/2006, a new item “construction/conversion/extension of secondary schools” was created to cater for construction of secondary schools among others.

For the financial years 1995/1996 to 2000/2001 (which covers the period December 1995 to September 2000), the total amount allocated for the construction/improvement/conversion/extension of State secondary schools was Rs650.9 m. The actual amount spent for that period was Rs559.1 m.

For financial years 2000/2001 to 2005/2006 (which covers the period September 2000 to July 2005), Rs4,232 m. were allocated for construction/improvement/conversion/extension of State secondary schools. Of these, only Rs1,893.3 m. were spent.

Sir, as I have already made it crystal clear to this House, in spite of this substantial allocation of funds, between 2000/2001 and 2005/2006, due to poor planning and poor project management, the construction/improvement of secondary schools programme has not been on target.

Please refer to my reply to PQ B/79 and B/141 wherein I indicated that this situation has caused and is causing serious prejudice to the student community and their parents.

The situation is now being closely monitored and action has been taken to alleviate the difficulties of the students for the new academic year 2006.

**Mr Dayal:** Can I ask the hon. Minister if he can explain to the House the serious delays in the completion of the project?

**Mr Gokhool:** I have already indicated, Mr Deputy Speaker, Sir, that according to me, and my Ministry, this is due to poor planning and poor project management.

### **ROBERT EDWARD HART GOVERNMENT SCHOOL – SURINAM - TEACHER – ABSENCES**

**(No. I B/209) Mrs S. Hanoomanjee (Second Member for Savanne & Black River)** asked the Minister of Education & Human Resources whether he will state if he has been made aware of the problems faced by the students of Standard I of Robert Edward Hart Government School at Surinam due to the frequent absences of a teacher and, if so, will be state what remedial measures are envisaged.

**Mr Gokhool:** Mr Deputy Speaker, Sir, I am informed that on 23 and 24 August 2005, some parents of pupils of one of the two classes of Standard I of Robert Edward Hart Government School (Surinam) made verbal complaints to the Head Teacher regarding the absence of the class teacher on 22 August 2005. In fact, the absence of the teacher was mainly due to examinations the teacher had to take part in.

On Thursday 01 September 2005, the Head Teacher convened all parents of the pupils of that class, to explain to them that their complaint has been investigated and found not justified. The President of the Parents Teachers Association of the school was also present.

I assure the hon. Member and the House that my Ministry, through its zonal directorate, is monitoring the absence as well as the performance of the teacher. Should there be a need for remedial action, the needful will be done.

**Mrs Hanoomanjee:** Can the hon. Minister say whether he has checked the absences of the teacher concerned during the past year?

**Mr Gokhool:** Yes, Mr Deputy Speaker, Sir, I have the details. I have checked the absences. The absences amount to 4½ days' sick leave, 11 days' casual leave, including 4 days for examination purposes.

**Mrs Hanoomanjee:** In view of the unrest among the parents of those students, can the Minister say whether he can give urgent attention to this problem?

**Mr Gokhool:** I have already replied. There was no unrest, Mr Deputy Speaker, Sir. The Head Teacher has spoken to the parents and also to the PTA and the situation is being monitored.

### **LA PRENEUSE, RUISSEAU CREOLE COMPLEX - MOTOR VEHICLES - HIGH SPEED**

**(No. I B/210) Mrs S. Hanoomanjee (Second Member for Savanne & Black River)** asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping whether he will state if he has been made aware of the high speed at which motor vehicles are being driven in the region between Ruisseau Créole complex and St Augustin Church at La Preneuse and, if so, will he state if he proposes to take remedial actions.

**The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. Beebeejaun):** Sir, I am informed that during the months of July and August 2005, 102 and 59 contraventions respectively were established at the said location in the course of speed check exercises.

In December 2004, the Traffic Management and Road Safety Unit carried out a road safety assessment along Rivière Noire Road (A3) at Grande Rivière Noire.

Different measures, including the removal of a roadside bin, which constituted a potential hazard and the prohibition of parking in front of the Ruisseau Créole complex, have been implemented since May 2005.

Moreover, recommendations have also been made to the Road Development Authority for the provision of guard-rails to prevent vehicles from hitting pedestrians along a sharp bend in front of Ruisseau Créole complex and of slabs on an existing open drain so that it could be used as a

footpath. The works would be executed during the course of this financial year.

My Ministry is also considering the possibility of installing a set of traffic lights at the junction Black River and Cemetery Road, in front of the Ruisseau Créole complex.

I am also informed by the Commissioner of Police that mobile patrols at the local Police, traffic branch and the Road Safety Unit have been increased to curb the incidence of speeding.

**Mr Jhugroo:** Sir, can I ask the hon. Minister how many accidents have occurred between Ruisseau Créole complex and St Augustin Church during the last year?

**Dr. Beebeejaun:** I will provide the information to the House.

### **CITE MANGALKHAN - DEVELOPMENT PROJECTS**

**(No. I B/211) Mrs F. Labelle (Third Member for Vacoas & Floreal)** asked the Minister of Environment & National Development Unit whether, in regard to the upgrading, construction of drains and resurfacing works at Cité Mangalkhan, he will state if the contract has been awarded and, if so, will he state -

- (a) when;
- (b) the project value, and
- (c) the initial contractual date of completion.

**Mr Bachoo:** Mr Deputy Speaker, Sir, I am informed that the integrated development project at Cité Mangalkhan has two phases.

Phase I of the project which comprises the construction of covered drains along Floreal Road from junction Sivananda Avenue/Floreal Road over a length of 1.5 km was awarded by the Road Development Authority to Gamma Civic Ltd. on 15 January 2004 for a sum of Rs11 m. The works were completed on 30 April 2004.

During the implementation stage of the project, it was observed that the project did not provide for a proper outlet and RDA was accordingly instructed to consider the extension of the drain to a proper outlet.

The RDA has confirmed that the serious flooding at Cité Mangalkhan has been solved because all the water is now channelled to an existing drain outlet at "*La Grotte*" on Allée Brillant Road.

In respect of phase II of the project, the NDU is presently liaising with the Wastewater Management Authority regarding the location of a detention pond on the abandoned site of the wastewater treatment plant to collect the storm water from Cité Mangalkhan. The feasibility of the detention pond solution has to be determined before the project can be moved further.

As regards resurfacing works, a works order for the resurfacing of roads at Cité Mangalkhan and the widening of Pasternak Road at Floreal was issued to Gamma Civic Ltd. on 11 May 2005 for a contract sum of Rs4,186,737.50 (excluding VAT). The contractual start date and completion date were 18 May 2005 and 29 July 2005 respectively.

I am informed that 90% of the works have been completed. The delay in the execution of the resurfacing and widening works was mainly due to the presence of sewer line under the kerbs alignment and the already laid kerbs had to be realigned. The works are expected to be completed by the end of September 2005.

**Mrs Labelle:** Mr Deputy Speaker, Sir, may I ask the Minister whether he is informed of any change regarding the widening of Pasternak Road? It seems that they are reverting back. Is the widening being carried on as scheduled?

**Mr Bachoo:** Sir, the information that I have is that the work is going on as scheduled, but I am going to look into the point made by the hon. Member.

**Mr Dowarkasing:** Sir, as regards Phase I of the project, can the hon. Minister state whether the work for the outlet has been completed?

**Mr Bachoo:** Sir, according to the information that I have, the work has already been completed.

**Mr Dowarkasing:** Mr Deputy Speaker, Sir, I would request the hon. Minister to check again because as far as I know, some work is still pending as regards the outlet that leads to Riverwalk side.

**Mr Bachoo:** Sir, the point I mentioned here, is that there has been a delay in the completion of the resurfacing and the widening works only because of the presence of a sewer line under the kerbs alignment. But I am going to check it over again.

## PREVOCATIONAL TEACHERS - SALARY

(No. I B/212) **Mrs F. Labelle (Third Member for Vacoas & Floreal)** asked the Minister of Education & Human Resources whether, in regard to the teaching staff of prevocational classes, holding a Teacher's Diploma Pre-Voc, he will state if their salary has been aligned on that of Education Officers and, if so, since when.

**Mr Gokhool:** Mr Deputy Speaker, Sir, it is not clear whether the question of the hon. Member refers to the private secondary schools sector or to the State sector.

Be that as it may, there is a single salary scale for the grade of Education Officer in the range of Rs10,600 to Rs27,000 with a Q.B. (Qualifying Bar) at the salary point of Rs21,600. The holder of a diploma enters the salary at Rs10,600, but will not be allowed to proceed beyond the Q.B. unless and until he or she obtains a degree whereas the degree holders enter the salary scale at Rs14,200 and proceed incrementally to the top salary.

**Mrs Labelle:** Mr Deputy Speaker, Sir, may I know from the Minister whether he is aware that pre-vocational teachers in the private sector have seen their salary being aligned on that of Education Officers whereas I am not aware whether it is the case for the public sector?

**Mr Gokhool:** Sir, I am fully aware of the first part of the observation made by the hon. Member. Regarding the State sector, this is not the case because there was a *mise en demeure* put against the Ministry and the matter was referred to the State Law Office. Now, the Ministry, after consultation with the State Law Office, has requested the PSC to go ahead with the exercise of the filling of vacancies.

## DUPERRE STREET, BEAU BASSIN - ROAD WORKS

(No. I B/213) **Mr S. Naidu (Third Member for Beau Bassin & Petite Rivière)** asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping whether he will, for the benefit of the House, obtain from the Road Development Authority if road works are being carried out at Duperré Street, Beau Bassin and, if so, state -

(a) the scope thereof, and

(b) when they are scheduled to be completed.

**The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun):** Mr Deputy Speaker, Sir, the Road Development Authority is presently carrying out the following works along Duperré Street at Beau Bassin -

- (i) Construction of 160 m of drains to solve a flooding problem. The works started on 30 May 2005, but were delayed because of the presence of underground CWA pipes. The works were completed on 29 August 2005.
- (ii) Resurfacing of the road after completion of the drain works is scheduled to start on 07 September 2005 and will be completed within one week.

### **MORCELLEMENT LA CONFIANCE, MAINGARD - FOOTBALL GROUND PROJECT**

**(No. I B/214) Mr S. Naidu (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Environment & National Development Unit whether, in regard to the football ground project at Morcellement La Confiance, Maingard, he will state if -

- (a) the land donated therefor has been levelled, and
- (b) his Ministry was instructed to prepare the relevant drawings necessary for the issue of tenders and, if so, will he state -
  - (i) when;
  - (ii) whether the said drawings have been completed and tenders issued, and
  - (iii) when works are scheduled to start.

**Mr Bachoo:** Mr Deputy Speaker, Sir, with regard to part (a), I am advised that Works Order for clearing and levelling works was issued in April 2005 to the Annual Road Contractor, Transinvest Ltd. for an amount of Rs671,600. The works were completed in the same month.

