

PUBLIC COMPLAINTS BUREAU

ANNUAL REPORT 2001

PUBLIC COMPLAINTS BUREAU PRIME MINISTER'S DEPARTMENT

FORWARD

MINISTER IN THE PRIME MINISTER'S DEPARTMENT

The establishment of the Public Complaints Bureau (PCB) represents one of the responsibilities of the Government to the people to ensure that they will always receive excellent and quality services from Government Departments and Agencies. Through PCB, ordinary citizens can forward their complaints easily regarding their grievances against the quality of services and reception of Government Agencies.

Besides this, I also wish that Heads of Departments will always give attention and regard complaints that they receive from the people as invaluable input to measure the quality of services that is given by the agencies to the public and that the complaints can be used as an early warning sign in regards to operational or management weaknesses so that corrective measures, preventive action and continuous improvement can be taken quickly to upgrade the quality of services.

It is my hope that the examples of cases illustrated in this report is taken in good faith by the various departments so that such mistakes and mismanagement will not recur in other agencies. I also hope that the ordinary people who encounter any problems of inefficiency, abuse of power, maladministration, mismanagement and unfairness by any government agencies, come forward to utilize the services provided by the Public Complaints Bureau.

TAN SRI BERNARD GILUK DOMPOK
Minister in The Prime Minister's Department
18 June 2002

MESSAGE

**THE CHIEF SECRETARY TO THE GOVERNMENT
MALAYSIA**

The Civil Service is responsible to the citizens whose aspirations and needs continue to rise. Their requests and expectations are currently very high. In the process to provide the best services to the citizens, the Government will always encourage people-oriented programs at all State and District level in order to really understand the problems faced by the people. Such programs reflect good practices of client-focused and shows the commitment of the Government.

The A Day With The Client Program is one of the many efforts that give feedback directly to each Head of Department regarding the problems faced by their clients. Awareness program and pro-active actions in addressing problems of the people should be carried out extensively to enable the government to obtain feedback directly from the people about the level of satisfaction in order to improve the performance of the civil service.

It is my hope that every Government employee will always perform with full dedication to provide quality service to the people. Finally, I wish to reiterate that all Heads of Department seriously take note of every complaint by the people because it serves as an important input in helping to strengthen the quality of the civil service.

(TAN SRI SAMSUDIN BIN OSMAN)
The Chief Secretary To The Government
18 June 2002

MESSAGE

DIRECTOR-GENERAL

The achievement of the Public Complaints Bureau in the year 2001 in resolving cases of complaints has been impressive. The increase in the level of achievement of PCB in 2001 become apparent when PCB was the Certificate of MS ISO 9002 Public Services Malaysia on 13 February 2001. This Certification is important because it gives confidence to the officers and staff in PCB that the services they provide to their clients is of quality and in accordance to the Client's Charter.

The number of complaints received and resolved by PCB throughout the year 2001 have reduced by 5.42% when compared to the year 2000. The reduction in the number of complaints is due in part to the realization and positive action taken by Government Agencies to resolve them and also due to the efforts taken towards improving their work process.

I am confident that the number of complaints will continue to reduce if the efforts taken by Government Agencies continue to be implemented with the cooperation of all related parties. I wish to take this opportunity to thank all the Secretary-General of Ministries, State Secretaries, Heads of Departments and Government Agencies and also all Public Complaints Liaison Officers at Federal and State level, who have given their full cooperation in the efforts to resolve complaints fairly, quickly, efficiently and effectively in order to improve the quality of services in their respective agencies.

DATO' WAN WAHAB BIN ABDULLAH
Director-General
18 June 2002

OBJECTIVE

- ✧ To resolve complaints efficiently, fairly and effectively as of promised in the PCB Client's Charter;
- ✧ To improve the percentage for resolving complaints received from the public;
- ✧ To provide and improve the facilities for the public to lodge complaints;
- ✧ To reduce receiving complaints against the public services;
- ✧ To introduce new and innovative administrative processes based on complaints received; and
- ✧ To give advisory services to agencies in improving in the public complaints management.

QUALITY STATEMENT
PUBLIC COMPLAINTS BUREAU

We are committed to giving quality service
and to serve with dedication to resolve
every complaint in a fair and just manner

VISION

To be the main organization in managing
public complaints towards establishing
an effective and excellent public services

Mission

**To serve the public by redressing grievances
on maladministration in the public sector
fairly and efficiently while contributing towards improvement
of the quality of public services**

CLIENT'S CHARTER
PUBLIC COMPLAINTS BUREAU

PCB, as the main agency for managing public complaints against Government agencies, hereby pledge to:

- Receive every complaint from the public without any prejudice
- Attend to every complainant who comes to the office within 5 minutes
- Issue an acknowledgement letter immediately to walk-in complainants, and within 7 working days from the date of receiving complaints via correspondence.
- Initiate investigation within 14 working days from the date of receiving the complaint.
- Investigate every complaint fairly and justly
- Inform the complainant of the progress of the case every two months once, until the case is resolved.
- Inform the complainant the result of the investigation within 7 working days after a decision is made.

If any of the above pledges is not complied with, please request to see the
Deputy Director-General or the Director-General.

PCB
“Effective Management of Public Complaints”

PERMANENT COMMITTEE ON PUBLIC COMPLAINTS

CHAIRMAN

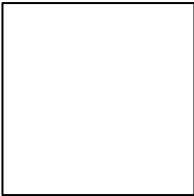


Y.Bhg. Tan Sri Samsudin bin Osman

AMN, PMP, JSM, DPMJ, PGDK, DPMS, SPDK, SIMP,
SSAP, PSM, PMN

Chief Secretary to the Government

MEMBERS

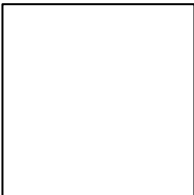


Y.Bhg. Dato' Jamaluddin bin Haji Ahmad Damanhuri

KMN, DPMP, DMPN, DGPN, SPMP

Director-General

Public Services Department

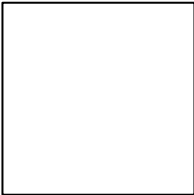


Y.Bhg. Dato' Dr. Muhammad Rais bin Abd. Karim

PJN, DSNS, JSM, KMN

Director-General

Malaysian Administrative Modernisation and
Management Planning Unit

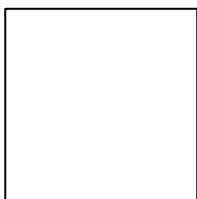


Y.Bhg. Dato' Zulkipli bin Mat Noor

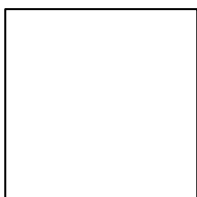
DSAP, DIMP, JMN, PSPP, KMN

Director-General

Anti-Corruption Agency



Y.Bhg. Kol Dato' Haji Mohamad Shaid bin Mohd. Taufek
PPT, KMN, DSMS
Senior Deputy Secretary-General
Prime Minister's Department
(Till 14-12-2001)



Y.Bhg. Dato' Wan Abdul Wahab bin Abdullah
DPMT, PJK
Director-General
Public Complaints Bureau

REMARK

Y. Bhg. Dato' Muhamad bin Mohd. Noor
DSNS, DNS, PPT, BKT
Senior Deputy Secretary-General
Prime Minister's Department
(As from 14-12-2001)

Public Complaints Bureau's Logo



The Honourable Chief Secretary to the Government approved the logo of the Public Complaints Bureau On 15 November 2000.

MEANING OF THE LOGO

Circular Shape

Represents harmony in a society of many races and religions.

Scales

Reflect sincerity and honour, the scales also represent justice in the thorough investigation of all complaints, without fear or favor.

Crescent and Star

The crescent and star with 14 points as on the flag represents Islam the official religion, unity of the thirteen states and the Federal Government, and reflects excellence and the image of PCB.

Rice Stalks

The rice stalks seen on both sides of the logo represents the responsibility and the activities of PCB, benefiting society and the nation.

Pillars

The strength of PCB is represented by the pillars, which support the **scales** and shows a strong support and at the same time enforces the principals of transparency, accountability and justice.

Colours

- Blue - portrays hard work, team spirit, determination and responsibilities in carrying out duties.
- White – portrays purity - which is the direction that is taking in aiming to achieve administration that is clean, efficient and transparent.

- Yellow - aims to defend a good administration management/good governance without discrimination based on justice for all.

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CHAPTER I

INTRODUCTION

1. OBJECTIVE

This Annual Report is published in accordance to Paragraph 12, of the Development Public Administrative Circular No. 4 of 1992 with the objective of informing the public on the complaints received and actions taken by various Government agencies so as to enhance the confidence of the public towards PCB in particular and the government in general. This report can also used as invaluable input to the Government agencies to evaluate and improve the quality of service in their respective agencies.

2. ROLE AND FUNCTION OF PUBLIC COMPLAINTS BUREAU

2.1. The establishment of PCB was officially announced on 23.07.1971 with the initial objective of being a monitoring body or a “watchdog” to ensure an efficient and fair administration which will provide feedback to the Government. The initial functions of PCB were as follows:-

- 2.1.1. As a communication channel between the Government and the public;
- 2.1.2. Create an avenue for the public to voice their problems whilst dealing with Government Services or complaints against certain Government administrative actions that were seen as to be unfair.

2.2.The role and functions of PCB are further enhanced in the Development Public Administration Circular No. 4 of 1992. The purpose of this Circular is to create a public complaints management system which is able to resolve public complaints in an effective and efficient manner.

2.3.This circular also explains the function and objectives to be taken by every Ministry/State Government/Federal Departments/Federal Statutory Bodies/Local authorities in the management of public complaints.

2.4.PCB is designated as the center for public complaints and is responsible for the implementation of the public complaints handling system with responsibilities and functions as follows:-

- ☐ to receive public complaints on dissatisfaction of administrative actions by the Government;
- ☐ to investigate public complaints which are deemed to be valid;
- ☐ to report the outcome of investigations and provide recommendations to the Permanent Committee On Public Complaints (PCPC) and the relevant authorities;
- ☐ to forward the decisions of PCPC to Ministries, Government Agencies and Local Authorities concerned for the purpose of corrective actions; and
- ☐ to monitor the corrective actions taken by Ministries/Government Agencies and Local Authorities, and submit such feedback to the PCPC.

2.5.Efforts taken by PCB in having a system of managing public complaints effectively and efficiently are based on the following criteria:

- i) all complaints to be settled efficiently, effectively, fairly and with care;
- ii) complaints to be managed honestly, in confidence, without prejudices and with assurance of confidentiality of complainants (upon request by complainants); and
- iii) redressal actions to be fair, objective and transparent.

2.6.“Public Complaint” is defined as complaints made by the public on their dissatisfaction towards any administrative action, that is unjust, not in accordance with the existing laws and regulations, abuse of power,

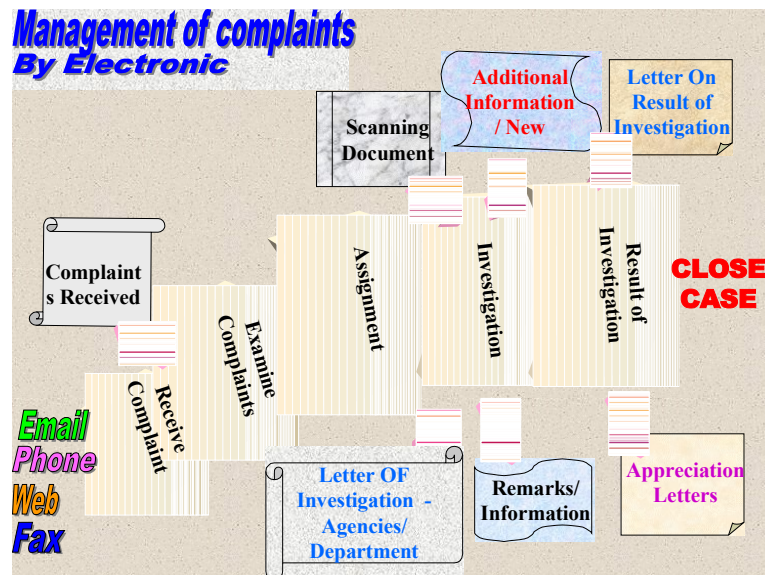
maladministration, and as such by the Government agencies. The public complaints include all aspects of Government administration including government agencies that has been privatized. Subject matters that are under the authority of Anti Corruption Agency (ACA), Legal Aid Bureau, Court's Proceedings, Special Cabinet Committees on Government Administration, the Public Accounts Committee are outside the role of PCB.