With regard to part (b) of the question, I am given to understand that the project was not pursued further, by the NDU in March 2005. In fact, the

NDU failed to respond to the request of MPI for additional information to start the drawings.

I propose to consider the project in the 5-year plan which is being currently worked out by my Ministry.

### **ALBION PRIMARY SCHOOL PROJECT**

**(No. I B/215) Mr S. Naidu (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Education and Human Resources whether, in regard to the Albion Primary School project, he will state –

- (a) the extent of land available, and
- (b) when works are scheduled to start.

**Mr Gokhool:** Sir, I am informed that a plot of land of an extent of 0A99 at Albion was vested in my Ministry in September 1981. In May 2004, my Ministry made a request to the Ministry of Housing and Lands for a larger portion of land for a primary school project. As a result, an additional 0A71 has been identified to be annexed to the existing plot, to make a total area of 1A70. The Ministry of Housing and Lands is presently effecting a topographical survey of that area.

I wish to refer the hon. Member to the reply I made to PQ No. I B/141 last week wherein I stated that a school mapping and space audit exercise would be carried out as a matter of urgency. Once the exercise is completed, a policy decision would be taken as to where new primary schools would be constructed. In that context, the Albion School Project will be considered.

### **CITÉ RICHELIEU - LEISURE PARK**

**(No. I B/216) Mrs A. Navarre-Marie (First Member for GRNW and Port Louis West)** asked the Minister of Environment and National Development Unit whether, in regard to the Leisure Park project at Cité Richelieu, he will state –

- (a) when tenders were launched;
- (b) when was the contract awarded;
- (c) the name of the contractor;

- (d) the value of the contract, and
- (e) when works are likely to be completed and the Leisure Park open to the public.

**Mr Bachoo:** Mr Deputy Speaker, Sir, with regard to part (a) of the question, tenders for the construction of a Sports Complex and Leisure Park at Richelieu were launched in June 2004.

As regards part (b) of the question, the contract was awarded to Super Construction Co. Ltd in December 2004 for the sum of Rs10,509,502.70

With regard to part (c) of the question, by the end of August 2005, 85% of the works had been completed. The Leisure Park is expected to be open as soon as the project is handed over to the Local Authority.

### **CAMP CHAPELON – FOOTBALL GROUND**

**(No. I B/217) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West)** asked the Minister of Environment and National Development Unit whether, with regard to the upgrading of the football ground at Camp Chapelon, he will state –

- (a) when works started;
- (b) the name of the contractor, and
- (c) the value of the contract.

**Mr Bachoo:** Mr Deputy Speaker, Sir, with your permission, I shall reply to both Parliamentary Questions Nos. I B/217 and I B/218 together. I am advised that the project for the reconstruction of the football ground at Camp Chapelon is being implemented in three phases.

Works Order for phases 1 and 2 were issued to the Annual Road Contractor, Transinvest (Mtius) Ltd in October 2004 as follows –

- (i) Phase one consisted of the demolition of a wall. Works started and completed in October 2004;
- (ii) Phase two consisted of the construction of a block wall, leveling of the field, provision of drainage, grassing and

ancillary works for the sum of Rs3.8 m. the works started in December 2004 and were completed in May 2005;

- (iii) Phase three consisted of the supply and erection of chain link fencing. The contract was awarded to Future Builders Ltd in May 2005 for the sum of Rs2.2 m. Works started in July 2005 and are scheduled to be completed by mid September 2005.

Following a request from the *forces vives* of the region, the project was reviewed and extended. Consequently, additional land was required and a request was made to the Ministry of Housing and Lands for additional land in July 2004. In August 2005, the Ministry of Housing acceded to the request.

### **CAMP CHAPELON – FOOTBALL GROUND**

**(No. I B/218) Mrs A. Navarre-Marie (First Member for GRNW and Port Louis West)** asked the Minister of Youth and Sports whether, with regard to the upgrading of the football ground at Camp Chapelon, he will state when was the approval sought and obtained from the Ministry of Housing and Lands for additional land for the project.

*(vide reply to PQ No. I B/217)*

### **POWDER MILK – STOCK & IMPORTATION BY STC**

**(No. I B/219) Mr G. Guinness (Third Member for Montagne Blanche & GRSE)** asked the Minister of Industry, Small & Medium Enterprises, Commerce and Co-operatives whether, in regard to powder milk, he will –

- (a) give the present stock in the country;
- (b) state the monthly consumption thereof, and
- (c) for the benefit of the House, obtain information as to when the State Trading Corporation will bring its first consignment.

**Dr. Jeetah:** Mr Deputy Speaker, Sir, I am informed by the Consumer Protection Unit that powder milk stock, as at 05 September 2005, stood at 687.23 tons excluding stock available at retail outlets islandwide. Further, the different importers are expecting a total of 437 tons during the month of September.

Regarding the monthly consumption, Mr Deputy Speaker, Sir, from Central Statistical Office figures available for 2003, the per capita consumption was 11.1 kg.

The State Trading Corporation has been requested to intervene in order to ensure adequate supply of milk powder in the market by importing high quality milk from India, with STC India acting as a facilitator. Negotiations and arrangements have reached an advanced stage and the first consignment of milk imported by the STC Mauritius is expected to reach the country by end of September 2005. Negotiations are well under way with other countries such as Australia, Brazil, Argentina and Holland for importing high quality milk.

Already there are new entrants who have joined this business line and one of them is already marketing its brand at very competitive prices, even below the price worked out by my Ministry based on the 14% mark up.

Thus, Mr Deputy Speaker, Sir, this mark-up of 14% is benefiting the whole community of more than one million consumers.

**Mr Guinness:** Mr Deputy Speaker, Sir, I did not make a quick calculation of the per capita consumption and the available stock, but it seems that in two weeks' time, there will be shortages. There are already shortages. Last week, the hon. Minister said that he was going to book the suppliers? Can the hon. Minister tell us how many suppliers have been booked for not supplying milk?

**Dr. Jeetah:** Mr Deputy Speaker, Sir, I would like to refer the hon. Member to the last week's question. I answered that the contraventions established in connection with milk powder stood at eight for the period 22 August to 08 September.

**Mr Guinness:** Can I ask the hon. Minister whether he will issue a *communiqué* informing customers that when they go to supermarkets, there is no quota imposed on milk?

**Dr. Jeetah:** Mr Deputy Speaker, I mentioned that the Consumer Protection Unit is doing its work as it is supposed to do and it is taking contraventions as and when the need arises.

**Mr Guinness:** According to the law, which exists in his Ministry, is it legal for supermarkets to impose a quota?

**Dr. Jeetah:** Mr Deputy Speaker, Sir, I have answered the question, which referred to the stock of milk. At the moment - if ever the Member were to add up the figures - without considering the stock available, it would stand to a value of 1,124.23 tonnes for the month of September.

**Mr Guinness:** Mr Deputy Speaker, Sir, I understand that the Minister has not given me the answer. Can I know from the Minister, now that the State Trading Corporation has already placed an order for milk from India, at what price will the milk be sold on the local market?

**Dr. Jeetah:** I would have gladly answered this, but the hon. Member would have to understand that this is a commercial venture and I can assure the hon. Member that the price is going to be substantially lower than what is available.

**Mrs Perrier:** Je voudrais savoir si le ministre a eu le temps depuis la semaine dernière de vérifier quel est le pourcentage de lait en poudre en stock qui est dédié au yaourt et au lait en liquide?

**Dr. Jeetah:** I would have gladly answered this question, but I need notice. The hon. Member is asking for something which has nothing to do with the substantive question.

**Mr Barbier:** Mr Deputy Speaker, Sir, yesterday, it was reported to me by many of my constituents in Constituency No. 1 that they were allocated only a packet of milk of 500 grams. Is the Minister aware of such a situation actually in the country?

**Dr. Jeetah:** Mr Deputy Speaker, Sir, I have answered the question that there is no shortage of milk in Mauritius.

## FORM I ADMISSION - STATE COLLEGES

(No. I B/220) Mr G. Guinness (Third Member for Montagne Blanche & GRSE) asked the Minister of Education and Human Resources whether he will state the criteria that will henceforth be applied for the

admission of pupils in the seven State colleges which were previously known as Form VI colleges.

**Mr Gokhool:** Mr Deputy Speaker, Sir, I take it that the question refers to admission of pupils in Form I in the seven State colleges.

The mode of admission to Form I in January 2006 will remain the same as for January 2005, that is, admission will be made on the basis of regionalisation, grading, with proximity of residence being the deciding criterion in the case of tie-up.

The only new element is that in line with Government Programme 2005-2010, the Form I to VI colleges on which there is a quasi consensus, are being reinstated. In this respect, my Ministry has examined different scenarios and for a smooth transition, it has been decided to opt for a phased approach spreading over 2006 and 2007.

In January 2006, only seven VI Form colleges will be converted and the rest will be converted in January 2007 on the basis of a new mode of admission to be finalised, taking into consideration amongst others, the need to recognise performance, the importance of subjects like English and Science Education and so on.

For January 2006, the list of schools admitting Form I students is only being enlarged with the inclusion of seven colleges which were hitherto admitting only Lower VI students.

**Mr Guinness:** Mr Deputy Speaker, Sir, we are changing the policy. There is a judgment of the Privy Council where it is stated that any change in the education sector needs at least a minimum of one-year *préavis*. Can I know from the Minister whether this has been taken into consideration in this case?

**Mr Gokhool:** Mr Deputy Speaker, Sir, all this has been taken into consideration. As I said, the only change which is taking place is that 7 colleges are being added to the list of colleges in the regions. We are not changing the criteria.

**Mr Guinness:** Anyway, these 7 colleges were Form VI colleges. Now that we are admitting pupils in Form I, I think we must have given sufficient one-year *préavis* to parents.

*(Interruptions)*

**The Deputy Speaker:** The Minister has already replied.

**Mr Guinness:** Can I know from the Minister whether an impact assessment has been carried out on private secondary schools when we are admitting pupils in these 7 State colleges? What will be the impact on the private colleges in the region?

**Mr Gokhool:** Mr Deputy Speaker, Sir, I have held consultations with the managers and rectors of private secondary schools. I have also consulted other stakeholders and there is no problem. Simulation exercises have been carried out and the colleges in the private and public sectors will admit the students who will be passing the CPE.

**Mr Guinness:** Will the Minister give the guarantee that in case of redundancy employees will be redeployed?

**Mr Gokhool:** That is hypothetical, Mr Deputy Speaker, Sir.

#### **SOUTH EASTERN HIGHWAY PROJECT – HIGH POWERED COMMITTEE – SETTING UP**

**(No. I B/221) Mr G. Guinness (Third Member for Montagne Blanche & GRSE)** asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport and Shipping whether, in regard to the South Eastern Highway project, he will state if a High Powered Committee has been set up and, if so, will he state if it has completed its assignment and the decisions reached, if any.