3. Improvement and Innovative Efforts by Public Complaints Bureau 2001

- 3.1. Throughout the year 2001, PCB continued its effort to improve effectiveness and efficiency in the management of public complaints especially to enhance the electronic system of managing complaints "*Sistem Biro Pengaduan Awam*" (SBPA). The innovative efforts and measures taken are:

a) Computerized the system in managing public complaints

PCB officially launched its computer system for managing public complaints through the establishment of local area network and PCB Web Site, which began operation in October 1999. In 2001, PCB carried out a feasibility study on the possibility of the PCB computer system to be linked to 12 Ministries which were identified by PCB as those receiving the highest complaints. PCB will determine the list of these 12 ministries. By linking the PCB's System of Managing Public Complaints to these 12 ministries, it would facilitate the ministries to monitor on line the complaints received by PCB against them as well as enabling them to monitor the progress of the cases resolved. As such, heads of the ministries will be able to take immediate actions in resolving the complaints and report to PCB for updating the status of complaints.



3.2. Improvement In the Effectiveness of PCB

In 2001, PCB had taken more aggressive measures to improve the management of public complaints. There were various factors that prompted PCB to reassess its role and effectiveness so that it will always be relevant to the needs and rapid development of the country. The main factors are as follows:

- The increasing of client's high expectation of the public services;
- Issues of good governance, transparency and accountability has become more important to the public particularly in providing quality service by the management of public administration;
- Stakeholders especially the leaders in Government who have high expectation on the quality of services given to the people; and
- To enhance the confidence of the public and investors towards the country and the public services.

In accordance to the above factors, PCB had conducted studies based on the following aspects:

- restructuring of PCB' organization both at the Headquarters and the regional offices;
- the possibilities of PCB to monitor complaints received directly by Federal and State Agencies based on the fact that the number of complaints received by PCB is rather small as compared against the

total number of complaints actually received directly by the Government agencies;

- to be proactive by reporting directly to the Government agencies regarding maladministration, abuse of power and related weaknesses to enable such agencies to undertake pre-emptive remedial actions. This system of reporting will not only reduce the number of public complaints, but also act as an early warning system which can prevent negative publicity regarding such issues which in turn will affect the image of the public service;
- to study possibilities for PCB with the cooperation of heads of the departments at the District Level, to have dialogue with local community leaders, resident's associations, Fisherman Associations, Smallholders, Hawkers Associations as well as other volunteer organisations to look into their problems or complaints and to undertake remedial actions by the respective departments; and
- in 2001, PCB had also studied the possibility of setting up a National Complaints Centre, which will provide access for the public nationwide to make complaints about their problems when dealing with the public service.

3.3. Enhancing and Promoting Publicity of PCB

The Cabinet decided that PCB should publicise about its services so that the public will be more aware that there is such a Government Department

**PUBLIC COMPLAINTS BUREAU
PRIME'S MINISTER DEPARTMENT
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TEL: 03-8888-7777, FAX: 03-8888-3748**

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<p>NORTHERN REGION</p> <p>Pengarah Cawangan (Wilayah Utara) Biro Pengaduan Awam Level 44, Menara KOMTAR, Jalan Pinang 10000 Pulau Pinang.</p> <p>Tel; 04-2636893; Fak; 04-2636894</p>	<p>CENTRAL REGION</p> <p>Pengarah Cawangan (Wilayah Tengah) Biro Pengaduan Awam Lot 12.1, Tingkat 12 Kompleks Pertama Jalan Tunku Abdul Rahman 50100 Kuala Lumpur.</p> <p>Tel: 03-2911346; Fax: 03-2692107</p>
<p>SOUTHERN REGION</p> <p>Pengarah Cawangan (Cawangan Selatan) Biro Pengaduan Awam Level 21, Bangunan KOMTAR, Jalan Wong Ah Fook 80505 Johor Bahru.</p> <p>Tel; 07-2230900; Fax; 07-2243557</p>	<p>EASTERN REGION</p> <p>Pengarah Cawangan (Cawangan Timur) Biro Pengaduan Awam Tingkat 1, Wisma Maju Jalan Sultan Ismail 20200 Kuala Terengganu</p> <p>Tel; 09-6238135 Fax; 09-6238134</p>

PCB will continue to promote its services by sending out brochures and posters to 1,549 Post Offices, District Offices, Offices of Village Chiefs and Local Authority Offices nationwide to inform the people of PCB's services with the objective of winning the public's confidence to forward their grouses/complaints. This publicity program was officially launched in early 2001.

3.3. **Upgrading of Work Process and Working Procedures**

PCB was awarded the MS ISO 9002 Certificate for management of public complaints on 13.12.2001. This is an important award for PCB because it will increase the client's confidence on PCB's quality of service.

4. **Achievement of PCB**

- 4.1. In the year 2001, PCB received 2,769 complaints as compared to 3,721 in the year 2000. Most of the complaints were received through the mail, i.e. 1,446 or 52.22% out of the total complaints received, while 460 complaints were made personally at PCB's office. The Circuit Program played an important role in allowing the public to hand-in complaints easily and as result, 206 complaints were received via this program. 364 complaints were received through the electronic system, i.e. by e-mail or lodged through the web site of PCB, which showed an increase of 34.68% compare with 2000. PCB is confident that in years to come, more people will make use of the electronic channel to lodge complaints. Details of the manner complaints were received are shown in **Table I**.

Table I
Manner Complaints Were Received

Manner of Complaint Received	Total 2001	(%)	Total 2000	(%)
Letters	1,446	52.22	2,328	62.56
Personal	460	16.61	571	15.35
Circuit Program	206	7.44	316	8.5
E-mail	200	7.22	163	4.38
Telephone	187	6.75	162	4.35
Web site Forms	164	5.92	108	2.9
Complaints Forms at Counters	61	2.20	-	-
Fax	35	1.26	53	1.42
Newspapers	5	0.18	9	0.24
Chief Secretary's Office	2	0.07	6	0.16
Minister's Office	2	0.07	3	0.08
The Prime Minister's Office	1	0.04	2	0.05
TOTAL	2,769	100	3,721	100

5. Total Complaints Investigated

- 5.1. Of the 2,769 complaints received by PCB, some have no basis at all. Most of the complaints received dwell on allegations, inquiries, seeking advice, letters copied to PCB, complaints against the private sector and anonymous letters. PCB will filter the complaints received to ensure the validity of such complaints before they are registered and investigated.
- 5.2. As such, in the year 2001, 2,549 complaints were found to be valid and substantiated for investigations to be carried out. This figure showed a decrease of 5.42% compared with 2,695 complaints investigated in the year 2000. A total of 220 cases were inquiries or letters copied to PCB.
- 5.3. Of the cases investigated, PCB successfully resolved 1,821 cases or 71.44% in the year 2001 compare with 2,028 cases or 75.2% in the year 2000. The decrease in the rate of resolving the cases compared with the year 2000 was because PCB was shortage of staff. However, PCB's benchmark on resolving a case is set at 3 months. Table II shows the rate of resolving cases of complaints as against the benchmark:

Table II
Rate Of Resolving Cases According To Benchmark

Year	Total Cases Resolved	2 Weeks	3 Months	More Than 3 Months
2001	1,821	121	1,151	549
2000	2,028	465	910	653
2001(%)		6.54	63.28	30.18
2000(%)		22.9	44.8	32.3

From the above table, PCB had successfully resolved 1,272 cases or 69.6% within 3 months as compared to 1,375 cases or 67.7% in the year 2000. Overall, 934 complaints that were resolved or 51.3% were found to be genuine complaints which could be substantiated.

6. COMPLAINTS AGAINST FEDERAL DEPARTMENT

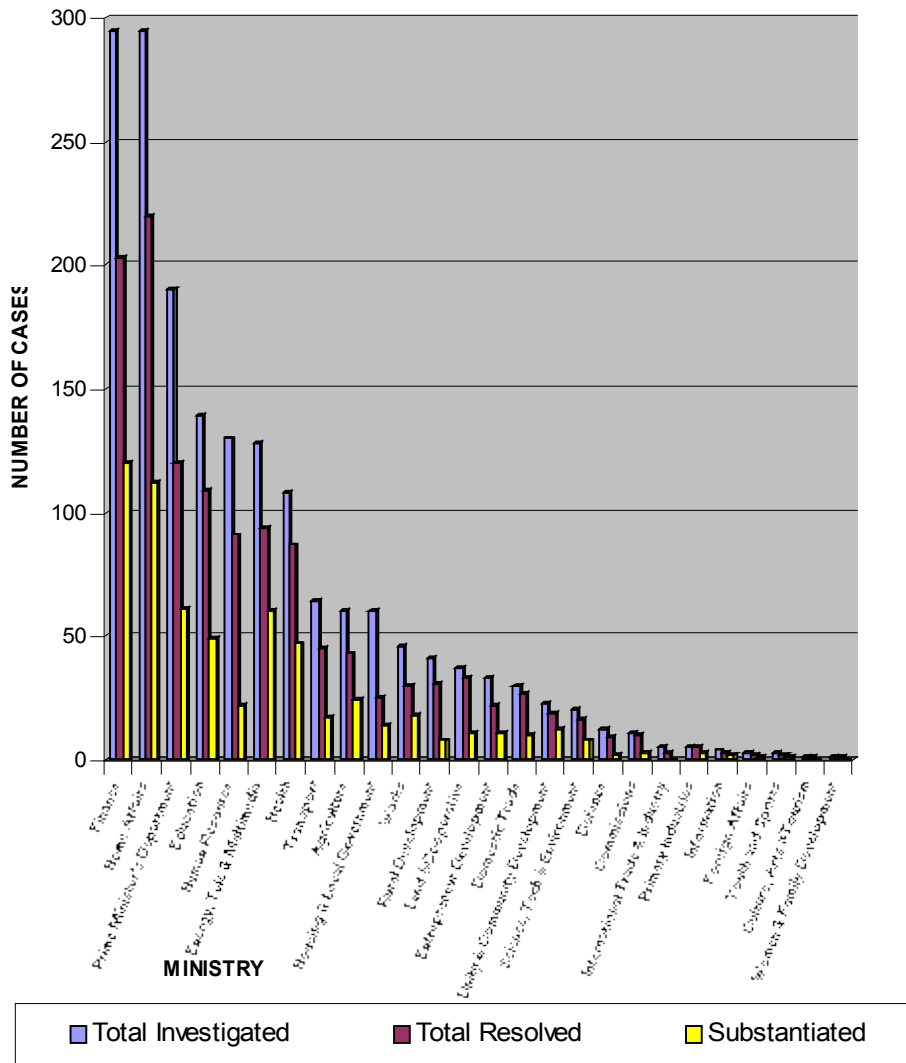
- 6.1. Of the 2,769 complaints investigated, a total of 1,744 complaints were against Federal Agencies compared with 1,869 complaints in the year 2000. The Agencies that received the most complaints were the agencies under the Ministry of Finance and the Ministry of Home Affairs which had a total of 295 each. This was followed by the Prime Minister's Department, which had 190 complaints. The Ministry of Education received 139 complaints whereas Ministry of Labour received 130 complaints. 1,251 cases or 71.7% of the complaints were successfully resolved of which 616 cases or 49.2% were found to be genuine. Table III shows the number of cases received by Federal Department/Ministries.