**The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun):** Mr Speaker, Sir, on 29 July 2005, Government decided to set up a High Powered Committee, chaired by the Secretary for Home Affairs, and comprising all stakeholders, including a representative of Nature Watch and Mahebourg Citizen Welfare Organisation. The Committee met on three occasions as follows: On 08 and 25 August 2005, with Government officials and on 31 August 2005, with Nature Watch and the Mahebourg Citizens Welfare Organisation. Another meeting with the same organisations has been scheduled for Wednesday, 07 September 2005, that is tomorrow.

The Committee will submit its report to Government thereafter.

**Mr Bérenger:** Mr Deputy Speaker, Sir, on 16 August last, after I had pointed out that as far as my information was concerned, works were proceeding from Plaine Magnien towards Ferney. I asked the hon. Minister how far from Ferney itself the works had reached. The Minister said he did not have the information, but he would provide the information. It would seem that, at that point in time, works had also started at the other end, reaching down from the East to Ferney. Can I know from the Minister where matters stand? How far the contractor is from Ferney - both ends - and when works started at the other end?

**Dr. Beebeejaun:** Mr Speaker, Sir, I think there has been a confusion as far as the term Ferney is concerned because there are Ferney community centre, Ferney old sugar factory and Ferney the gate to the forest. As at present, the works are from the old sugar factory inwards, but not quite at the gate. So, there is no involvement of the forest whatsoever in the end from Mahebourg to Ferney. At the other end, from Kewal Nagar to the tunnel exit, works are proceeding. The road has been cleared and there has been no other involvement in the forest inside the Ferney valley, whatsoever.

**Mr Bérenger:** If I understand the Minister, it seems, in fact, the contractor has reached the ex-Ferney Sugar Estate which is right on the edge of the forest.

**Dr. Beebeejaun:** The old sugar factory is about 2 km from where the forest starts, and work is proceeding along the sugarcane fields and has not involved the forest.

**Mr Bérenger:** Can I point out to the Minister that the previous Government had seen to it that work proceeds only from Plaine Magnien to Ferney pending a decision being taken in Court? Now that we learn that work has started from the other end, are we not before *le fait accompli* now?

**Dr. Beebeejaun:** As I said, Mr Speaker, Sir, that the work from Kewal Nagar to the exit of the tunnel has been ongoing all the time. That's what I am given to understand. At no time did it stop.

**Mr Bérenger:** The case was referred to Court today. Can we know what legal stand Government is adopting to date?

**Dr. Beebeejaun:** We have asked for a postponement pending the report of the Government.

*At 1.00 p.m the sitting was suspended.*

**CUSTOMS - GOODS (SEIZED OR ABANDONED) - SALE**

**(No. I B/222) Dr. R. Mungur (Second Member for Flacq & Bon Accueil)** asked the Deputy Prime Minister, Minister of Finance & Economic Development whether he will, for the benefit of the House, obtain information as to whether any project has been initiated by the Customs and Excise Department for the privatization of the sale of goods and, if so, will he further ascertain where matters stand and indicate -

- (a) the CIF value, duties and taxes payable on these goods held in bonded warehouses as at mid July 2004, and
- (b) the remedial measures, if any, taken for the disposal of goods and for the recovery of duties and taxes due.

**The Deputy Prime Minister, Minister of Finance and Economic Development (Mr S. Sithanen)** Mr Deputy Speaker, Sir, as regards part (a), I am informed that in 2003 the Customs Regulations were amended to allow the privatisation of the sales of seized or abandoned goods. Following amendment of the regulations, the Central Tender Board launched tenders inviting bids from interested parties to collect, store and auction the seized or abandoned goods against a fee or commission based on a percentage of the sale price. Only two tenders were received. On the advice of the Central Tender Board, the tenders were cancelled. One bidder did not include a sworn auctioneer. The other bidder was a company set up by all sworn auctioneers, thus effectively preventing competition. A second tender was launched in July 2004 and three bids were received. But the rate of commission offered by the bidders was exorbitant, it was decided to cancel the bids and to revert to the practice of Customs Department carrying out the auction sales itself.

The CIF value of goods lying in the bonded warehouse as at mid July 2004 is Rs123,979,498 and the total amount of duties and taxes leviable on such goods is Rs133,076,272.

As regards part (b) of the question, the Customs Department has organised a number of small, specialized auction sales. Also the Department has received bids in respect of goods which can only be sold for export.

**Dr. Mungur:** Mr Deputy Speaker, Sir, since the quantum of the warehouse is around Rs4 m. per year, could the hon. Deputy Prime Minister

and Minister of Finance say if there is any process or otherwise to clear the backlog?

**Mr Sithanen:** Mr Deputy Speaker, that was the objective behind the privatisation of sales of seized or abandoned goods. Unfortunately, it did not work because the commission sought by the bidders, I am informed, was to the region of 35%/40%. In the meantime, they have organised these specific specialised auctions. There is a committee that is monitoring the effectiveness of the present system and if it does not work, we may revert to the previous system.

### **DENTISTS - GOVERNMENT SERVICE**

**(No. I B/223) Dr. R. Mungur (Second Member for Flacq & Bon Accueil)** asked the Minister of Health and Quality of Life whether, in regard to the practice of dentistry in the public service, he will -

- (a) give the number of dentists working therein;
- (b) give the number of dental clinics in operation on -
  - (i) a full time basis, and
  - (ii) a part time basis, and
- (c) state if presently, there is a shortage of dental surgeons and, if so, when recruitment thereof will be effected.

**Mr Faugoo:** Mr Deputy Speaker, Sir, as regards part (a) of the question, the number of dentists employed in the Government service presently stands at 47. In addition, there are 8 posts of Specialist (Dental Services) and 4 posts of Superintending Dental Surgeon on the establishment of my Ministry.

All the posts for dentists i.e. dental surgeon/senior dental surgeon are filled. However, one post of Superintending Dental Surgeon and two posts of Specialist (Dental Services) are vacant. Action has been initiated for filling of these vacancies.

As regards part (b) of the question, Mr Deputy Speaker, Sir, 34 dental clinics operate on a full time basis, i.e. Monday to Friday from 09.00 hours to 16.00 hours and on Saturdays from 09.00 hours to 12.00 hours. Further, 12 dental clinics operate on a part-time basis, i.e, three days weekly from 09.00 hours to 16.00 hours and 09.00 hours to 12.00 hours on Saturdays.

As regards part (c) of the question, Mr Deputy Speaker, Sir, there is no shortage of dental surgeons.

**Dr. Mungur:** Mr Deputy Speaker, Sir, since the ratio of dental surgeons to the population is 1:20,000, will the hon. Minister look into the possibility of initiating dental services from 4 p.m to 6 p.m in specific regions to enhance the availability and accessibility of dental care to the community?

**Mr Faugoo:** Mr Deputy Speaker, Sir, it is a fact that there is an increase in the demand for dental services. In fact, I have caused three extra dental clinics to be open, namely, at Grand'Baie, Rivière des Créoles and Midlands. It is, at present, envisaged to create additional posts for dental surgeons and dentists in the service. Once this is done, maybe we can consider the request made by the hon. Member.

**Mr Jhugroo:** Mr Deputy Speaker, Sir, may I ask the hon. Minister if he has the intention to extend the services of dentists during week-ends, that is, after 12.00 hours on Saturday and on Sunday morning?

**Mr Faugoo:** This is what I said, Mr Deputy Speaker, Sir. Once we recruit extra dentists, we will consider the opening hours of the clinics.

### VICTORIA HOSPITAL - LITHOTRIPSY MACHINE

**(No. I B/224) Dr. R. Mungur (Second Member for Flacq and Bon Accueil)** asked the Minister of Health and Quality of Life whether he will state if his Ministry has purchased one Lithotripsy machine for the Victoria Hospital in the year 2000 and, if so, will he –

- (a) state the cost thereof, and
- (b) ascertain the number of days during which the machine broke down for the period 2000 to 2003.

**Mr Faugoo:** Mr Deputy Speaker, Sir, one Lithotripsy machine make Medispec from Israel was procured for the sum of Rs7,315,000 for Victoria Hospital. The equipment was commissioned on 13 January 2000. The machine is used to break renal stones into particles, which passes through the urinary tract, thus avoiding surgical operations for patients requiring such treatment. In fact, the machine started to encounter technical problems on 16 November 2001 and was out of order for 318 days during period January 2000 to December 2003 because of several technical problems.

Following the replacement of one major component, namely, the generator box on three occasions, during that lapse of time, I am told that the equipment is now in good running condition.

**Dr. Mungur:** Can the Minister tell us the situation as it is now?

**Mr Faugoo:** It is in working order, Sir.

### VAT DEPARTMENT - ARREARS

**(No. I B/225) Dr. R. Mungur (Second Member for Flacq & Bon Accueil)** asked the Deputy Prime Minister, Minister of Finance and Economic Development whether he will, for the benefit of the House, obtain from the VAT Department, a breakdown of arrears of VAT due as at June 2004 and state what action is being taken to ensure their recovery.

**The Deputy Prime Minister, Minister of Finance and Economic Development (Mr S. Sithanen):** Sir, I am informed that the arrears of VAT due to the VAT Department as at 30 June 2004 stood at Rs140.5 m. In addition, arrears of VAT due to the Large Taxpayer Department amounted to Rs2.7.m. Thus, the total amount of arrears in respect of VAT as at end June 2004 was Rs143.2 m..

This amount is broken up as follows -

Cases of companies in receivership and liquidation	Rs 30.3 m.
Cases under appeal at the Supreme Court	Rs 7.6 m.
Cases of irrecoverable debts for which application for write off had been made	Rs 3.6 m.
Other cases	Rs101.7 m.

I am informed that action has already been initiated by the VAT Department and Large Taxpayer Department to recover the amount of Rs101.7 million considered to be recoverable. The VAT legislation provides for a number of instruments that can be used to recover such arrears.

I wish to add, Mr Deputy Speaker, Sir, that out of the amount of Rs101.7 m. due, a sum of Rs35.5 m. has already been recovered to date.

**Dr. Mungur:** Mr Deputy Speaker, Sir, is there a possibility that some of the arrears be written-off?

**Mr Sithanen:** Mr Deputy Speaker, Sir, that risk always exists. As I have stated in the main reply, there are a number of instruments provided for in the law to recover such arrears. They will use these instruments, but the risk certainly exists that, in some cases, where there has been liquidation we may not recover that amount. But I must also state that, according to the figures that I have here, the amount in respect of cases of companies in receivership and liquidation is Rs30 m. whereas for the other cases, it is Rs101.7 m.