Table III
Number of Cases Investigated Against Federal Department

Ministry/Federal Department	Total Investigated	Total Resolved	Subs- tantiated	Under Investigation
Finance	295	203	120	92
Home Affairs	295	220	112	75
Prime Minister's Department	190	120	61	70
Education	139	109	49	29
Human Resource	130	91	22	39
Energy, Communication and Multimedia	128	94	60	34
Health	108	87	47	21

Transport	64	45	17	19
Agriculture	60	43	24	17
Housing and Local Government Works	60	25	14	35
Rural Development	46	30	18	16
Land and Cooperative Development	41	31	8	10
Entrepreneur Development	37	33	11	4
Domestic Trade and Consumer Affairs	33	22	11	11
National Unity and Community Development	30	27	10	3
Science, Technology and Environment	23	19	12	4
Defence	20	16	8	4
Services Commissions	12	9	2	3
International Trade and Industry	11	10	3	1
Primary Industries	5	3	0	2
Information	5	5	3	0
Foreign Affairs	4	3	2	1
Youth and Sports	3	2	1	1
Culture, Arts and Tourism	3	2	1	1
Women and Family Development	1	1	0	0
TOTAL	1,744	1,251	616	492

Number of Cases Investigated Against Federal Department



7. COMPLAINTS AGAINST STATE AGENCIES/DEPARTMENTS

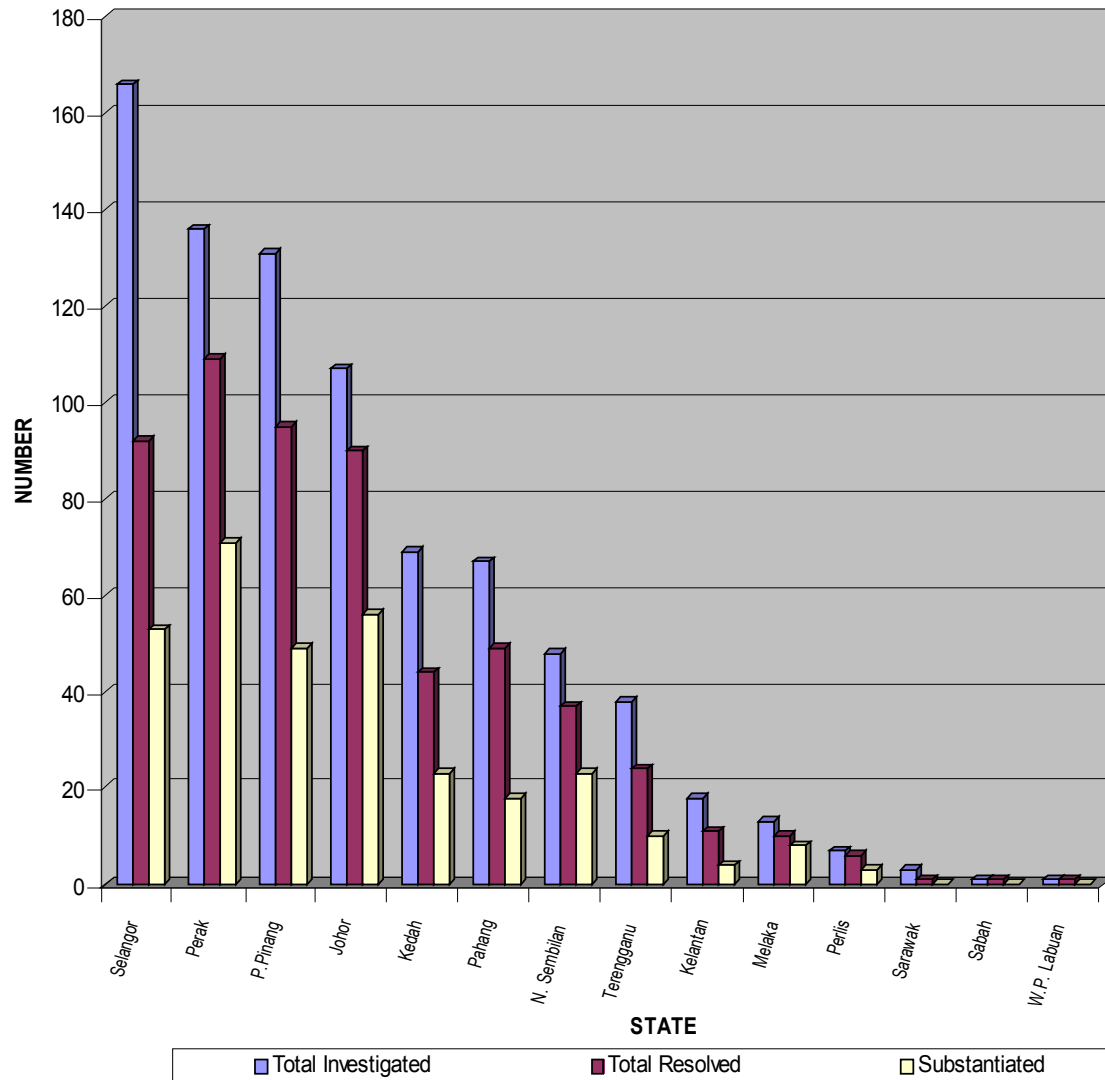
- 7.1. In the year 2001, PCB had investigated 805 complaints against State Agencies and Departments compared with 826 complaints in the year 2000. The State of Selangor received the most complaints of 166 cases, followed by the State of Perak had 136 cases, Pulau Pinang had 131 cases and Johor had 107 cases. Of the 805 cases investigated, 570 or 70.8% were successfully resolved and 318 cases or 55.8% were found to be with basis. The total number of complaints against Sabah and Sarawak do not reflect the actual situation of complaints as these two states have their own Public Complaints Bureau under the jurisdiction of their respective state

administrations. The PCB of the Prime Minister's Department constantly work together with these two agencies in resolving public complaints. **Table IV** shows the total number of complaints against the State Departments.

Table IV
Number of Cases Investigated Against State Departments

State	Total Investigated	Total Resolved	Subs- tantiated	Under Investigation
Selangor	166	92	53	74
Perak	136	109	71	27
Pulau Pinang	131	95	49	36
Johor	107	90	56	17
Kedah	69	44	23	25
Pahang	67	49	18	18
Negeri Sembilan	48	37	23	11
Terengganu	38	24	10	14
Kelantan	18	11	4	7
Melaka	13	10	8	3
Perlis	7	6	3	1
Sarawak	3	1	0	2
Sabah	1	1	0	0
Wilayah Persekutuan Labuan	1	1	0	0
TOTAL	805	570	318	235

Number of Cases Investigated Against State Departments



8. CATEGORY OF COMPLAINTS

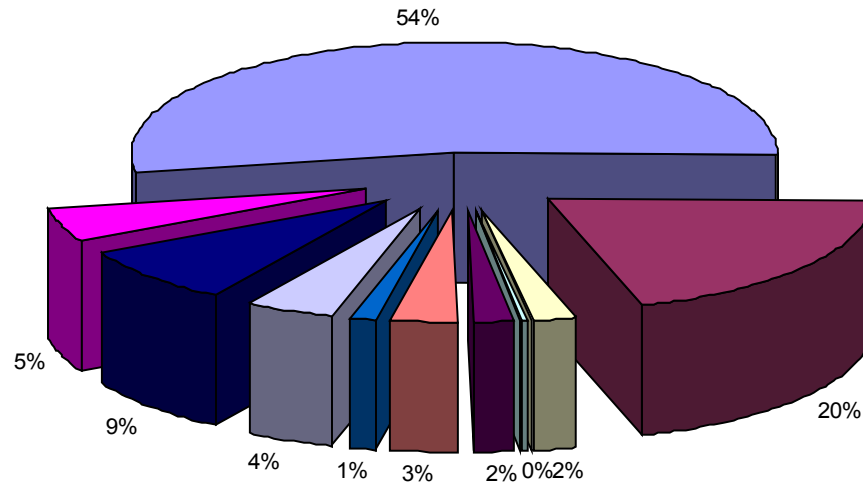
- 8.1. **Table V** shows the category of complaints being investigated. From the table, the category “delays in carrying out duties/inaction by agencies is the highest category of complaints received i.e. 53.4% against Federal Departments and 48.4% against State Department. Compared with last year, which was 59.4% and 54.5% respectively, meant there was a decrease in this category. Based on the fact that all agencies should have formulated their client’s charter and implementing it, complaints under this category of delays should decrease. The second category that received the most complaints against Federal Agencies is “unfair action/decision” while the third category is failure to enforce law and order. For the State Departments, the second highest number of complaints was under the

category is “failure to enforce law and order” which involved all Local Authorities, followed by the category of “unfair action/decision”.

Table V
Category of Complaints for Cases Received in 2001

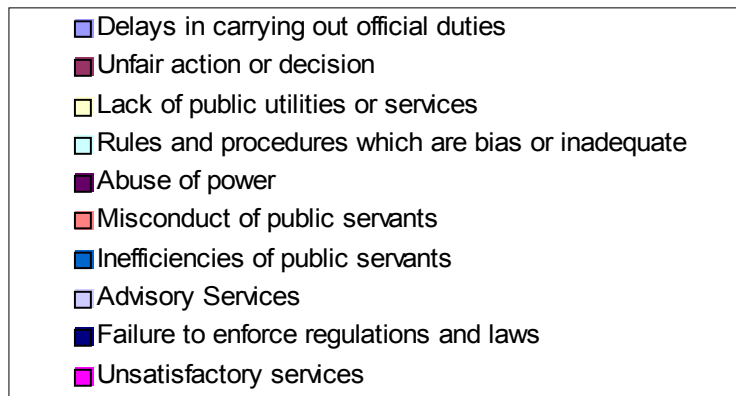
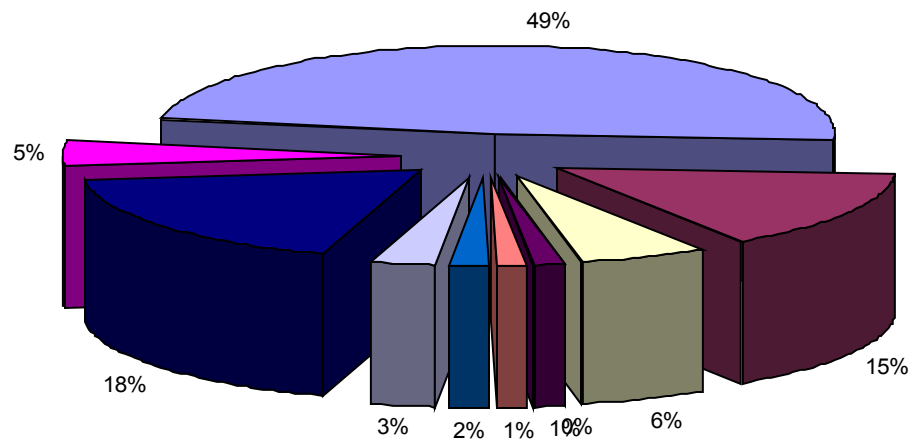
Category of Complaints	Ministry (%)		State (%)	
	2001	2000	2001	2000
Delays in carrying out official duties	53.4	59.4	48.4	54.5
Unfair action or decision	19.9	18.0	14.7	13.6
Lack of public utilities or services	2.2	3.0	6.2	8.4
Rules and procedures which are bias or inadequate	0.1	0.8	0.0	0.5
Abuse of power	2.1	1.4	1.3	0.8
Misconduct of public servants	3.4	3.1	1.4	2.1
Inefficiencies of public servants	1.4	2.7	2.0	3.3
Advisory Services	4.2	6.1	3.0	2.4
Failure to enforce regulations and laws	8.5	4.8	18.5	14.3
Unsatisfactory services	4.9	0.7	4.6	0.1

Category of Complaints Received Against Ministries



- Delays in carrying out official duties
- Unfair action or decision
- Lack of public utilities or services
- Rules and procedures which are bias or inadequate
- Abuse of power
- Misconduct of public servants
- Inefficiencies of public servants
- Advisory Services
- Failure to enforce regulations and laws
- Unsatisfactory services

Category of Complaints Against State Public Services



9. BACKLOG CASES

- 9.1. A total of 667 backlog cases from the year 2000 and was brought forward to the year 2001. Most of these cases were received and registered towards the end of the year 2000 or represented cases which were complex. Of this total, 612 cases were successfully resolved throughout 2001 which left only a total of 55 backlog cases as of 31.12.2001.
10. **LETTERS OF APPRECIATION**
- 10.1. Throughout the year 2001, PCB received a total of 76 letters of appreciation from complainants who recorded their thank you for the assistance rendered by PCB in resolving their cases. The total numbers of letters does not reflect the actual figure because PCB only started recording the actual number in the year 2002. This is important because through this means, PCB will be able to monitor the number of such letters received. Examples of letters of appreciation from complainants are shown in Appendix V.
11. **CONCLUSION**
- The achievement and success of PCB in resolving more cases efficiently and effectively is due to the constant support it receives from The Permanent Committee on Public Complaints (PCPC) chaired by the Chief Secretary to the Government and the cooperation given by all Heads of Federal and State Departments. PCB will strive hard towards enhancing the image of all levels of Government Agencies and to develop a culture of accountability, transparency and credibility in the Civil Services.

PERMANENT COMMITTEE ON PUBLIC COMPLAINTS

1. MEETING OF THE PERMANENT COMMITTEE ON PUBLIC COMPLAINTS (PCPC)

1.1. The Permanent Committee on Public Complaints, chaired by the Chief Secretary to the Government, had three meetings in the year 2001. A total of 11 Working Papers were presented for deliberation and decision of the Permanent Committee, the papers are as follows:-

- ☐ Encroachment Of Road Reserve By Squatters;
- ☐ Failure Of The Land Office In Amending Titles To Land Acquired By Government Resulting In Overlapping Of The New Title;
- ☐ Failure Of The Land Office In Matters Concerning Payment Of Compensation According To Guidelines;
- ☐ The Problems Of Illegal Money-Lending (Along Scheme);
- ☐ Problems Relating To Issuance Of Strata Titles and Setting Up of Management Committees In Apartments And Condominium Projects;
- ☐ **Complaint Against A Federal Statutory Authority In The Management Of Workers Contributions;**
- ☐ Action To Adopt Legally The Quarry Enactment By State Authorities;
- ☐ Noise, Pollution From Diesel Fuel and Fear Of A Fire Breaking Out From A Store;
- ☐ Transfer Of Malay Reserve Land To Non-Citizens;
- ☐ The Problem Of Abandoned Housing Projects By Private Developers;
- ☐ Analysis Regarding Recurring Public Complaints Against The Civil Service

2. WORKING PAPERS PRESENTED TO THE PERMENANT COMMITTEE ON PUBLIC COMPLAINTS

2.1. The Working Papers that were deliberated and decided upon by the Permanent Committee are as follows:-

2.1.1. Working Paper No. 309 - Encroachment Of Road Reserve By Squatters

PCB received a complaint against a Local Authority for failure to take action against some squatters who had encroached onto a road reserve. The complainant had surrendered the land as road reserve as a condition in getting approval to build a petrol station. The squatter's encroachment prevented his petrol station from being built.

Investigation by PCB revealed that the complainant had leased the land to a petroleum company on 3.7.1991 for a period of 30 years for the purpose of building a petrol station. On 5.10.1995, the Local Authority had approved the building of the petrol station on condition that a part of the land, about 2,201 sq. meters, is surrendered to the government, to be used as an approach road 30 feet wide. On 25.11.1998, the building plan of the petrol station was approved. Construction work could not commence because squatters had encroached on part of the land meant to be the road reserve.

The Permanent Committee on Public Complaints met on 12.3.2001 and decided that the Local Authority concerned take enforcement action to remove the squatters on the road reserve and the Petroleum Company will have to pay any compensation that may arise. The Local Authority moved the squatters into a Public Housing and the site concerned was fenced up.

2.1.2. Working Paper No. 310 - Failure Of The Land Office In Amending Titles To Land Acquired By Government Resulting In Overlapping Of The New Title

PCB was informed that a Land Office acquired 3 pieces of land for a flood victim resettlement scheme but failed to register the acquisition for 14 years (1986 - 2000). This resulted in problems with issuance of titles.

PCB investigated the case and found that the complainant had a Temporary Occupation License (TOL) approved on 16.9.1997 to build a house. The complainant was informed by another person, a Chinese who claimed that he was the legitimate owner of the said property and that a police report had been lodged against the complainant for trespassing. The complainant referred the matter to the Land Office, which confirmed that the land belonged to another person. As such the TOL that was approved was considered null and void as provided for under the National Land Code. According to official records, government gazette No. 218, on 6.7.1972; a total of 29 lots of land (214 acres) were acquired to resettle flood victims. Of the 29 lots, only 26 lots were issued Form K on 21.9.1996 and the acquisition process was done properly. The total number of lots involved in TOL was 135 lots with 56 lots being individually owned.

The Permanent Committee on Public Complaints decided on 12.3.2001 that the State Secretary and the State Land and Mines Office should take action to resolve the problem. Corrective action was taken by the State Land and Mines Office on 12.5.2001 when it endorsed Form K on the 3 affected lots.

2.1.3. Working Paper No. 311 - Failure Of The Land Office In Matters Concerning Payment Of Compensation According To Guidelines

PCB received a complaint against a Land Office that failed to pay a compensation of RM25,000.00 for the acquisition of a house which was affecting a sewerage project of a Hospital.

PCB investigated the complaint and found that the Land Office had failed to make payment of RM25,000.00 for nearly three years. The error occurred when a list of 20 names mainly those affected was being finalized for payment involving a sum of RM545,000.00. However the final list had only 19 names and the complainant's name had been omitted.

The Permanent Committee of Public Complaints met on 12.3.2001 and decided that the Land Office should take immediate remedial action to pay the compensation to the complainant. The Committee also recommended that a police report should be made against those, who received excess payment and failed to inform the Land Office about it and return the overpayment. Disciplinary action should be initiated against the officer who was negligent and was responsible for the state of affairs.

The Land Office concerned took immediate action and paid the compensation to the complainant. Police reports were also made on 25.4.2002 against those who were overpaid and deliberately chose not to return the excess sum paid, to the authorities. Further investigations against the officer concerned was also commenced.

2.1.4. PCPC Working Paper No. 315 – The Problems Of Illegal Money – Lending Activities (Along Scheme)

PCB received a complaint from a person who had borrowed RM3000.00 at an interest rate of 15% per month and has been repaying for the last 3 years. The complainant had to surrender his saving account book and his ATM card together with the PIN number to the money lender to ensure repayment of the loan. As a result of this, the complainant is left with RM80.00 from his salary every month. If the complainant suddenly terminates his bank account, then gangsters were often employed to enforce repayment of the monthly installment.

Investigation by PCB showed that there are 2 categories of “Scheme Along”, that is, those which are licensed and those that are unlicensed. For the licensed ones, they are governed by the Moneylenders’ Act 1951, which however, is silent on the role of enforcement, by either the State Secretary, the City Hall Kuala Lumpur, The Royal Malaysian Police or the Ministry of Housing and Local Government.

The Permanent Committee on Public Complaints met on 17.07.2001 and decided that the Ministry of Housing and Local Government should review, and streamline the Money Lenders’ Act 1951 to provide for enforcement, impose a maximum interest rate chargeable and any other relevant provisions to protect borrowers. The Ministry has prepared a draft with necessary amendments and has forwarded it to the Minister for his consideration.

2.1.5. PCPC Working Paper NO. 316 – Problems Relating To Issuance Of Strata Titles And Setting Up Of Management Committees In Apartments And Condominium Projects

PCB received complaints on the setting up of Management Committees in Condominiums where purchasers have made full

payments for Units bought, and are qualified to apply for their strata titles as provided for in the Strata Title Act 1985.

Investigation by PCB revealed that many major developers of condominiums in the Klang Valley not only built but also managed and maintained the condominium even though the units have been sold and strata titles issued. Efforts to establish Management Committees encountered many problems because the amount of fees collected from the occupants was insufficient to pay for the cost of maintenance. The occupants would only seek transfer of strata title in certain situations, for example when the owner dies or when there is a sale of the condominium. The Strata Title Act 1985 does not have provisions to enforce transfer of strata title nor any penalties against purchasers who are reluctant to do so.

The Permanent Committee on Public Complaints met on 17.7.2001 and directed PCB to have a series of meetings with the Ministry of Housing and Local Government and the Ministry of Land and Cooperative Development to resolve such problems including the possibility of amending the Strata Title Act 1985 to include provisions of enforcement against purchasers who refused to obtain their strata titles.

Meetings with the relevant Ministries were held and it was agreed that condominiums that are facing such problems should come under the responsibility of Local Authorities. This is in accordance with the proposal by the Ministry of Housing and Local Government to table the Building and Common Property Act in Parliament. The Strata Title Act will be amended accordingly.

2.1.6. PCPC Working Paper No. 317 – Complaint Against A Federal Statutory Authority In The Management Of Workers Contributions

A complaint was made against a Federal Statutory Authority regarding its inefficiency in dealing with public problems. Among the problems brought up were the management of contribution, delay in preparing statement of contribution to the Public Services Department, delay in hearing schedule, delay by the employer to make contribution payment resulting in the workers having arrears in their account having earlier made withdrawals for housing loan.

Investigation by PCB showed that delay in receiving their pension withdrawal was because the accounting system used was done manually and all the records available were kept at the Headquarters. In addition, the records were kept in the form of microfiles and microfilm which took time to retrieve especially

when the number of readers were limited and as such could not cope with the sudden increase in the number of withdrawal applications.

The Permanent Committee on Public Complaints at its meeting on 17.7.2001 made a decision that the Statutory Authority concerned should replace all its old equipment with newer and efficient ones, advance payment to contributors whose cases are awaiting Court hearing and to apply to the Treasury and the Public Services Department to waive the interest payment imposed on the Government 'share' which was inadvertently paid to the contributor.

The Statutory Authority concerned succeeded in resolving many of the cases in arrears with the Pension Withdrawal Scheme by the end of July 2001. By 30.9.2001, a total of 11,658 Statement 1036 was prepared and processed for the Public Services Department. The Authority also implemented a new policy of advancing payment to contributors whose employers failed to credit their share of the contribution and were awaiting Court decision. However, only the workers' share can be advanced when it was clearly shown that the company had paid the workers' share. The employer's share will only be credited to the workers' account when the employer's share is received.

2.1.7 PCPC Working Paper No. 318 – Action To Adopt Legally The Quarry Enactment By State Authorities

PCB received a complaint from a quarry worker that the company did not hire his services as a dynamite operator; instead the company was using the services of his friend illegally as an operator at a lower price. According to the Mines Department, each dynamite operator must possess a valid license issued by the Mines Department or by the Royal Malaysian Police.

Investigation by PCB showed that the Mines Department could not take enforcement action against the company and the illegal operator because many State Authorities have not legally adopted the Quarry Enactment. As such, State Authorities, which are affected, do not have the legal power to monitor the activities of the quarry industry.

The Permanent Committee on Public Complaints which discussed the issue on 17.2.2001 decided that the Mineral and Geoscience Department and State Secretary of those states yet to legally adopt

the particular enactment should take immediate steps as conceived by the National Mineral Council Meeting on 24.7.2000.

The Director-General, Mineral and Geosciences Department had on 28.9.2001 informed all State Secretaries, except Perak and Kelantan to speed up the adoption of the state enactment. However, to date, only the Perlis State Executive Council has decided to study the matter further with the view of expediting the adoption of the Enactment.

2.1.8 PCPC Working Paper No. 319 – Noise, Pollution From Diesel Fuel And Fear Of A Fire Breaking Out From a Store

A complainant was unhappy that a store, storing diesel oil was built near some residential houses. The operator of the store polluted a nearby river and raised fears and concern among the residents as to their safety.

Investigation by PCB revealed that the store selling diesel oil was very near residential houses, about 5 metres away. A wall that was built in front of the approach road to the residential area was obstructing traffic. The owner of the store had applied to the Local Authority to build an open garage and although it was not approved, he proceeded to build the store. The Local Authorities fined him RM13,360.00 but he had not made any payment pending an appeal to lower the fine.

PCPC had its meeting on 7.12.2001 and decided that the Local Authority concerned should take action to stop the business from operating and order the owner to pay the fine immediately.

The Local Authority filed a case with the Court to obtain an order to demolish the two big diesel tanks that were illegally built. The owner dismantled the tanks voluntarily and moved the tanks away.

2.1.9. PCPC Working Paper No. 320 – Transfer Of Malay Reserve Land to Non-Citizens

A complainant alleged that a landowner had transferred 320 out of 1,276 share of his land to an Indonesian who is a permanent resident. This matter was reported to the Land Office concerned but no action was taken.

Investigation by PCB showed that the original landowner had sold the land to a non-citizen and effected the transfer of ownership on 6.8.1993. The land officer had recommended that the transfer was not valid because it contravened with Section 8, Malay Reserve Act 1941 and Provision 89(P) of the Federal Constitution and the invalid registration had to be cancelled. It was also discovered that the buyer had declared himself as a citizen whereas he was only a permanent resident.

PCPC in its meeting on 7.12.2001 decided that the Land Officer should have taken action to cancel the registration of transfer in accordance with the National Land Code and proceeded with Court action against the buyer who had made a false declaration that he was a citizen of the country. PCPC also decided that the State Secretary concerned take disciplinary action against the Assistant District Officer (Land) who was negligent and careless while witnessing the transfer.

The State Director of Land and Mines is in the process of canceling the registration of transfer and investigating the case in detail to determine whether there is a disciplinary case against the officers responsible.

2.1.10. PCPC Working Paper No. 321 – The Problem of Abandoned Housing Projects by Private Developers

PCB received many complaints about abandoned housing projects that involved private developers in joint venture with State Development Authorities. Some of these developers do not possess developers' license including those in Sabah and Sarawak, which are governed by different Acts.