**MORVAN, MR L. R. - FORMER CHAIRMAN, NATReSA -  
MISSIONS OVERSEAS**

**(No. I B/226) Dr. M. A. Husnoo (Second Member for Port Louis Maritime and Port Louis East)** asked the Minister of Social Security, National Solidarity and Senior Citizens Welfare & Reform Institutions whether, in regard to the National Agency for the Treatment, and Rehabilitation of Substance Abusers (NATReSA), she will, for the benefit of the House -

- (a) state the name of the Chairman for the period 2000-2005, and
- (b) obtain from the NATReSA information -
  - (i) on the number of trips effected by the said Chairman, indicating the countries visited, the conferences attended and their respective outcome, and
  - (ii) the amount paid as allowances, *per diem* and airfares for each trip effected by the said Chairman during the aforesaid period.

**Mrs Bappoo:** Mr Deputy Speaker, Sir, as regards part (a) of the question, Mr Lindsay Reginal Morvan was Chairman of the Board of National Agency for the Treatment and Rehabilitation of Substance Abusers (NATReSA) from December 2000 and to 07 July 2005, that is, he served two terms of office.

As far as part (b) is concerned, Mr Morvan has effected seven trips overseas on official mission.

I am informed that NATReSA disbursed a total amount of Rs473,649.00 for the 7 trips as follows -

Rs293,360.00 for *per diem*

Rs157,216.00 for airfare

Rs23,071.00 for registration fees.

I am arranging for a complete breakdown with regard to the overseas missions of Mr Morvan to be tabled.

Regarding the outcomes of the various missions, I am informed that there are not any meaningful benefits, except that his participation at the 5<sup>th</sup> SADC Drug Control Committee Meeting in May 2001 has led to the drafting and publication of a National Drug Control Master Plan (2004-2009) for the Republic of Mauritius with the collaboration of the United Nations Office of Drugs and Crime (UNODC).

### **JEAN LEBRUN GOVERNMENT SCHOOL – RECONSTRUCTION**

**(No. I B/227) Dr. A. Husnoo (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Education and Human Resources whether, in regard to the Jean Lebrun Government School, he will state –

- (a) if there is a project for the reconstruction of the school and, if so, indicate at what stage is the project, and
- (b) indicate the date when the reconstruction works are likely to start and the expected date of completion.

**Mr Gokhool:** Mr Deputy Speaker, Sir, I am informed that on 29 December 2004, the Head Teacher of the school reported the presence of cracks in four of the five school blocks.

A site visit was effected by a technical team of the Ministry on 03 February 2005, following which the Ministry of Public Infrastructure, Land Transport & Shipping (MPI) was requested to carry out a full structural survey of the school and propose remedial actions.

A preliminary structural survey of the school was carried out on 28 February and 19 March 2005 and a report was submitted to the Ministry of Education on 05 April 2005.

My Ministry then sent the necessary requirements to the MPI to enable the latter to plan for eventual works at the school.

The MPI is currently carrying out a complete topographical survey of the school premises which is expected to be completed by mid September 2005. Thereafter, a decision will be taken.

### **ROAD DEVELOPMENT AUTHORITY, VACOAS – OFFICE**

**(No. I B/228) Dr. R. Hawoldar (Second Member for La Caverne & Phoenix)** asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping whether, in regard to the renting of the office of the Road Development Authority in Vacoas, he will, for the benefit of the House, obtain the following information –

- (a) if a public invitation for the renting of office space was made;
- (b) the names and offers made by each applicant, and
- (c) the present monthly rent being paid for the chosen office.

**The Deputy Prime Minister and Minister of Public Infrastructure, Land Transport and Shipping (Dr. R. Beebeejaun):** Mr Deputy Speaker, Sir, with regard to part (a) of the question, I am informed that the office space of the Road Development Authority at St. Paul Road, Vacoas, measuring 10,620 sq ft. has been rented following a public advertisement made by the Authority on 26 February 2002.

With regard to part (b), there were in all 12 offers received. I am tabling details about the offers. A committee set up to evaluate the tenders recommended on 26 March 2002 that the offer of Jhugroo Bros. Ltd. duly represented by Mr Parmanand Jhugroo be retained. Though the rate was not the lowest, the building of Jhugroo Bros. was considered as meeting the basic requirements.

With regard to part (c), the present monthly rent being paid is Rs201,514.50 (inclusive of VAT), that is, Rs19 per sq. ft. It is to be noted,

however, that the Chief Government Valuer considered that a fair rent would be Rs15 per sq. ft.

### **LABOUR OFFICE, VACOAS – RENT**

**(No. I B/229) Dr. R. Hawoldar (Second Member for La Caverne & Phoenix)** asked the Minister of Labour, Industrial Relations and Employment whether, in regard to the renting of the Labour office in Vacoas, he will state –

- (a) if a public invitation for renting of office space was made;
- (b) the names and offers made by each applicant, and
- (c) the present monthly rent being paid for the chosen office.

**Dr. Bunwaree:** Mr Deputy Speaker, Sir, a public invitation for renting of office space in Vacoas of an extent of 1,700 to 2,000 sq. ft. to house the Labour office was made by way of a press communiqué through the Government Information Service on 18 October 2001.

As at the closing date on 06 November 2001, 10 offers were received.  
**(Appendix I)**

I wish to inform the House that after analysing all the offers received and in the light of the report of site visits carried out, the Departmental Tender Committee of the Ministry retained, in order of priority, the offers of Jaulim Plaza Ltd. and Jhugroo Bros. The final choice was made in favour of Jaulim Plaza Ltd. which had made the cheapest complying offer.

On 08 December 2001, Jaulim Plaza Ltd., curiously, withdrew its offer. The Ministry, subsequently, decided to opt for the second best offer, namely that of Messrs Jhugroo Bros. The rent proposed by this bidder for office space of an extent of 2,000 sq. ft. was Rs17 per sq. ft (excluding VAT) i.e., a total rent of Rs38,080 monthly. The Government Valuer assessed, however, the rent at Rs12 per sq. ft. Mr Deputy Speaker, Sir, I am informed that Jhugroo Bros. did not agree to the rental of Rs12 per sq. ft. in view of partitioning works which had to be undertaken and intimated that a rate of Rs15 per sq. ft. would be acceptable - that was given only verbally, it seems. The Government Valuer conducted a new assessment of the premises and estimated that the rate of Rs15 per sq. ft. “may be accepted” to quote his words.

According to records of the Ministry, a lease agreement was then entered into with Jhugroo Bros. on 01 April 2002. The agreement mentions

the renting of office space for an initial period of one year at the monthly rate of Rs15 per sq. ft., excluding VAT, but for a space area of 3,250 sq. ft. Consequently, a monthly rental of Rs48,750 (excluding VAT) was payable. The Vacoas Labour Office moved to the Jhugroo Bros.' premises on the same date.

After one year, upon expiry of the lease on 31 March 2003, the lease agreement was renewed for a further period of one year. As from the second year of occupation, i.e., 01 April 2003, the monthly rent was increased at the request of the owner from Rs15 to Rs16.50 per sq. ft., i.e., a total of Rs53,625, excluding VAT.

The rent of Rs53,625, excluding VAT monthly has been payable since 01 April 2003 to date. The present lease is due to expire on 31 March 2006.

**Dr. Hawoldar:** Mr Deputy Speaker, Sir, in the tender exercise the area requested was 1,700 to 2,000 sq ft. May I ask the hon. Minister why is it that finally the Ministry accepted to rent an area of 3,250 sq ft., which is one and a half times the area requested?

**Dr. Bunwaree:** Mr Deputy Speaker, Sir, unfortunately, I am unable to reply to this question. There is no record regarding the reassessment of office space and no acceptable reply found in the file.

**Dr. Hawoldar:** Mr Deputy Speaker, Sir, may we know if, at the time the Labour Office moved to Jhugroo Bros. Bldg on 01 April 2002, all clearances had been obtained?

**Dr. Bunwaree:** I believe clearances were not obtained neither from the Fire Services nor the Ministry of Infrastructure.

### **POST OFFICE, VACOAS - RENT**

**(No. I B/230) Dr. R. Hawoldar (Second Member for La Caverne & Phoenix)** asked the Minister of Information Technology and Telecommunications whether in regard to the renting of the Post Office in Vacoas, he will, for the benefit of the House, obtain the following information -

- (a) if a public invitation for renting of office space was made;
- (b) the names and offers made by each applicant, and

(c) the present monthly rent being paid for the chosen office.

**Mr Sinatambou:** Mr Deputy Speaker, Sir, as regards part (a) of the question, I am advised by Mauritius Post Ltd that on 28 June 2002, the Postal Services published a notice inviting interested parties to submit offers for the renting of office space of an area of approximately 300 square metres in a concrete building at Vacoas to accommodate a Post Office. The notice specifically mentioned that the accommodation should be at ground floor level.

As regards part (b) of the question, five offers were received. I am circulating the names of the tenderers and offers. (**Appendix II**)

Suffice it to say at this stage, Mr Deputy Speaker, Sir, that Jhugroo Bros at Rs92,805 monthly for a total area of 385 m<sup>2</sup> was the most expensive bidder.

As regards part (c), the present rent payable to the chosen office, i.e. the building belonging to Jhugroo Bros is Rs80,000 monthly. However, contrary to the tender specifications contained in the public notice, the building is made up of a ground floor of 160 m<sup>2</sup> and a first floor of 225 m<sup>2</sup>.

Mr Deputy Speaker, Sir, it would appear from records at Mauritius Post Ltd that, shockingly, the building was not chosen as a result of the tender exercise. I have been advised by Mauritius Post Ltd that the bids received were not evaluated by any tender committee and that the decision to rent the building at the rate of Rs80,000 monthly was communicated to the management of the Postal Services by the then Executive Chairman without any evaluation having been carried out.

In fact, the most disturbing element in this case is that the then Executive Chairman of Mauritius Post Ltd had informed the Board on 04 September 2002 that what comes out to be a separate proposal was received from Mr Jhugroo for the same building and that the rental quoted was Rs50,000 per month. The Chairman indicated at that meeting that the rental proposed was on the high side and he was accordingly given approval by the Board to negotiate further with Mr Jhugroo to bring the rental to a lower acceptable level. According to the management of Mauritius Post Ltd, there is no record to indicate that this issue came back to the Board.

The contract for the lease of the building belonging to Jhugroo Bros for a period of five years was signed by the Executive Chairman on 11 November 2002 at a rental price of Rs80,000 per month. The Post Office

started its counter services in June 2003 after a sum of around Rs1.8 m. was spent by Mauritius Post Ltd on partitioning, counters, electrical works and air-conditioning system.