Investigations by PCB revealed that there were 514 abandoned projects involving 107,702 units of houses and 68,340 purchasers. Only 324 projects were rehabilitated while 56 projects could not be salvaged.

PCPC in its meeting on 7.12.2001 decided that the Ministry of Housing and Local Government should charge developers a deposit of RM200,000.00 for each housing development project in accordance with the Housing Developers Act. PCPC also decided that the Ministry utilize the RM300 million allocation to rehabilitate abandoned projects.

The Ministry will draft new legal provisions to make housing developers pay a RM200,000.00 deposit. The National Housing Company has been given an allocation of RM300 million to rehabilitate abandoned housing projects and is now actively studying the process of rehabilitating abandoned housing projects.

2.1.11. PCPC Working Paper No. 322 – Analysis Regarding Recurring Public Complaints Against The Civil Service

PCB frequently receives complaints against the civil service. PCPC is kept informed about the effectiveness of PCB in addressing such recurring complaints so that effective steps may be taken by various government agencies to resolve such complaints.

The number of complaints against the civil service for the first ten months of 2001 (1.1.2001 – 30.10.2001) decreased by 8.3% to 2,173 cases compared to 2,369 cases for the same period the previous year.

PCPC in its meeting on 7.12.2001 took note of the actions and approaches used to reduce the total number of recurring complaints.

CHAPTER 3

COMPLAINTS AGAINST MINISTRIES AND FEDERAL DEPARTMENTS

1. TOTAL NUMBER OF COMPLAINTS

1. In 2001, a total of 1,744 complaints against Ministries and Federal Departments were investigated compared to 1,869 cases in the year 2000, which is a reduction of 6.68%. From this total received 1,251 or 71.73% of the complaints were resolved and of which 616 complaints were substantiated.
2. The number of complaints against Ministries, Federal Departments and their agencies are as follow:-

2.1.THE SERVICES COMMISSIONS

- 2.1.1 Complaints received against the Services Commissions had increased from 7 complaints in the year 2000 to 11 complaints in the year 2001.
- 2.1.2 The Education Services Commission headed the list with 7 complaints and they were in regards to applications by complainants to the Commission to review their starting salaries, which they felt were not in order. Investigation revealed that 6 of the complaints were without basis.
- 2.1.3 The Election Commission received 3 complaints i.e. regarding delays in payment of travel allowances for performing official duty as Head of an Election Centre. One of the complaints was not substantiated.
- 2.1.4 The complaint against the Public Services Commission (PSC) was regarding the PSC's Hotline, which was alleged to be a waste of fund as it seemed to be only an answering machine. Investigation revealed that the complaint was without basis because the PSC had many telephone lines and some of these lines were directly connected to the relevant divisions of the PSC to facilitate easy access for its clients.

2.1.5 Total complaints against the Services Commissions are as shown in Table 3.1.

Table 3.1

Total Complaints Against The Service Commissions

Agency	Total Received	Total Resolved	Subs- tantiated	Under Investiga- tion
Education Services Commission	7	6	1	1
Election Commission	3	3	2	0
Public Services Commission (PSC)	1	1	0	0
Total	11	10	3	1

2.1.6 The following are examples of substantiated cases:-

A. BPA WT01/03.01/SPP/1 (5925)

Differences In Appointment Date Between Education Service Officers

A complainant, a graduate of the Universiti Pendidikan Sultan Idris, reported for duty on 1.4.1999. The complainant was offered the post of an education service officer from 1.5.2000. The complainant felt that there was a difference between his appointment date and that of his colleagues from the same university who were appointed on 1.6.1999. Investigation revealed that the complaint was true and the Education Services Commission rectified the mistake by backdating the complainant's appointment to 1.6.1999.

B BPA/U/1/2001-10/SPR/1 (7929)

Delay In Payment Of Allowance For Duty Performed During the 10th General Election

A complainant had worked for the Election Commission from August till November 1999 but had not received any payment of allowance up to the date of his complaint. He had complained to the relevant agency in the year 2000 but no action was taken.

Investigation revealed that the claim was not forwarded during the current year of allocation so there was a need for

special approval from Treasury before payment could be made. The Election Commission made the payment in the year 2001.

2.1.7. The following are examples of unsubstantiated cases:-

A. BPA/1/2001.02/SPP/5306

Appeal For Pensionable Status

A complainant, who was a teacher under the Unified Teachers Scheme (UTS), retired on 23.12.1998 but the Pension Division, Sabah Branch did not process his pension payment because he was not emplaced on the pensionable status. He alleged that he had applied to be emplaced on the pensionable status many times to the Education Services Commission, Sabah Branch but he did not receive any reply at all.

Investigation revealed that his application was not considered because he made his application after he had reached 55 years of age and had also withdrawn the government's share of the Employee's Provident Fund.

B. BPA/1/2001.2/SPP/5576

Appeal To Review Starting Salary And To Take Into Account Unrecognised Past Service

A complainant was a Contract Teacher in Sabah and had served from 6.1.1975 till 5.11.1980. Upon completion of his contract he was given approval to return to Peninsular Malaysia to serve in the state of Kelantan until today. He complained that before he returned to Kelantan he had applied to the Education Services Commission Sabah Branch for an interview, but had not received any reply till now. He then applied to the Election Services Commission in Kuala Lumpur to be appointed but he was offered a much lower starting salary i.e. RM495.00 whereas his last paid salary while serving in Sabah was RM585.00. The complainant's service from 5.1.1980 till 15.4.1980 was not taken into account because it was considered as 'unrecognised', although he was a trained teacher. The complainant alleged that this had resulted in loss of

remuneration reduced pension gratuity payment and other losses for him.

Investigation revealed that the complainant's claim about lower starting salary was not accurate because the Teacher's Service Commission had amended his starting salary from RM630.00 to RM750.00 per month after taking into consideration his teaching experience in Sabah.

1.1 The Prime Minister's Department

A total of 190 complaints were investigated against the agencies under the jurisdiction of the Prime Minister's Department in the year 2001 as compared to 227 complaints in the year 2000. The number of agencies/departments affected by complaints reduced in the year 2001 by 20 departments as compared to 21 departments in 2000.

The Public Services Department (PSD) and the City Hall of Kuala Lumpur were the two agencies under the jurisdiction of the Prime Minister's Department, which had the most number of complaints i.e. 72 and 48 respectively. Both these agencies received the most number of complaints as they constantly dealt directly with members of the public. The PSD, for example, all public services employees and pensioners are their clients. The total number of pensioners alone numbered 433,847 and this number will continue to increase yearly by 20,000 pensioners. As such, it is not surprising that the number of complaints received by the PSD has increased. However, the total percentage of pensioners who complained to the Pension Division was only 0.01%. In addition, since 1990, there have been eight salary adjustments for public servants including pensioners, by the government and this has resulted in delays in the salary adjustments for a small number of pensioners. Delays by the agencies where pensioners last served in sending statements of salary changes seemed to be one of the main reasons resulting in the pensioners receiving their adjusted pension late.

A total of 62 complaints out of the 72 complaints against the PSD were directed against the Pension Division, from pensioners who were dissatisfied with the delay in

receiving their pension adjustments and monthly pensions. 58 complaints were resolved by the PSD within the year. 14 complaints were still under investigation by the PSD and one of them required legal opinion before any further action can be taken.

Complaints against the City Hall of Kuala Lumpur (CHKL) were dissatisfaction with enforcement, developers who did not repair faults, building of illegal workshops, environment cleanliness, problems with hawkers, parking lots, issuance of business permits and such cases.

Complaints against the Public Trustee Official Administration were regarding administrative problems, delays in returning claims and delays in replying letters. In the year 2001 there were 20 complaints against this department and 15 of the cases were solved and 5 cases are still under investigation.

In the year 2001 there were 16 complaints against the Federal Court Chief Registrar's Office and 10 cases were resolved whereas 6 cases are still under investigation. Most of the cases were about service from the court staff, delay in taking action and many cases being frequently postponed.

8 complaints against the Public Trustee Office were regarding lack of response to complaints, action taken that were not in accordance to procedure, delay in giving feedback and difficulty meeting the staff of this office by the public.

In the year 2001, 6 complaints were made against the Implementation and Coordination Unit (ICU), of the Prime Minister's Department mainly regarding delays in repairing roads and mismanagement of subsidies by Village and Development Committees. Of the total number of cases, 5 cases were still under investigation and one case had been resolved.

Table 3.2 shows the total number of complaints against the Prime Minister's Department.

Table 3.2

**Total Number of Complaints Against The
Prime Minister's Department and its Agencies**

Agency	Total Received	Resolved	Sub- stantiated	Under Investigation
City Hall of Kuala Lumpur	48	6	11	33
Public Services Department	72	58	28	14
Federal Court Chief Registrar's Office	16	10	6	6
Official Assignee Department	20	15	8	5
Implementation and Coordination Unit	6	1	0	5
Public Trustee Official Administration	8	7	2	1
Legal Aid Bureau	4	3	0	1
Statistics Department	1	1	1	0
Islamic Development Department	3	2	2	1
Federal Territory Land and Mines Department	1	1	1	0
Administration & Finance Division	1	1	0	0
National Security Division	1	1	1	0
Property & Land Management Division	1	1	0	0
Federal Territory Islamic Affairs Department	2	1	0	1
Pilgrimage Fund and Management Board	1	1	1	0
Putrajaya Corporation	1	0	0	1
Petroleum Nasional Berhad	1	0	0	1
Bar Council	1	1	0	0
Economic Planning Unit	1	0	0	1
Malaysian Administrative Modernisation & Management Planning Unit	1	1	0	0
TOTAL	190	120	61	70

The following are examples of substantiated cases:-

BPA.TH/2/8.01/DBKL/20(7168)

Hidden Car Park Signboard Resulting in the Public Being Victimised

A Complaint was received regarding a car park, which was reserved only for taxis, but the signboard informing the public about it was hidden. As such many members of the public who had parked their car there were issued summons and had their cars towed away.

Investigation revealed that the signboard at the taxi stand was blocked by branches of a tree and the word taxi was illegible. CHKL later moved the signboard to a more prominent position and also repainted the word “taxi” on the board.

BPA/2/2001.07/JP/6912

Claim For Population Census And Travel Allowance Claim For Year 2000 Not Paid

A complainant and 6 others claimed that they had only received allowance one quarter of their population census and travel allowance from the West Kinta District and Land Office, Batu Gajah, Perak. He had made many enquiries and did not receive any reply.

The Statistics Department Malaysia, informed that the allocation for the year 2000 was used up and an additional sum of RM16,100.00 has been allocated to the Kinta Barat District and Land Office to be paid to those concerned including the complainant.

BPA.2/2001.05/BKN/6290

Rude Personnel at the National Security Division, Prime Minister's Department

A complainant, who is a doctor at the Putrajaya Clinic was dissatisfied with the attitude of an officer of the National Security Division who misbehaved while at the Clinic. The officer was impatient and could not wait for his turn to be attended to and he had behaved in a rude manner thus disturbing the peace of the clinic. He was hoping to get special treatment and made threats.

Investigation revealed that the National Security Division had taken action and requested the concerned officer to apologise for being rude. He was then transferred back to his original department i.e. Ministry of Defence from 1 August 2001.

The following are example of cases that were unsubstantiated:-

BPA.2/2001-10/JPA/7578

Eligibility for Hospital Benefits

A complainant claimed that he had retired from the British Armed Forces in Singapore in the 1970's. He wrote to the Pension Division, PSD, and the Ministry of Defence to find out if he was eligible for hospital benefits but he did not get any response.

The Public Services Department confirmed that he was not eligible for any medical benefits as he was not receiving any pension and was not a holding of a Pension Card in accordance with Regulation 23 of the Pension Regulations 1980 and Regulation 20 of the Statutory and Local Authorities Pension Regulation 1990. These regulations are similar to those in Chapter F General Orders.

BPA/U/2/2001-07/JPH/4(6961)

Winding Up Of Taman Cemerlang Housing Developer Company, Lebuhraya Thean Teik, Air Itam

The Consumers Association of Pulau Pinang claimed that the Official Assignee Pulau Pinang did not reply to a letter regarding the status of the winding up of a company on 17.12.1999, which was developing a project at Taman Cemerlang but had stopped work when the project was 35% completed. As a result of this, the purchasers concerned wanted to know how to retrieve their money. The complaint was made in October 2000.

The status of this case could not be revealed to the Penang Consumer Association as they were only the third party in this case. The Official Assignee had a discussion with the affected house purchasers and informed them that they

could forward their claims. However, payment could not be done at the moment as the estate did not have sufficient funds.