Mr Deputy Speaker, Sir I would finally like to add that the former Minister of Information Technology and Telecommunications might have misled the House in October 2003 when he indicated in his reply to PQ B/641 that the decision to rent the building belonging to Jhugroo Bros Ltd was made following the issue of a public notice published in June 2002 for the renting of office space in Vacoas. A copy of the reply is being tabled.

**Mr Boodhoo:** Mr Deputy Speaker, Sir, if I heard the Minister well, he said that the rent, instead of decreasing from Rs50,000 downwards, went up to Rs80,000. Would the Minister consider taking disciplinary action against the relevant people who took the decision to increase the rent?

**Mr Sinatambou:** Mr Deputy Speaker, Sir, since it concerns the Mauritius Post Ltd, I can only convey the message to the people concerned.

**Dr. Hawoldar:** Mr Deputy Speaker, Sir, may I ask the Minister whether he proposes to conduct an inquiry into the different rental figures of Rs50,000 and Rs80,000 and report to the House?

**Mr Sinatambou:** Mr Deputy Speaker, Sir, in fact, it is indeed surprising that a monthly rental of Rs80,000 is being paid when the two lowest offers for the premises were Rs21,000 monthly for a building of an area of 427.35 m<sup>2</sup> and Rs16,000 monthly for a building of unspecified area. But, once again, I can only invite the relevant decision-maker concerned at the Mauritius Post Ltd to do the needful.

**Dr. Hawoldar:** Mr Deputy Speaker, Sir, being given that the post office is found on the first floor of the building and as the hon. Minister himself might be aware, the stairs are very narrow and elderly people are having problems to go to the post office, would he consider moving the postal services to some other place?

**Mr Sinatambou:** Mr Deputy Speaker, Sir, as a matter of fact, when I got to know about the problems, I did envisage the possibility of moving out, but one of the clauses of the contract states that "the lease shall be considered binding for the first five years as from commencement date." I can only ask that the matter be looked into by the lawyers of Mauritius Post Ltd.

**MOHUNLALL MOHIT GOVT. SCHOOL - ADDITIONAL  
CLASSROOMS, PRE-PRIMARY COMPLEX, ETC.**

**(No. I B/231) Mr S. Dayal (Second Member for Quartier Militaire and Moka)** asked the Minister of Education and Human Resources whether in regard to the Mohunlall Mohit Government School at L'Avenir, he will inform the House if the members of the Parent Teachers Association wrote to his Ministry in the year 2004 concerning -

- (a) the additional classrooms;
- (b) the pre-primary complex;
- (c) the fencing of the school compound;
- (d) the provision of an IT room and a reading room and, if so, will he state if he is aware that nothing has been done since the year 2004 and whether he will take the above matter into consideration to the general satisfaction of stakeholders.

**Mr Gokhool:** Mr Deputy Speaker, Sir, before replying to the hon. Member, I wish to inform the House with deep regret that the person of Pandit Mohunlall Mohit passed away on Friday last. Pandit Mohunlall Mohit was a national figure, a social worker and his contribution to the promotion of education was appreciated by one and all. I take this opportunity to present our heartfelt condolences to the bereaved family.

I am informed that the Director of Zone 2 (Beau Bassin/Rose Hill & East) had received a letter from the Parent Teachers Association of the school on 15 December 2004, requesting for -

- (a) additional classrooms;
- (b) a pre-primary complex;
- (c) the fencing of the school compound, and
- (d) the provision of an IT room and a reading room.

However, according to the Directorate, as there were other pressing works at the school, namely the re-roofing of a block of 6 classrooms, tiling and painting works in that same block as well as the construction of a new toilet block, these works were attended to instead.

The fencing works will be undertaken in the course of 2006 and completed by September 2006. As for the construction of additional

classrooms, an IT room and a reading room, my Ministry will carry out an audit of all additional facilities required in Government primary schools shortly and the requirements of Mohunlall Mohit Government School will be considered, once the report of the audit is obtained.

With regard to the pre-primary complex, a survey has been initiated to find out whether space is available. A decision will be taken in the light of the survey report.

**Mr Dayal:** Mr Deputy Speaker, Sir, in view of the fact that there are new settlements there, will the hon. Minister consider speeding up matters and see that these facilities are extended to the Mohunlall Mohit Government School.

**Mr Gokhool:** Mr Deputy Speaker, Sir, in the context of the audit which will be carried out, I will ask the officers to take this point into consideration.

#### **MOHUNLALL MOHIT GOVERNMENT SCHOOL, L'AVENIR – TOILET BLOCK**

**(No. I B/232) Mr S. Dayal (Second Member for Quartier Militaire & Moka)** asked the Minister of Education & Human Resources whether he will state if there has been a project for the construction of a new toilet block at the Mohunlall Mohit Government School at l'Avenir and, if so, will he state –

- (a) if the toilet block has been handed over to his Ministry by the contractor;
- (b) if all the facilities mentioned in the contract have been installed and, if not, what measures his Ministry will take to set matters right, and
- (c) the cost of the project and the sum paid to the contractor.

**Mr Gokhool:** Mr Deputy Speaker, Sir, the answer is yes. I am advised that my Ministry submitted on 29 January 2003 a request to the Ministry of Public Infrastructure for the construction of a toilet block at Mohunlall Mohit Government School, l'Avenir.

With regard to part (a) of the question, I am also advised that it was handed over by the contractor to the Ministry of Education through the Ministry of Public Infrastructure on 21 July 2005.

As regards part (b) of the question, the answer is yes. All the facilities have been installed, both inside and outside. However, as at now, the toilet block is not operational. This is due to the accumulation of water inside the septic tank, although the toilet block is not in use. At the time of excavation, there was no sign of water accumulation in the septic tanks and absorption pits. Since the MPI and the contractor did not detect any problem, they proceeded with the construction.

Even before the handing over of the toilet block, the MPI initiated action in collaboration with the Wastewater Management Authority to resolve the issue. A site visit was effected by both organisations on 12 April 2005. Thereafter, trial pits were excavated. Two options submitted by the WMA were being studied by the MPI to solve the problem.

We have now been informed by the MPI that they have decided upon one option, namely the emptying of the septic tanks, the enlargement of the absorption pits and the provision of a proper drainage system in the periphery of the disposal system to re-route the runoff water. The MPI has also informed us that the toilet may be operational by the end of October 2005.

As far as part (c) of the question is concerned, the cost of the project is Rs3.2 m. The sum paid to the contractor as at 28 February 2005 is Rs1.85 m.

**Mr Dayal:** Mr Deputy Speaker, Sir, according to my information, not all the facilities have been extended, and I can table a letter to that effect. For example, the hand dryers have not been fixed. As mentioned by the hon. Minister, this building costs some Rs3 m. and is not operational because the floor and the ground are at the same level and water seeps in easily, thus rendering it impossible to be operational. I would request the hon. Minister to take steps so that matters be sped up to make the building operational.

**Mr Gokhool:** Mr Deputy Speaker, as I said, at the time when excavation was being done, there was no sign of water accumulation. I have taken note of the information provided by the hon. Member and will pass it

on to the people concerned, who will look into the matter. As regards the facilities, if the hon. Member can indicate to me which facility is not available, I will look into the matter.

### ILLOVO DEAL – TAX CONCESSIONS

**(No. I B/233) Mr S. Mohamed (Third Member for Rivière des Anguilles & Souillac)** asked the Deputy Prime Minister, Minister of Finance & Economic Development whether he will give the exact number of concessions granted in connection with the Illovo deal and indicate the amount involved in each case.

**The Deputy Prime Minister, Minister of Finance & Economic Development (Mr R. Sithanen):** Mr Deputy Speaker, Sir, the agreement commonly referred to as the Illovo deal was signed on 24 February 2001 between the previous Government and a consortium initially known as Four T and subsequently as BBHM Holdings Limited. It was in connection with the proposed acquisition by the consortium of the shares held by the Illovo Group in Mon Trésor and Mon Désert Ltd (MTMD).

Under the agreement, a number of tax concessions were granted by Government. They were as follows –

- first, exemption from payment of Land Conversion Tax on the conversion of some 1,200 *arpents* of agricultural land by MTMD;
- second, exemption from payment of the Tax on Transfer of Leasehold Rights in State Land on the sale of two hotels owned by MTMD, and
- third, is the issue of applicability of Capital Gains (*Morcellement*) Tax on land to be developed but the purchase price of which had not been stated in the deed of acquisition. At the time the agreement was signed, the previous Government took the stand that, in such cases, Land Transfer Tax was applicable instead of Capital Gains (*Morcellement*) Tax. Subsequently, in July 2001, a specific provision was included in the new Sugar Industry Efficiency Act for providing exemption from Capital Gains (*Morcellement*) Tax and applying Land Transfer Tax at the rate of 5 per cent. This can be considered as another major tax concession.

Regarding the second leg of the question, I am advised as follows -

According to information received from the Ministry of Agro-Industry & Fisheries, the amount of land conversion tax waived under the Illovo deal in respect of the 1,200 *arpents* of land converted by MTMD amounts to the tune of Rs1.76 billion.

Regarding the tax on transfer of leasehold rights, the amount of the concession is estimated at Rs41 m.

As to Capital Gains (*Morcellement*) Tax, according to the development plan of the consortium, it would concern some 660 *arpents* located in the factory areas of Britannia and Highlands Sugar Estates, as technically there had been a transfer of land in 1998. The total value of the concession can only be ascertained when the deeds of transfer of all the parcelled lots have been presented for registration at the Registrar-General. This is because the tax amount leviable would depend on the actual selling price, the purchase price, the costs incurred in developing the land (including costs of infrastructure) as well as the date of acquisition of the land by the promoters. However, based on some realistic conservative assumptions, the concessions resulting from the non-payment of capital gains tax are estimated at over Rs600 m.

**Mr Mardemootoo:** Mr Deputy Speaker, Sir, can the hon. Deputy Prime Minister and Minister of Finance state the purchase price of the 80% of the MTMD assets held by Illovo and who were the purchasers?

**Mr Sithanen:** From information I have, the purchase price was Rs1.69 billion to acquire 80% of MTMD. The purchasers were BBHM with 70%, NPF with 10%. Out of the 70% of BBHM, the SIT owns 35%.

**Mr Bérenger:** Mr Deputy Speaker, Sir, since the Minister of Finance has given details of the value of the concessions that were granted, may I ask him whether he has any objection to circulating the details and value of what was obtained in the swap, that is, the value of land and shares acquired by Government, the NPF, the SIT and other para-statal or Government bodies?