BPA.CWS/J/216.01/MAH/3(6509)

Application To Obtain Extract of De Bonis Non No.: 7-1984, Johor Bahru High Court

A complainant informed that he had made an application by letter dated 10.4.2001, for an extract of a “De Bonis Non”. However, he claimed that he had not received any reply at all.

The complaint was referred to the Deputy Registrar, Johor Bahru High Court on 14.6.2001. The Deputy Registrar (1) informed that:

A person who wishes to make an application for an extract of De Bonis Non has to initially carry out a search at the Johor Bahru High Court. The search is necessary to know the status of the file and a search fee will be imposed.

The applicant has to carry out the search personally and if he is unable to, the beneficiary will be allowed to do the search. Otherwise, the search will not be allowed.

The applicant can also appoint a lawyer to conduct the search.

In regards to the complainant’s letter dated 10.4.2001, the Court informed that the letter could not be traced and as such the Court could not give any response on this matter. The Deputy Registrar (1). Johor Bahru High Court, however, explained that this case had been settled and a “Grant De Bonis Non” had been issued on 11.5.1995. If the complainant wanted a copy of this document he would have to get it personally from the court or he could be represented by a beneficiary or appoint a lawyer to do so. Any person or a non beneficiary or a person without “Locus Standi” will not be allowed to do the search.

Ministry of Youth and Sports

Throughout the year 2001 only 3 complaints were received against the Ministry of Youth and Sports compared to 2 complaints received in the year 2000. From the 3 complaints received, 2 were resolved and one was substantiated.

The total number of complaints against the Ministry of Youth and Sports is as shown in Table 3.3 below.

Table 3.3

Total Number of Complaints Against The Ministry of Youth and Sport

Agency	Total Received	Total Resolved	Substantiated	Under Investigation
Ministry	2	1	0	1
Youth and Sports Department	1	1	1	0
TOTAL	3	2	1	1

The following is an example of a substantiated case:-

A. BPA/U/L04/3/2001-04/IKBN/1(6176)

Appeal To Be Admitted To The National Youth Skills Institute (NYSI) 1/2001 Session

A complainant alleged that the Perak Youth and Sports Department did not select him to be admitted to the NYSI even though he had attended an interview. He appealed that his application be reconsidered.

Investigation revealed that the Perak Youth and Sports Department had decided to take only 4 participants for the 1/2001 session. The department advised the complainant to apply for the next session.

The following is an example of an unsubstantiated case:-

A. BPA/U/3/2001.07/IPK/1/6791

Renewal Of Membership To Perak State Taekwon-do Association (PTA) For The Year 2001

It was alleged that the Malaysian Sports Commissioner did not take any action regarding the appeal by the Perak Taekwon-do Association Ipoh (ITA) to investigate the rejection of their membership by the State Taekwondo Association (PTA). The rejection of membership by PTA in March 2001 was on the grounds of misbehavior. Following this, the ITA had requested PTA to explain the meaning of misbehavior, which resulted in the rejection of their membership application.

The Malaysian Sports Commissioner had requested the Malaysian International Taekwon-do Federation to give an explanation to the ITA and also asked the PTA to give an explanation regarding this matter. The PTA had asked the complainant to furnish some documents for their further action but there had been no response from the complainant (ITA).

Ministry of Home Affairs

A total of 295 complaints were received against the Ministry of Home Affairs and agencies under its jurisdiction. The number of complaints had reduced by 32.6% compared to 438 complaints received in the year 2000.

The Royal Malaysian Police continued to receive the highest number of complaints i.e. a total of 204 complaints. Compared to the complaints received in the year 2000, there was a slight reduction of 22 complaints. Many of the complaints were regarding delays by the Traffic Branch in processing applications from lawyers for road accident documents.

However, delays in getting investigation reports of criminal cases had also increased. Generally, the public was dissatisfied with the result of investigation reports. Complaints received were mainly regarding delays by the

police in giving results of investigation reports and also delays in delivering the investigation reports to the Deputy Public Prosecutor (DPP). Delays also occurred when the DPP delayed in deciding as to whether to continue with the investigation. In this regards, most of the decisions from the DPP would be filed as NFA (no further action) because of lack of sufficient evidence for prosecution. Such decisions had led to frustration amongst the public. In the case where a complainant had lost his child in a road accident, yet no action was taken against those involved due to lack of sufficient evidence.

Under the delay category, most of the cases were delays in furnishing accident documents by the Traffic Branch. However, the number of delays had decreased tremendously due to the interest of the Senior Officers in the Traffic Branch taking special attention to such cases. Various new approaches had been drawn up to improve the process of supplying documents even though computerization of the Traffic Branch had not been implemented fully due to bureaucratic problems such as financial constraint in the Ministry itself. It is the hope and vision of the Traffic Branch that with the implementation of the computerisation program, the process of preparing accident documents will be completed efficiently within a specific time period.

The second agency that received the most complaints was still the National Registration Department (NRD) with 50 complaints. However, the number of complaints had decreased by 68.8% when compared to the complaints received in the year 2000. This vast decrease was due to the processing manner of the High Quality Identity Card and the Multipurpose Government Identity Card, which was introduced to the whole of Malaysia and had helped in speeding up the issuance of Identity Card. Thus, complaints against delays in the issuance of identity cards had been reduced.

A total of 28 complaints were received against the Immigration Department, a reduction of 32% compared to complaints received the year before. A large portion of the complaints were still regarding delays in the Immigration Department processing entry permits and application of citizenship status, similar to the complaints received in the previous year. From the 28 complaints received, 24

complaints were resolved and only 10 complaints were substantiated. The attention of the senior officials to the problems of the public, and special allocation of time to meet the public had helped the department to resolve many problems quickly and effectively.

Total number of complaints against the Ministry of Home Affairs is as shown in Table 3.4 below.

Table 3.4

**Total Number of Complaints Against
Ministry of Home Affairs and Its Agencies**

Agency	Total Received	Resolved	Substantiated	Under Investigation
Malaysian Royal Police Department	204	153	83	51
National Registration Department	50	35	18	15
Immigration Department	28	24	10	4
Ministry	3	1	0	2
Prisons Department	4	1	0	3
Registrar of Societies	5	5	1	0
National Printing Company	1	1	0	0
Total	295	220	112	75

The following are example of cases which were substantiated:-

A. BPA./4/2001.5/POLIS/6528

Issued A Summon For Offence That Was Not Committed

A teacher in a secondary school in the capital city received a summon which stated that he had committed a traffic offence in an East Coast district. At that particular time, he had just registered at the new school where he was posted.

Upon investigation, it was found that the car, which was summoned was different to the car owned by the teacher. As such, the District Police Chief cancelled the summons issued as NFA (no further action).

BPA/4/2001.11/POLIS/7944

A Report Made On Illegal Gambling Activity But The Police Failed To Take Any Action

The public in a small town was unhappy because of the activity of an elderly lady who was selling illegal numbers to the public. Victims of this activity were the village folk who earned a meagre salary. The matter had been reported to the police a number of times. However, the selling of illegal numbers seemed to be flourishing for the past ten years and yet failed to get the attention of the relevant authorities.

Investigation revealed that the District Police Headquarters had conducted a raid on a provision shop and had arrested the lady concerned. The evidence had been sent to a Gambling Expert for analysis. The report by the expert will determine if the subject will be charged in court or otherwise. Constant surveillance will be carried out to ensure that this activity does not continue.

BPA/4/2001.11/JPN/8131

Five Years To Obtain A Birth Certificate

After divorcing her husband, a complainant faced problems in registering the birth of her child and to obtain a birth certificate. This happened in the year 1997. Late registration was done in the year 1998 but to date the certificate has not been issued.

Investigation revealed that the National Registration Department Headquarters had given its approval on 7.12.2001.

The following are examples of unsubstantiated cases:-

A. BPA/4/2001.10/POLIS/7558

Not Happy With A Traffic Summon For Cutting the “Q”

A complainant had cut a queue to avoid a traffic jam on his way home from work. He did this because many other cars were also doing the same thing. He was stopped and given a summon for the offence. The complainant was dissatisfied and explained that there was only one lane to make a turning and this was difficult to do during peak periods. However, the police did not accept his reasoning.

Investigation revealed that traffic jams should not be used as an excuse for not following traffic regulations. As such, the summon that was issued will still be valid and it is hoped that road users be more attentive to traffic regulations at all times.

B. BPA.4/2001.05/POLICE/6110

Complaint Against Kuala Kangsar Kati Police, Report No. 249/91

A complainant had bought a car from a second hand car dealer with a bank loan. The police from the Police Contingent Headquarters confiscated the vehicle alleging it as a stolen vehicle. This occurred in the month of July 1991. The owner of the car was not informed about the status of the case since then in spite of numerous enquiries by him.

Investigation by the police revealed that the vehicle had been auctioned off as scrap material after the Perak Road Transport Department had confirmed that there was no record of the vehicle. The police claimed that they had informed the complainant in 1993.

C. BPA/4/2001/11/JI/8054

Failure Of the Immigration Detention Centre Clerk In Following Procedure

A complainant alleged that he had handed over a sum of 2.5 million rupiah to a clerk at the centre to be handed over to a friend who was in a detention centre prior to deportation to Indonesia. The clerk did not issue a receipt and did not hand over the money to his friend. The money was handed over to his friend only after the clerk was threatened and forced to do so.

Investigation revealed that the facts of the cases were not accurate. The information that was given was insufficient to carry out further investigation, because it was not stated whether the money was handed over to the PGA or the Immigration office, which was responsible for the running of the Centre.

Ministry Of Culture, Arts And Tourism

One complaint was received against the Ministry of Culture, Arts and Tourism for the year 2001 compare to 3 cases in the year 2000.

The case was resolved and found to be unsubstantiated. The total number of complaints against the Ministry of Culture, Arts and Tourism is as shown in Table 3.5.

Table 3.5

Total Number of Complaints Against the Ministry of Culture, Arts and Tourism

Agency	Total Received	Resolved	Substantiated	Under Investigation
Ministry	1	1	0	0
TOTAL	1	1	0	0

The following is an example of an unsubstantiated case:-

A. BPA/5/2001.06/IPK/6634

Misinterpretation By A Tour Company

A tour company was alleged to give inaccurate information to a tour group, which caused them problems in and additional payment while coming back to Malaysia. There was confusion at the San Francisco Airport because the counter clerk did not want to give them their boarding passes, as there was no transit visa at Taiwan.

Investigation with the Ministry of Culture, Arts and Tourism revealed that the tour agency had not given the proper information to the tour group regarding changes to the tour package. The agency was given a stern warning to ensure that such inefficiency will not recur. Although the complaint against the tour agency is genuine, it is not considered substantiated against the ministry, as the complainant did not bring up the matter to the ministry earlier.

Ministry Of Rural Development

The Ministry of Rural Development received an increase in complaints against it, from a total of 25 complaints in the year 2000 to 41 complaints in 2001. Of this total, 31 complaints were resolved, 8 were substantiated and 10 are still under investigation.

A total of 8 agencies under the ministry were involved in the complaints. The highest number of complaints was against RISDA (Rubber Industry Small Holders Development Authority) with 21 complaints.

The issues raised by the complainants against RISDA were regarding financial aid to poor small holders, rubber replanting aid, living allowance subsidy for rubber tappers and payment for land compensation by Mini Estate Bukit Chengkih, Langkawi in the year 1979.

The total complaints against the Ministry Of Rural Development are as shown in Table 3.6.

TABLE 3.6

**Total Number of Complaints Against
the Ministry of Rural Development and Its Agencies**

Agency	Total Received	Resolved	Sub- stantiated	Under Investigation
Federal Land Consolidation and Rehabilitation Authority	7	6	2	1
Rubber Industry Small Holders Development Authority	21	19	5	2
Development Authority Of Pahang Tenggara	1	0	0	1
Development Authority Of South Kelantan	1	1	0	0
Development Authority Of Central Terengganu	2	1	0	1
Ministry	4	0	0	4
Community Development Division	3	2	1	1
Aborigines Affairs Department	2	2	0	0
TOTAL	41	31	8	10

The following are example of cases that were substantiated:-

A. BPA.7/2001.10/RISDA/7736

**Non Payment For Sale Of Rubber Wood From Lot PTD
632 HSM 1712, Kampung Paya Sepakat Layang**

A complainant, who is a farmer, was dissatisfied because he had not received the money from the sale of rubber wood to a subsidiary of RISDA. He informed that the sale was about RM4,000.00. Since the matter has occurred almost 3 years ago, he hoped that it would be expedited.