**Mr Sithanen:** Yes, Mr Deputy Speaker, Sir, I have no problem about this. In fact, the hon. Leader of the Opposition is fully aware of the details. 600 *arpents* of land were given at Ebène and, then, there were 3,000 *arpents* of land within the Highlands Sugar Estate, which were sold at Rs125,000 per acre. Obviously, one of the reasons behind the non-application of the capital gains tax was the impossibility of evaluating then and there the price at which that land would be sold and also the price at which the land was acquired. All of us, who understand finance and economics, realise that this

was a piece of financial leveraging of assets. Let's be very honest about it, Mr Deputy Speaker, Sir. What happened is that, in two of the hotels, there was substantial ownership by MTMD and in one hotel it was a minority shareholding. On top of that, there were also shares that were held in MDIT. If we take the total purchase price, remove what would have been the market value of the two hotels where they have 65%, the hotel where they have 15% and the market value of the MDIT shares, and if we were to put some notional value on the three sugar milling factories that were put in the package, it does not take a financial genius to arrive at a price per acre of land. In fact, we did that exercise, and I think everybody who is reasonable came to the figure of about Rs45,000 per acre. The next day, the same land that could have been purchased both by SIT and Highlands at Rs45,000 was disposed at Rs125,000. It does not take a great financier to realise, that if we take 10,000 acres and multiply it by the difference between Rs125,000 and Rs45,000, how much money has been leveraged immediately upon the sale of these lands of the Illovo deal. When the hon. Leader of Opposition mentioned 3000 *arpents* of land within Highlands and 7000 *arpents* of land acquired by the SIT, he was unfair. It was not free; Rs125,000 was paid for a land that was acquired at an estimated value of Rs45,000.

**Mr Bérenger:** In the case of the IRS, we know what was said during the electoral campaign, and now the Minister has made it clear that they are accelerating its implementation. Now that the new Government is governing, can I know from the Minister which of the concessions granted are going to be reviewed?

**Mr Sithanen:** Mr Speaker, Sir, the hon. Leader of Opposition has been here for a very long time.

*(Interruptions)*

*Il y a la permanence de l'Etat.* But this does not prevent us from criticising and from maintaining the position that we had in the Opposition. I think the deal was badly negotiated, badly managed. Obviously, they can argue that they got A, B, C. As I said, a simple example of removing the 10,000 acres of land and selling it at Rs45,000 would have saved close to Rs1 billion. If you add the price at which they sold the two hotels and what they got for disposing the 15 per cent of the hotel they had in the south and also for disposing the MDIT, you will see that for next to nothing they got an excellent deal.

**Mr Bérenger:** Mr Deputy Speaker, Sir, we know that without this Illovo deal such project as the *éléphant blanc* at Ebène would have never

taken off. There is nothing in the law preventing some of the concessions to be revisited. Can I ask whether - after all that has been said during the electoral campaign - any part of the deal is being revisited?

**Mr Sithanen:** This is the wish of the Leader of the Opposition, but as I said, we also have to act responsibly. I think the Leader of the Opposition is making a mistake. We are saying that we could have done much better and that there was no need to get SIT to pay Rs125,000 for land that was bought overnight at Rs45,000.

**Miss Deerpalsing:** May I ask the hon. Minister, within the context of this deal, whether there were promises made in the issue of constructing a multi-complex at Bassin Loulou and whether this little promise to the people was held and whether construction started?

**Mr Sithanen:** There was nothing written in the agreement itself, but I think the hon. Member is right. She is an elected Member from Belle Rose/Quatre Bornes. Just after the signature of that famous Illovo deal, there were promises being made everywhere that this is what the country will gain, this is what the community will gain and this is what everybody will gain. There were promises made to people of Ebène - it is also my Constituency - to the effect that that part of the land of Illovo would be used for the construction of a multi-sports complex. In fact, the foundation stone was laid, Mr Deputy Speaker, Sir...

*(Interruptions)*

Mr Deputy Speaker, Sir, the foundation stone has disappeared, because they used the same stone everywhere to lay the first foundation stone.

**Mr Bérenger:** We are talking of the deal that was struck when Illovo sold to a Consortium of Mauritian interests. Some years before that, Lonrho has sold to Illovo. Can we have information from the Minister as to what were the concessions granted then and in exchange for what?

**Mr Sithanen:** Mr Deputy Speaker, Sir, I know this file. We should make a distinction between a restructuring that occurred in the case of Illovo and then an outright sale that took place in the case of the Illovo. In the case of the Illovo, there was a willing buyer and there was a willing seller. And had it not been for Government, for many reasons, first, in terms of land conversion and second, in terms of exemption of taxes, the deal would not have gone through. The other one was just a restructuring exercise, and in

the case of many restructuring exercises, these types of concessions are given.

## **SUGAR INDUSTRY - VRS - LOAN FROM BANK OF MAURITIUS**

**(No. I B/234) Mr S. Mohamed (Third Member for Rivière des Anguilles and Souillac)** asked the Deputy Prime Minister, Minister of Finance and Economic Development whether he will, for the benefit of the House, obtain from the Bank of Mauritius information as to whether any loan has been advanced to the sugar industry by the Bank for the implementation of the Voluntary Retirement Scheme and, if so, will be indicate –

- (a) the amount of loan granted;
- (b) the rate of interest imposed, and
- (c) if it is the policy of the Bank to advance loans in such cases.

**The Deputy Prime Minister, Minister of Finance and Economic Development (Mr R. Sithanen):** Mr Deputy Speaker, Sir, I am informed by the Bank of Mauritius that, pursuant to section 12(o) of the Bank of Mauritius Act 1966, the Board of the Bank approved on 20 June 2001 a Special Line of Credit of Rs1.5 billion to be made available to commercial banks. The credit facility was meant to support the restructuring of the Sugar Industry under the Sugar Industry Restructuring Plan 2001-2005 involving a Voluntary Retirement Scheme in the sugar sector, as adopted by the Mauritius Sugar Authority.

The total amount of the Special Line of Credit was increased to Rs2.0 billion on 15 January 2002 and to Rs2.45 billion on 24 November 2004.

The total amount disbursed as from December 2001 to date by the Bank of Mauritius under the Special Line of Credit stands at Rs1.981 billion. The total amount outstanding as at September 2005 is Rs1.878 billion.

Regarding part (b) of the question, for the period up to 20 April 2004, the rate of interest chargeable by the Bank of Mauritius on funds to be advanced to commercial banks under the Special Line of Credit was 5.5% p.a. for the banks to be on-lent to the Sugar Industry at 7.5%. However, no disbursement was made by the Bank of Mauritius during 20 April 2004 to August 2004. The capital amount was to be repaid over a period of six years, inclusive of a grace period of two and a half years. Thereafter, the lending rate of the Bank of Mauritius to commercial banks in respect of new

disbursements was reduced as from September 2004 to 4.5% for the banks to be on-lent to the Sugar Industry at 6.5%. Furthermore, the repayment period for all loans was increased from six to seven years and the moratorium from two and a half years to three years.

As regards part (c) of the question, Mr Deputy Speaker, Sir, section 12(o) of the Bank of Mauritius Act 1966 provides that the Bank of Mauritius may “in exceptional circumstances and with the prior approval of the Minister, grant advances to authorised banks and other credit institutions against such security as the Board may determine”.

### **JAWAHARLAL NEHRU HOSPITAL, ROSE BELLE – RENAL TRANSPLANT OPERATIONS**

**(No. I B/235) Mr S. Mohamed (Third Member for Rivière des Anguilles and Souillac)** asked the Minister of Health and Quality of Life whether he will state how many renal transplant operations have been carried out at the Jawaharlal Nehru hospital, Rose Belle, during the period 2000 and 2005 and state the success rate of those operations.

**Mr Faugoo:** Mr Deputy Speaker, Sir, I understand 103 renal transplant operations have been carried out at the Rose-Belle Hospital during the period 2000 to 2005. Out of the 103 renal transplant operations, 82 patients have been successfully operated and are still following treatment. I also understand that 21 patients have passed away.

**Mr Mohamed:** Doesn't the hon. Minister believe that the death rate is unacceptable?

**Mr Faugoo:** Mr Speaker, Sir, I understand that patients died because of kidney rejection, pneumonia and heart problems. But I also understand that the rate of failure is on the high side.

### **LE BOUCHON VILLAGE – COMMUNITY CENTRE - CONSTRUCTION**

**(No. I B/236) Mr Y. Varma (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Environment and National Development Unit whether he will state if he is aware of the repeated requests made by the inhabitants of Le Bouchon village, in the Constituency of Mahebourg and Plaine Magnien for a social and leisure centre and, if so, will be consider its construction as a priority.

**Mr Bachoo:** Mr Deputy Speaker, Sir, I am advised that following requests from the inhabitants of Le Bouchon village, action has been initiated for the construction of a community centre at Le Bouchon.

The NDU has requested the Ministry of Housing and Lands to identify land accordingly and I am informed that a plot of private land has been identified and searches are being carried out to ascertain ownership.

### **HARRY LATOUR & BEAU VALLON FOOTBALL GROUNDS, MAHEBOURG - RENOVATION**

**(No. I B/237) Mr Y. Varma (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Youth & Sports whether he will state if he is aware of the pitiable state of the Harry Latour and of the Beau Vallon football grounds in Mahebourg and, if so, will he state when they will be renovated.

**Mr Tang Wah Hing:** Mr Deputy Speaker, Sir, I am aware that the Harry Latour Stadium in Mahebourg needs to be renovated.

I am informed that following a survey carried out by the Ministry of Public Infrastructure, Land Transport & Shipping in December 2000, it had been found that the concrete structures were in an advanced deteriorated state and beyond economic repairs. Accordingly, it was then decided to demolish them and reconstruct new ones in phases.

The stands, which constituted a serious hazard to public safety, were pulled down in the first phase by the Development Works Corporation in June 2004.

The working drawings for the renovation works entrusted to the Ministry of Public Infrastructure, Land Transport & Shipping have now been finalised. The scope of works comprises construction of new stands, toilet blocks, changing rooms, store, office spaces, parking facilities and other ancillary works.

It is estimated that these will cost about Rs29 m. In this context, tenders will be launched as soon as funds are made available.

Regarding Beau Vallon football ground, as I have already informed the House previously, an audit of all sports infrastructure is being carried out. Remedial action will be taken as soon as the exercise is completed.

### **MOKA-ST PIERRE ROAD - TRAFFIC JAM/ROAD CONGESTION**

**(No. I B/238) Dr. P. Ramloll (Third Member for Quartier Militaire & Moka)** asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping whether he will state if he is aware of the frequent traffic jam/road congestion along the Moka-St Pierre Road and, if so, will he state -

- (a) if a study has been carried out and alternative arrangements proposed to solve the problem, and
- (b) when works are likely to start.