Investigation revealed that a payment of the sum of RM747.23 was made to the complainant on 29.10.2001 via BMMB cheque No: 132760.

BPA/7/2001.10/RISDA/7617

Request For Refund Of Pension Deduction

A pensioner complained that he had completed his payment for a housing loan from RISDA in early August 2001. The

Pension Division, Public Services Department confirmed that the over deduction of RM329.50 monthly from August to October should be returned to him. However, the complainant claimed that he did not received it.

Investigation revealed that he had settled all his arrears for the housing loan until July 2001 amounting to RM31,981.98 on 30 July 2001. The extra deduction of RM1,217.00 was paid to him on 30.10.2001. The monthly deduction for August 2001 was received by the Pension Division, PSD together with payment for life and fire insurance that was cancelled, amounting to a total of RM6,291.57 and this was returned to the complainant on 29.10.2001. RISDA refunded the over payment of RM329.50 for the month of September 2001 on 12.11.2001. However, for the repayment of October, 2001, RISDA is awaiting for the Pension Division, PSD to forward the money, which would be received in November. The Pension Division had stopped deductions from the account of the complainant beginning November 2001.

C. BPA/7/2001.09/FELCRA/7384

Dissatisfied With The Actions Of FELCRA Bhd. Manager

A complainant claimed that the manager of FELCRA Bhd Sungai Malau, Perak had given his FELCRA dividend of RM10,000.00 to another person who had no authentic documentation from the Proceeding Officer of Property Inheritance, Parit Buntar Land Office, Perak. The complainant claimed that he was the rightful heir and not any other person.

Investigation revealed that the father of the complainant had registered to participate in FELCRA Project in Sg. Malau, Selama, Perak on 16.12.1992 upon receiving approval from the State Government. He passed away on 4.12.1999. During the time when he was a FELCRA participant, payment of dividend from profits of the Project was made to him via a bank account confirmed by the project manager. After his demise, payment of the dividend was made to his widow i.e. a sum of RM5,688.99, of which RM4,413.65 as dividend for the school year of 1999 and RM1,275.34 as dividend for Hari

Raya 2000. There were some discrepancies in the amount as mentioned by the complainant.

Judgement of the Small Property Inheritance Hearing No. GPK 151/2001 which was made at the Kerian Land Office, Parit Buntar, had named the complainant as the beneficiary of all moveable and immoveable properties. This was not made known to the Project Manager. At the same time the above judgement was made only after all the arrears of dividend payments had been made. FELCRA Management will make all dividend payments and profits from the project to the person as approved by the State Authority from the year 2001.

2.6.6. The following are examples of unsubstantiated cases:-

A. BPA/7/2001.09/RISDA/7422

Unfair Decision By RISDA

A complainant was dissatisfied with the decision made by Muar RISDA office, which handed over the management of the planting to one of their subsidiary companies. He complained that the subsidiary company was making high deductions for management payment when it should not even have increased at all. According to the complainant, RISDA should manage the Development of Small Holders by itself and not hand over to its subsidiary company.

Investigation revealed that RISDA through its subsidiary company, was giving the best possible opportunity to the small holders who were handicapped by way of labour and capital, to develop their land. The deductions or service charges mentioned were appropriate and not too high since all development of the land was completely taken care of by the subsidiary. Those who could manage their own land might feel that the deductions or service charges were on the high side but they had not taken into consideration the labour cost of managing the land if they had to do it by themselves. The rates of deduction or management charges by RISDA had been standardised by the head office and were implemented in all states.

B. BPA/7/2001.01/FELCRA/5303

Dissatisfaction Over Dividend Payment By FELCRA

A complainant, a participant of FELCRA at Gugusan Changkat Binjal, Kamunting, Perak was dissatisfied with the payment of the dividend for the year 2000 as he only received RM200.00. He complained that it was contrary to the statement made by the FELCRA Chief Executive and the Honorable Minister of Rural Development who stated that all participants of FELCRA will receive a dividend of between RM500.00 to RM1,000.00 notwithstanding the price of the commodity, especially the price of oil palm in the international market.

The project at Changkat Binjal, Kamunting, Perak was a Rehabilitation of Uncultivated Land Project. Participants of the project possessed land of varied sizes and thus received different amounts of dividend. The statement made by the FELCRA Chief Executive and the Hon. Minister that all FELCRA participants will receive a dividend between RM500.00 to RM1,000.00 was only an average estimate, not taking into account the size of the land. The actual share of the dividend was based on the size of the land, and this resulted in every participant receiving a different sum.

C. BPA/7/2001.08/FELCRA/6985

3 Acre Of Land Used By FELCRA Without Approval

A complainant claimed that FELCRA Bhd. had developed his wife's 3 acres of land in Sg. Kelih with oil palm without her permission. A notice was given to FELCRA to cease operations on the land and to pay rental for the land amounting to a sum of RM400.00 per month from the time the land was used. FELCRA did not respond but continued working on the land.

Investigation revealed that FELCRA Bhd. had developed Lot 665 HS(M)279 and Lot 712 (HS)M329 in the year 1987 and 1990 upon getting approval from the owner of the land who had bought the land from the wife of the complainant. His wife had confirmed that she had sold the land.

Ministry Of Works

A total of 46 complaints were received against the agencies under the Ministry of Works for the year 2001. This number amounted to a 15% increase compared to the 40 complaints recorded in the year 2000. From the 46 complaints investigated, 30 were resolved and only 18 were found to be substantiated.

Complaints received were mainly against the Public Works Department (PWD) i.e. 86% compared to other agencies. Complaints were regarding delay in taking action by the PWD regarding complaints about damaged roads, faulty street lights, traffic lights, sewerage and bridges. Other complaints were regarding service matters such as delay in processing travel claims and dissatisfaction against project management contractors.

The total number of complaints against the Ministry of Works is as in Table 3.7 below.

Table 3.7

Total Number of Complaints Against The Ministry of Public Works and Its Agencies

Agency	Total Received	Resolved	Sub- stantiated	Under Investigation
Public Works Department	41	27	16	14
Malaysian Highway Authority	4	2	1	2
Construction Industry Development Board Malaysia	1	1	1	0
TOTAL	46	30	18	16

The following are examples of substantiated cases:-

A. BPA.WT/08/01.01/JKR/1 (5328)

Traffic Lights Not In Working Order

Road users complained that the traffic lights at the junction of Kedai Binjal adjacent to Hotel Seri Malaysia was not in good working condition. The lights were changing too fast for the users from the direction of Jalan Hiliran, allowing

only 3 vehicles to cross at a time. Whereas it was the opposite situation for vehicles from the direction of Jalan Bandar and Jalan Sultan Ismail that even though there were no cars on these roads the lights would be green for a long time. This situation was inconvenient for those who wanted to enter the town center. This matter was informed to the PWD Electrical Unit many times but no action was taken.

Investigation revealed that the PWD had finally resolved the complaint. The reason for the delay was due to shortage of funds towards the end of the year and furthermore the problem with the traffic lights did not cause serious traffic congestion as that road was not very busy.

B. BPA.CWS/S10/8/4.01/KJR/2(6037)

Delay In Upgrading Road Works

Residents of Kampung Parit Sapran Darat, Batu Pahat informed that the upgrading of road works at Jalan Parit Karjo to Senggarang had started in December 1999. However, till January 2001, the road works was not completed.

Investigation revealed that the contract for the project had ended on 19.12.2000. The project was re-tendered and road works are expected to begin on 2.5.2001.

C. BPA.TH/L10/8/17.01/JKR/3 (7255)

Dissatisfaction Against Contractor

A complainant was dissatisfied with the road cleaning service between Tapah and Ringlet by the appointed contractor. The road shoulders were full of holes and some were high, endangering passing vehicles.

Investigation revealed that PWD had taken action to appoint a new contractor to attend to the complaints. Work began on 15 October 2001.

The following are example of cases that are unsubstantiated:-

A. BPA/8/2001.01/JKR/5252

Delayed In Replying By PWD

A complainant had applied to the PWD on 10.7.2000 for a retention wall to be built on his land to avoid his plants from being destroyed by flooding during the rainy season. He was informed that the PWD will be building a retention wall on the other side of the river which will result in the level of the river on his side rising and flooding his land. However, to date he had not received any reply to his application.

Investigation revealed that it was true that there was works to realign the flow of the river on to the road reserve. A project to build retention wall on the road reserve was done by the PWD to avoid land slides. However, work to change the flow of the river was under the jurisdiction of the Department of Irrigation and Drainage and not the PWD.

B. BPA.CWS/S5/2.01/JKR/1 (5594)

No Follow-up Action By PWD

A complainant was dissatisfied with PWD for not taking any action regarding the frequent flash floods in his area, whenever there was heavy rain. According to the complainant, this flooding was due to the fact that the culvert and the road were of different heights and the drainage system around the housing scheme was inadequate to hold the heavy downpour.

Investigation revealed that the flash floods that occurred in that area was due to the broken culvert in front of the complainant's house and drainage which was blocked. This had resulted in the flow of water from the housing estate being restricted. The complainant was asked to replace the culvert but he could not afford to so. Thus, the District PWD appointed a contractor to clean and deepen the existing drains in that area. The work was completed in April 2000 and the flood problem was overcome.

C. BPA/U/8/2001-07/JKR/2 (6820)

Misuse Of Government Vehicle

It was alleged that the State Public Works Department did not take action against two staff who had misused the department's vehicle to ferry a group of opposition party members for the purpose of campaigning.

A check on the log book showed that during the dates referred to i.e. 13.11.2000 until 29.11.2000, the vehicle was used to ferry officers for official duty.

2.8 Ministry of Health

- 2.8.1 For the year 2001, complaints regarding the Ministry of Health and agencies under it total at 108 complaints. Of these cases, only 47 out of the 87 investigated were found to be substantiated while 21 cases were still under investigation.
- 2.8.2 The total number of complaints received had decreased by 6.1% compared to 115 cases for the year 2000. Complaints against hospitals seemed to be the highest with 66%, followed by complaints against the Medical Services Division with 7.3%.
- 2.8.3 Most of the 3 complaints were regarding delays by the hospital in issuing medical reports, attitude of hospital staff who were lacking in courtesy towards their clients and lack of public amenities in the hospital/clinic. Other complaints were regarding service matters.
- 2.8.4 The total number of complaints against the Ministry of Health is as shown in Table 3.8.

Table 3.8

**Total Number of Complaints Against
The Ministry Of Health and Its Agencies**

Agency	Total Received	Total Resolv ed	Subs- tantiate d	Under Investigati on
Hospital	72	61	40	11
Medical Services Division	6	6	4	0
Ministry	8	4	1	4

Health Services Division	4	2	0	2
State Health Director's Office	10	7	1	3
Dental Services Division	2	2	0	0
Human Resource and Training Division	2	2	0	0
National Heart Institute	1	0	0	1
Medical Research Institute	1	1	1	0
Respiratory Medical Institute	1	1	0	0
Nursing Board	1	1	0	0
TOTAL	108	87	47	21

2.8.5 The following are some examples of substantiated cases:-

A. BPA/U/9/2001-11/PU/19 (8134)

Unsatisfactory Service At The Orthopedic Clinic

The Orthopedic Clinic failed to trace a patient's card resulting in other patients who had come after her receiving treatment earlier. The complainant's mother was not examined until a complaint was made to the hospital management and the counter clerk uttered unnecessary remarks regarding the complaint.

Investigation showed that the hospital management had taken action to remove the clerk from counter services and all hospital staff was given a course on serving the public better.

B. BPA/9/2001.11/H/8121

Delay In Amending A Medical Report

A complainant had applied to a hospital to amend some wrong facts in a medical report. The application was made on 16.4.2001, but until November 2001 the mistake was not rectified. According to the initial report, the victim was riding a bicycle while he was involved in an accident on 15.1.2001, when in actual fact he was walking home from school.

Investigation revealed that the amendment to the report had been sent to the complainant. However, there was a delay

due to the fact that such amendments require the Medical Legal Division and the Medical Practices Division, Ministry of Health to approve such amendments before they can be released.

C. BPA/9/2001.12/H/8228

Delay And Wrong Payment Of Salary

A complainant, a nurse at a hospital was dissatisfied with her October 2001 salary, which should have been RM1,314.50 but she was only paid RM197.18. She was informed that her adjusted salary would be paid on 7.11.2001, but she failed to receive it. She was then informed that the money would be banked in by 22.11.2001, but upon checking with the bank she found that only the bonus was paid into her bank account.