**The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun):** Mr Deputy Speaker, Sir, I am informed that traffic has considerably increased along the Moka-St Pierre Road. This is mainly due to the existence of three schools namely, Lycée Mascareigne, Ecole du Centre and Ecole Pierre Poivre.

The Moka-St Pierre Road also cuts through the St Pierre Village. Traffic generated from this village and from other neighbouring villages also contributes to the congestion problem.

The Traffic Management and Road Safety Unit carried out a site visit on 05 April 2005 along that stretch of the road and it was observed that the bus stop at the Ecole du Centre junction affects the fluidity of traffic at peak hours as there is no bus layby and it is too close to the junction. It is proposed to relocate the bus stop in a bus layby which will be constructed.

On 24 August 2005 a request was made to the Commissioner of Police for providing assistance to regulate traffic at peak hours, that is, from 7.30 to 9.30 hours in the morning and from 14.30 to 16.30 hours in the afternoon, near Ecole du Centre.

The Road Development Authority is presently carrying out studies on two projects which will divert a significant amount of traffic from the Moka-St Pierre Road.

The first project is the Terre Rouge-Verdun Link Road (previously known as Malenga-Crève Coeur Road) which will be about 15 km long.

The proposed road by-passes the villages of Montagne Longue, Ripailles and St Pierre will link with the existing road at Verdun.

The second project is to extend the Terre Rouge - Verdun Link Road to the Rose Hill - Trianon Road through the Highlands SLDC land.

A decision on the implementation of these projects will be taken after the studies.

**Dr. Ramloll:** Sir, I thank the Minister for the answer. These two solutions proposed will probably take a very long time to be realised. Is the hon. Minister aware that there is an old railway track connecting the start of Verdun, called Old Railway Road, which goes behind the Mon Désert Alma S.E. and culminates at Moka junction in the region of Réduit? Will he say whether this track can be exploited and whether a study can be carried out for a fast remedy to this congestion problem in St Pierre and Moka?

**Dr. Beebeejaun:** I take note of the hon. Member's proposal and will inform accordingly.

#### **NOUVELLE DECOUVERTE/LES MARIANNES - BUS TERMINAL**

**(No. I B/239) Dr. P. Ramloll (Third Member for Quartier Militaire & Moka)** asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping whether he will state if there is a project for the construction of a bus terminal at Nouvelle Découverte and for connecting that place to Les Mariannes and, if so, when works are likely to start.

**The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun):** Mr Deputy Speaker, Sir, the project for the construction of a bus terminal at Nouvelle Découverte, more precisely at the junction Eau Bouillie/Nicolière Road was approved by the National Transport Authority as far back as 1997.

The procedure for vesting of the required plot of land to the extent of 1 A 14 P to the then Ministry of Urban and Rural Development was completed in November 1999. Thereafter, action was initiated for the preparation of the layout plan, structural and architectural designs of the project.

However, in a correspondence dated 09 June 2004, the Ministry of Environment & National Development Unit informed my Ministry that the project had been kept in abeyance due to financial constraints. There has been no development since then.

My Ministry will take up the matter with the Ministry of Environment & National Development Unit.

As regards a bus service between Les Mariannes and Nouvelle Découverte, it is to be noted that Route 89A, that is, Port Louis - Les Mariannes, has been extended up to Eau Bouillie since 1998. Buses are available at intervals of 30 minutes during peak hours and one hour during off peak period. However, at present no connecting bus service is available between Eau Bouillie and Nouvelle Découverte which are about 1.5 kms apart.

I am requesting the National Transport Authority to carry out a survey on the feasibility of further extending the bus service from Eau Bouillie to Nouvelle Découverte.

**Mr Dayal:** Mr Deputy Speaker, Sir, will the hon. Minister kindly consider in the same exercise to extend the services from Eau Bouillie to Nouvelle Découverte and further to Ripailles and Beau Bois?

**Dr. Beebeejaun:** I'll certainly look into that.

### **CAUDAN WATERFRONT PROJECT (PHASE II) - LEASE AGREEMENT**

**(No. I B/240) Dr. P. Ramlooll (Third Member for Quartier Militaire & Moka)** asked the Deputy Prime Minister, Minister of Tourism, Leisure & External Communications whether, in regard to Phase II of the Caudan Waterfront project, he will –

- (a) for the benefit of the House, obtain information as to whether any lease agreement has been signed by the State Property Development Co. or the Mauritius Ports Authority or any other parastatal body with any South African company and, if so, the terms and conditions thereof and the date of signature of the lease agreement, and
- (b) state the policy of Government regarding the same project.

**The Deputy Prime Minister, Minister of Tourism, Leisure & External Communications (Mr X.L. Duval):** Mr Deputy Speaker, Sir, I am informed that an agreement was signed on 12 May 2005 between the Mauritius Ports Authority and Messrs Katavi (Mtius) Ltd., a South African company, for the lease of an extent of 19,762 sq metres of land within the port area for the construction and operation of a waterfront complex comprising shops, shopping mall, offices and hotel.

The lease is valid for a period of 19 and a fraction years and will expire on 30 June 2024. The lease may be renewed at the option of the lessee for four consecutive periods of ten years each.

The lessee is required to pay the annual rent in advance on 01 July in each year. The rent for the period 01 July 2005 to 30 June 2024 is Rs9 m. annually.

I am tabling a copy of the lease agreement.

As regards part (b) of the question, I wish to inform the House that the Port Louis Waterfront is part of an integrated project for the development of Port Louis Harbour. In fact, in the Port Master Plan 2002-2025, the land area extending along the motorway from the Waterfront Phase I to the Trou Fanfaron fishing port has been earmarked for the Waterfront Phase II project. However, in view of the traffic congestion problem in the city centre, Government is now considering the advisability of retrieving the plot of land currently allocated to Messrs Katavi (Mtius) Ltd. as well as the other plots of land adjacent to the highway with a view to easing the traffic flow in Port Louis. A decision will be taken shortly.

**Mr Bérenger:** Sir, the matter is being looked at from the tourism point of view, can I request the Minister to look also at the Aapravasi Ghat dimension and not just the traffic flow, tourism dimension. Can I ask the hon. Minister whether he can table a copy of that agreement?

**Mr Duval:** Sir, I answered in my reply that I am tabling a copy of the lease agreement. The Aapravasi Ghat is a concern for the whole Government and we are looking at the whole question.

## **NATIONAL HEALTH INSURANCE SCHEME - GOVT. POLICY**

**(No. I B/241) Dr. P. Ramloll (Third Member for Quartier Militaire & Moka)** asked the Minister of Health & Quality of Life whether

he will state the policy of Government on the National Health Insurance Scheme under the health reform programme.

**Mr Faugoo:** Mr Deputy Speaker, Sir, the previous Government had in March 2001 set up a task force on this subject and the report had recommended the setting up of a compulsory National Health Insurance Scheme.<sup>6</sup>

In May 2003, the previous Government had solicited consultancy services on the design and development of a National Health Insurance Scheme from the WHO.

Mr Deputy Speaker, Sir, I wish to inform the House that this Government does not intend to introduce a National Health Insurance Scheme. Such a Scheme was neither in our electoral manifest nor in the Presidential Address on the reforms of the health sector as elaborated in the Government Programme 2005-2010.

Government firmly believes that health as a fundamental human right, should be made easily accessible to each and every citizen of this country, including the people of Rodrigues and Outer Islands. Furthermore, we believe in the principle of equity and affordability. For these reasons, Government will continue and even consolidate the delivery of health services, from primary health care to curative care, including the delivery of high-tech medicine, free of any user cost, to the entire population. This is in line with the policy of this Government of “putting people first”.

## **ROAD TRAFFIC ACT - AMENDMENT**

**(No. I B/242) Mr Y. Varma (First Member for Mahebourg & Plaine Magnien)** asked the Attorney-General, Minister of Justice & Human Rights whether, with regard to the principle of separation of powers, he will state if he proposes to amend existing laws, regarding offences such as road traffic offences, so as to restore the discretion of Magistrates to impose the appropriate penalty in such cases.

**Mr Valayden:** Mr Deputy Speaker, Sir, in reply to the question, I wish to point out that in May 2003, the Road Traffic (Amendment) Act 2003 was passed. The main object of the Act was purportedly to amend the Road Traffic Act in order to introduce new offences, to group together, consolidate and update the safety-related provisions of the Act and to make

better provision, including more severe penalties, for offences, and to thereby better deter irresponsible behaviour by road users.

Mr Deputy Speaker, Sir, in the above Road Traffic (Amendment) Act 2003, the previous Government deemed fit to introduce minimum mandatory sentences in respect of certain road traffic offences. I have annexed to my reply a list in tabular form of these road traffic offences which are punishable by minimum mandatory sentences. The said list will be laid on the table of the Assembly.

Moreover, Mr Deputy Speaker, Sir, it is to be noted that in some instances, e.g. with regard to the offence of dangerous driving under section 123A of the Road Traffic Act, it has been expressly provided that section 153 of the Criminal Procedure Act shall not apply to a fine imposed under the said section 123A. In effect, this means that the discretion of the Court under the said section 153 to inflict a fine less than the minimum fixed by law has been removed.

Likewise the Road Traffic (Amendment) Act 2003 provides that section 152 and Part X of the Criminal Procedure Act, the Probation of Offenders Act and the Community Service Order Act 2002 shall not apply to a person liable to be sentenced for certain specific road traffic offences. Now, Mr Deputy Speaker, Sir, these above pieces of legislation give the Court the discretion to impose a sentence of imprisonment for a period less than the minimum term of imprisonment fixed by law or a sentence other than imprisonment.

With the amendments brought about to the Road Traffic Act in 2003, this means, in effect, that in the case, for example, of someone found guilty for the second time of the offence of driving or being in charge of a motor vehicle with alcohol concentration above the prescribed limit under section 123F, the Court has no discretion but to impose a fine of not less than Rs20,000 together with imprisonment, for not less than 6 months.

Now, Mr Deputy Speaker, Sir, the determination of an appropriate sentence for a criminal offence is a judicial function. If I may be allowed to quote the following extract from the Privy Council case of *Reyes v. The Queen* [2002] 2 AC 235, at page 257:

*“.....The administration of justice involves the determination of what punishment a transgressor deserves, the fixing of the appropriate sentence for the crime. The grant of mercy involves the determination that a transgressor need not suffer the punishment he deserves, that*

*the appropriate sentence may for some reason be remitted. The former is a judicial, the latter an executive responsibility. It has been repeatedly held that not only determination of guilt but also determination of the appropriate measure of punishment are judicial not executive functions .....*”.

Mr Deputy Speaker, Sir, we are in a country which recognises the principle of separation of powers. This principle is recognised by our Courts as a constitutional principle which is fundamental to the democratic set-up of Mauritius. Laws made by Parliament have to be consistent with the provisions of the Constitution, including the constitutional principle of separation of powers. True it is that it is an equally fundamental principle of law that a law is presumed to be in accordance with the Constitution unless and until the contrary is proved and unless and until ruled by the Supreme Court as unconstitutional.

Mr Deputy Speaker, Sir, I am not saying that the provisions of the Road Traffic (Amendment) Act 2003 are unconstitutional, but there is no denying that they have severely curtailed the discretion of the Courts as regards the sentence to be imposed for certain road traffic offences. It has been reported that the mandatory sentences, especially the minimum fines, are causing great hardship in some cases. Therefore, Mr Deputy Speaker, Sir, consultations will be held with the relevant Ministry and if the need arises, amendment to the existing law will be made.

**Mr Bérenger:** Can I ask the Minister whether there has been any challenge before the Court in reference to the constitutionality or not of the mandatory penalty?

**Mr Valayden:** Mr Deputy Speaker, Sir, there have been challenges before the Supreme Court. In fact, I am one of those who have made a challenge.

**Mr Bérenger:** So, the case is ongoing?

**Mr Valayden:** It is ongoing. There are three cases before the Supreme Court.

**BLACK RIVER DISTRICT COUNCIL  
– DEVELOPMENT PERMITS - ISSUE**

(No. I B/243) **Mr S. Sayed-Hossen (Fourth Member for Montagne Blanche & GRSE)** asked the Minister of Local Government whether he will, for the benefit of the House, obtain from the Black River District Council, information as to whether –

- (a) development permits have been issued to the Jet-7 company, and
- (b) whether his Ministry has been informed of irregularities in the issue of development permits in Flic-en-Flac and other areas in the Black River District and, if so, the actions, if any, he proposes to take against those responsible for such irregularities.

**Dr. David:** Mr Deputy Speaker, Sir, I am circulating a list of all the development permits issued by the Black River District Council to Jet-7 Company represented by Mrs M. Lisebie Coindreau. (**Appendix III**)

You will note, Mr Deputy Speaker, Sir, that out of 16 permits issued, 13 were issued by the Black River District Council under the defunct Government.

Mr Deputy Speaker, Sir, as regards the second part of the question, I wish to inform the House that following various allegations levelled in the press against the Black River District Council regarding irregularities in the issue of the development permits in Flic-en-Flac, the Independent Commission Against Corruption has started an inquiry on 05 August 2005 into the matter. Concurrently, I have given instructions to the Audit Squad of my Ministry to undertake an in-depth inquiry into all these allegations and make appropriate recommendations thereon.

I am further advised that the District Council has obtained an interim injunction on 31 August 2005 from the Supreme Court compelling Le Lac Co. Ltd, a company owned by Mrs Coindreau to stop all construction works on a portion of State land as these works were being carried out in contravention to approved plans and to the planning policy guidance.

In the circumstances, I propose to await the findings of these inquiries prior to taking any decision on this issue.

**Mr Bhagwan:** Mr Deputy Speaker, Sir, I have one supplementary question. Is it true that the lady who has deponed before the ICAC, has had her services laid off at the District Council? This is what we read in the press.

**Dr. David:** Yes, Mr Deputy Speaker, Sir.

### **VUILLEMIN, QUARTIER MILITAIRE – BUS SERVICE**

**(No. I B/244) Mr S. Dayal (Second Member for Quartier Militaire & Moka)** asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport and Shipping whether he will state if he is aware of the hardship met by the inhabitants of Vuillemin, Quartier Militaire, concerning the irregular bus service provided by individual bus operators and, if so, will he state what remedial measures he proposes to take in the matter.

**The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun):** Sir, I am informed by the National Transport Authority (NTA) that the locality of Vuillemin is served by direct services to and from Rose Hill and Port Louis. Besides, two other bus routes namely Route 17 (Curepipe-Flacq) and 17C (Camp Thorel-Curepipe) go through Vuillemin.

Having been made aware by the hon. Member of the hardship met by the inhabitants, the NTA has been requested to monitor closely the situation and is arranging with the Eastern Bus Owners' Cooperative Society for a stand regulator to be posted at Vuillemin to ensure that buses do provide services as laid down in the time tables of the bus routes serving the locality.

### **NATIONAL EQUITY FUND - PERFORMANCE**

**(No. I B/245) Mr D. Boodhoo (Second Member for Piton & Rivière du Rempart)** asked the Deputy Prime Minister, Minister of Finance and Economic Development whether, in regard to the National Equity Fund, he will ascertain its performance since its inception and state whether he proposes to take measures to redress the situation thereat.

**The Deputy Prime Minister, Minister of Finance & Economic Development (Mr R. Sithanen):** Mr Deputy Speaker, Sir, the National Equity Fund is a ten-year closed end fund, which was officially launched in September 2003. Its main objective is to boost investment and enhance employment creation. The State Investment Corporation Ltd and the Development Bank of Mauritius Ltd have promoted a one billion rupee equity fund to the tune of Rs750 m. and Rs250 m., respectively.

In August 2004 a Textile Sub Fund was set up under the NEF to cater for textile companies with a refinancing or modernisation plan.

To date, the NEF has received 67 financing requests in a number of sectors including spinning, textiles, tourism, ICT, manufacturing and services, including 6 projects under the Textile Sub Fund;

Six investments proposals have been approved for a total of Rs247 m. A total amount of Rs128 m. has been disbursed by the Fund;

Seven potential projects in the spinning, hotel, textiles, other manufacturing and ICT Sector are under appraisal for an investment amount of around Rs136 m;

There are, on the other hand, 31 projects for which promoters have not shown willingness to pursue discussion further, and 16 projects have been turned down by the Fund.

As regards the Textile Sub Fund, one project is currently at appraisal stage with a project value of Rs15 m; four projects for which promoters are not willing to pursue discussions further; while one project has been turned down by the Fund, as it does not suit the Fund's criteria.

Mr Deputy Speaker, Sir, as I indicated in the statement I made in this august Assembly, last week, we are revisiting the National Equity Fund with a view to improving its effectiveness. Many operators consider the conditions of the NEF too stringent. The Fund looks for projects that would yield an Internal Rate of Return of at least 15 per cent. The NEF requests for detailed business plans from the promoters. Applicants have to pay a due diligence fee. There should equally be a reasonable probability of a clear exit strategy or a positive cash flow from the investment within three years.

As regards the Textile Sub Fund, for an investment amount within Rs 10 m. to Rs 30 m., the equity component is the mandatory equity participation between 26 % and 40 % of voting rights in the form of another class of shares.

I also informed the House that there are problems relating to the structure of the NEF that hinders its effectiveness. The NEF has a three-tier structure namely the NEF's Board, the apex organisation, the SIC Fund

Management Ltd and the Investment Committee. This structure is considered heavy, and dilutes the decision-making process. As I announced in my statement, a new investment structure to foster greater efficiency and effectiveness in decision-making will be put in place. We propose shortly to review the conditions for advancing equity finance to make them less stringent.

**Mr Boodhoo:** Mr Deputy Speaker, Sir, may I ask the Deputy Prime Minister if any of the companies where NEF has invested is either non performing or is struck off?

**Mr Sithanen:** There are some companies where the NEF has invested either in terms of equity or in terms of debenture and which are not performing well.

**Mr Boodhoo:** Would the hon. Minister give a list of the companies where NEF has invested and which is not performing?

**Mr Sithanen:** There are some companies with ongoing activities. I don't think it would be proper to mention the names of these companies. But there is one company that is defunct, as my hon. friend would call it, and this is the Mauritius Island Cruises Ltd.

**Mr Boodhoo:** May I ask the hon. Minister who are the beneficial owners of this company and what amount was invested by NEF?

**Mr Sithanen:** Mr Speaker, Sir, the shareholders are Einar Christian Gruner-Hegge who has got 82.5%, Chedumbarum Pillay: 7.5%, National Equity Fund: 10%.

**Mr Boodhoo:** Can I know the amount invested by NEF?

**Mr Sithanen:** The amount invested by NEF is \$100,000 by way of equity and \$900,000 by way of debenture. Mr Deputy Speaker, Sir, let me inform the House that this is a shocking dereliction of duty by the Investment Manager. I am not doing politics. I think the hon. Leader of the Opposition is aware of this file. Usually, the conditions are very stringent before the NEF injects capital either by way of equity or debenture. In this particular case, the business plan was dodgy. They had not received the written authorisation from the Prime Minister's Office to sail to St. Brandon and Agalega.

Secondly, the due diligence exercise was not carried out as it ought to have been. And thirdly, the conditions under which the loan was approved were not respected. In fact, one of the conditions was that the main shareholder ought to have invested \$2 m. before the NEF would invest. And surprisingly what happened, without the main shareholder investing its share of equity, the NEF invested \$1 m. They did not have the written authorisation to go to Agalega and St Brandon. Rs30 m. of the NEF has been lost because of a shocking dereliction of duty by the Investment Manager.

**Mr Bérenger:** Since the Minister has referred to the dereliction of duty by one officer, is it not the case, in fact, that there were two officers involved? Can I ask the Minister whether, indeed, he is following up, because the most shocking part of it was that, after having got the National Equity Fund to approve this investment, they left the National Equity Fund to join that company that benefited. Therefore, can I request confirmation that, indeed, follow-up action is being taken?

**Mr Sithanen:** In fact, this is why I qualified it as shocking, Mr Deputy Speaker, Sir, because there was also some inside information and some pressure being brought. In fact, the Leader of the Opposition is right. It is a dereliction of duty by the Investment Manager who was the Managing Director of SIC, and it is also the case that one of the officers, who was working at NEF, as an investment officer or manager, left to join the Mauritius Island Cruises Ltd.

**Mr Boodhoo:** \$1 m. of public funds seems to have been wasted, and if I heard well, the business plan was dodgy. In other words, NEF was misled by the investee company. Can the Minister see to it that NEF envisages legal actions against the promoters?

**Mr Sithanen:** We have sought legal advice. It is a tricky situation because the company has been wound up and some people are not in the country. But we are seeking advice to know whether we can take action against the Investment Manager on such dereliction of duty.

**Mr Varma:** Can I ask the hon. Deputy Prime Minister and Minister of Finance who was the Investment Manager at that time?

**Mr Sithanen:** In fact, it is a three-tiered structure which is quite cumbersome. The Investment Manager was the Managing Director of SIC, who was Mr Gokhool.

**The Deputy Speaker:** Next item, please!

**MOTION**

**SUSPENSION OF S.O. 10 (2)**

**The Prime Minister:** Sir, I beg to move that all the business on today's Order Paper be exempted from the provisions of paragraph (2) of Standing Order 10.

**The Deputy Prime Minister, Minister of Public Infrastructure, & Transport & Shipping rose and seconded.**

*Question put and agreed to.*