Investigation revealed that the mistake was made in the Account General's Department. The adjustments were made and the payment was made on 23.11.2001.

2.8.6 The following are some examples of unsubstantiated cases:-

A. BPA./9/2001.10/H/7576

Dissatisfaction With Counter Service

A complainant was dissatisfied with a staff at the Pharmacy Section in a hospital for continuously informing him that the medicine "Neurobion" which was prescribed by the doctor was out of stock. He was told to purchase the medicine in a private pharmacy. The staff also had changed the name of the medicine as a vitamin. The complainant also alleged that the Emergency Ward was short of staff as patients had to wait a long time before they were attended to by the doctor.

"Neurobion" is a medicine under the Category A which requires the approval of a specialist for the purpose of control due to the cost of the medicine and should be given only to the patients to whom it is prescribed. However,

from October 2001 this medicine was categorised under B which meant that it could be given without the approval of the specialist. This medicine is similar to Vitamin B1, B6 and B12. With regards to the staffing at the Emergency Ward, the hospital had three categories i.e. critical cases under code red, partially critical under code yellow and non emergency under code green. This coding ensured that the medical officer could efficiently and accurately carry out the necessary emergency treatment.

B. BPA/9/2001.11/PPKN/8009

Retired For Seven Years And Still No Pension Payment

A complainant, a support staff at the District Health Office, had retired on 29.11.1994. He reported that he did not enjoy any pension benefits even after 7 years of retirement.

Investigation revealed that the complainant had not furnished the documents that were requested by the department. Since 29.5.1993, the State Health Department had requested for the documents to process his pension. Only after many reminders, on 14.6.2000 he responded and even then it was not complete. The documents were finally forwarded to the Pension Division on 11.10.2001 for processing.

C. BPA/9/2/2001.10/H/7954

Shortage Of Public Toilets At A Hospital

A complainant was not satisfied with the lack of public amenities at a hospital which had only one public toilet in the whole hospital. The public had to line up to use the facility.

Upon investigation it was found that there were 24 public toilets in that hospital in contrast to the claim by the complainant.

2.9 Ministry Of Finance

Throughout the year 2001 PCB received a total of 295 complaints against the agencies under the Ministry of Finance. This is an increase of 5 complaints compared to the 290 complaints registered in the year 2000. From this total 68.8% were resolved and 120 complaints were substantiated.

As in the previous years, the Employees Provident Fund (EPF) received the most number of complaints under the Ministry of Finance, i.e. 116 complaints. Whereas the National Trust Fund, the Langkawi Development Board and the Ministry of Finance itself received the least number of complaints respectively, between 1 to 2 complaints each.

Complaints received against the Inland Revenue Board were regarding delays in refund of over-deduction of income tax, delays in refund of share dividend, failure/delay to take action against employers who did not submit income tax deductions to the Inland Revenue Board and failure to reply to the taxpayer regarding review of income tax deductions, enquiries on the budget for the year 2000, credit balance of income tax and application to credit the payment of income tax to the taxpayer's account.

Complaints received against the Housing Loans Division (HLD) had increased from 56 complaints this year compared to 30 complaints received last year. Like other agencies, delays in carrying out the core functions of the division seemed to be the main complaint. The main category was the delay by the HLD to make progress payments to the developers for houses bought by government officers.

The National Savings Bank (NSB) received a total of 16 complaints for the year 2001 compared to 7 complaints for the previous year. The Royal Customs and Excise Department (RCED) received a total of 13 complaints compared to 9 complaints the previous year.

The total number of complaints received against Bank Negara Malaysia (BNM) had decrease tremendously from 33 complaints to 10 complaints only. Complaints

against the BNM were mainly dissatisfaction of the complainants towards banks and insurance companies.

The total number of complaints against the Ministry of Finance is shown in Table 3.9.

Table 3.9

**Total Number of Complaints Against
Ministry of Finance and Its Agencies**

Agency	Total Received	Total Resolved	Subs- tantiated	Under Investigation
Employees Provident Fund (EPF)	116	89	53	27
Inland Revenue Board	74	35	31	39
Bank Negara Malaysia	10	7	3	3
Housing Loans Division	56	41	19	15
Royal Customs and Excise Department	13	10	1	3
National Savings Bank	16	14	11	2
Langkawi Development Board	1	0	0	1
Ministry	1	0	0	1
Accountant General Department	6	5	2	1
Amanah Saham Nasional	2	2	0	0
JUMLAH	295	203	120	92

2.9.1 The following are examples of substantiated cases:-

A. BPA./10/2001.10/KASTAM/7496

Weak Administration Of Johor Bahru Customs Department

A complainant alleged that the Johor Bahru Royal Customs and Excise Department's administration was not satisfactory especially the counter division and some of the officers and staff did not carry out their duties professionally.

Investigation revealed that the complaint against a Senior Officer of a unit was true and a number of weaknesses were identified. The officer was advised by the Head of the Unit and he has shown some improvement. Further more, the Director of Johor Customs had issued a warning letter to the officer concerned to improve the weakness and not to repeat the mistake. Besides this, a letter advising the Head of Unit to take quick action to sort out the management of

the unit in the related shift so that the weaknesses that were highlighted are resolved.

B. BPA/10/2001.03/LHDN/5700

Delay in Repayment of Income Tax Credit Balance

A Taxpayer had applied to the Inland Revenue Board (IRB) on 13 June 2000 for a repayment of his income tax credit balance but after 10 months he still received nothing.

Investigation showed that IRB had made a payment by cheque, amounting to RM778.00 dated 12 March 2001, to the complainant.

C. BPA./10/2001.02/KWSP/5558

Employer Fails to Contribute to EPF

An employee of a garment making company had worked for 1 year 3 months. He alleged that his employer did not contribute to EPF for the period of his service with the company although salary deductions were made for the purpose. He complained to EPF on 13.10.2000 and again on 8.1.2001 but no action was taken by the EPF office since the complaint was made a year ago.

Investigation found that the employer had failed to contribute to EPF for all of his employees. EPF has taken court action against the employer concerned to retrieve the arrears amounting to RM447,072.00.

2.9.9 The following are examples of unsubstantiated cases:-

A. BPA/10/2001.08/KWSP/6928

Death Benefit Payment Not Received

A complainant alleged that according to EPF records death benefit payment of RM1000.00 was paid to him on 19 June 1997. However, until August 2001, the payment warrant had not been received, that is, 4 years since the warrant was issued.

Investigation showed that EPF had sent the warrant to the complainant and he had cashed it on 6 July 1997.

B. BPA./10/2001.02/BNM/5412

Reduced Payment of Insurance

A complainant was not satisfied with an insurance company which only paid RM37,000.00 for the death of his brother who had died in an accident. The deceased had bought two insurance policies worth RM150,000.00 from that insurance company.

Investigation showed that in the beginning, the insurance company had rejected the complainant's claim because the deceased had withheld information about a disease that he had while signing the insurance application form. The insurance company considered the deceased policy as null and void and wanted to return the premium that had been paid. However, after the complainant's appeal, the insurance company paid an ex-gratia payment of RM37,000.00.

C. BPA/10/2001.11/ANM/7951

Transfer Allowance Claim Due To Optional Retirement

A government officer who had taken optional retirement on 1 January 2001 had applied for transfer allowance claim in February 2001. After waiting for 9 months, his claim was still not approved by the Accountant General's Department.

Investigation showed that his application had been rejected in accordance to the decision by the Public Services Department that transfer allowance claim after retirement cannot be made if there was no transfer. In this matter, the Accountant General's Department could not make any payment since the complainant was still residing in his old address.

2.10 Ministry of Foreign Affairs

2.10.1 A total of 3 complaints were received against the Ministry of Foreign Affairs for the year 2001. This total is similar to the total received for the year 2000.

2.10.2 The total number of complaints against the Ministry of Foreign Affairs is as shown in Table 3.10.

Table 3.10

Total Number of Complaints Against the Ministry of Foreign Affairs

Agency	Total Received	Total Resolved	Substantiated	Under Investigation
Ministry	3	2	1	1
Total	3	2	1	1

2.10.3 The following is an examples of a substantiated case:-

A. BPA.CWS/S18/11/8.01/IPK/1 (ID 7042)

Compensation For Japanese Forced Labour

A complainant alleged that he had forwarded a letter with the relevant supporting attachments to the Ministry of Foreign Affairs on 01.09.1999 regarding his claim for compensation for Japanese Forced Labour, but until 15.08.2001 he had not received any feedback.

In it's feedback on 10.11.2001, the Ministry of Foreign Affairs informed that the Malaysian Government and the Japanese Government had signed an agreement on 21.09.1967. Under Article One of the Agreement the Japanese Government had agreed to give a contribution grant of a certain amount as compensation related to the Second World War to build two ships for Malaysian International Shipping Corporation (MISC) and other related projects. Whereas, under article two of the Agreement, the Malaysian Government had agreed that all questions relating to the bitter incidents during the World War Two was considered as settled in full. As such, from

the level of government to government the matter of compensation does not arise.

However, this agreement does not disallow individuals to make claims for compensation directly to the Japanese Government. The complainant can forward his claim through the Japanese Embassy for the consideration of the Japanese Government.

2.10.4 The following is an example of a unsubstantiated cases:-

A. BPA/11/2001.08/IPK/6805

Bad Service At The Counter

A complainant brought up the matter of discourteous service that he received while he wanted some assistance of an officer, regarding confirmation that the United Arab Emirate and United Republic of Arab were the same country, to enable him to renew his driving license to drive in Malaysia.

Wisma Putra explained that they only issued recommendation letters to diplomats and foreign embassy staff in Malaysia, to convert foreign driving licenses to Malaysian driving license. For foreigners who are living in Malaysia, they have to receive assistance from their own national representatives to do a translation or confirmation of the driving license. Since the complainant was not satisfied with the explanation that was given by the officer, it was suggested that the complainant see a senior officer for further explanation. The complainant rejected this suggestion and he left the office.

2.11 Ministry of Land and Co-operative Development

Complaints against the Ministry of Land and Co-operative Development for the year 2001 was less than the year 2000. A total of 37 cases were received compared to 45 complaints received in the year 2000. From the 37 complaints received 33 complaints were resolved and 11 of them were substantiated and the remaining 4 complaints are under investigation.

8 agencies/departments under the Ministry of Land and Co-operative Development were involved in complaints. Federal Land Development Authority (FELDA) recorded the highest number of complaints with 12 complaints and the Ministry received the least, that is, one complaint only.

The total number of complaints against the Ministry of Land and Co-operative Development is as shown in Table 3.11 below:

Table 3.11
Number of Complaints Against the
Ministry of Land And Co-operative Development and Its Agencies

Agency	Total Received	Total Resolved	Substantiated	Under Investigation
Department of Co-operative Development	9	6	3	3
Federal Land Development Authority (FELDA)	12	11	2	1
Property Distribution Office	6	6	3	0
Department of Lands & Mines	3	3	1	0
Ministry	1	1	0	0
Survey & National Mapping Department	3	3	1	0
Bank Kerjasama Rakyat	1	1	1	0
ANGKASA	2	2	0	0
TOTAL	37	33	11	4

2.11.1 The following are examples of substantiated cases:-

BPA/7/2001.08/FELDA/6981

Delay in Getting Land Grant for Lot No.102425 and House No. Lot 15960

A complainant was a FELDA scheme settler in Trolak Utara since the year 1975. In 1974 he had completed payment of all his debts to FELDA. He also had fulfilled all the conditions related to registration of land ownership with the relevant documents to get the grant of the land. The application was made 4 years ago, but no feedback was

received. The complainant informed that a friend of his from the same block had received his grant in 1996.

Investigation revealed that the delay occurred due to a mistake in the lot number during preparation of the ownership papers. Ownership application had been approved by the State Executive Committee Meeting No.1303 on 29.11.1996. The mistake of the lot number was made not only for the complainant's lot but also for 21 other settlers of the land scheme.

The Batang Padang District Land Administrator made an application to the Perak Lands and Mines Director to rectify the mistake on the complainant's lot from lot number 10405 to lot number 10425, along with the 21 other FELDA settlers. A number of discussions were held with the Perak Land and Mines Office to get a decision on the correction of the lot numbers. The final discussion was held on 16 July 2001. The FELDA Office was informed by the Perak Land and Mines Director's office that they were preparing a paper regarding the correction of the lot numbers to be tabled for approval at the State Executive Committee Meeting.

BPA/12/2001.02/JPK/5624

Application for Refund of RM10,000.00 for a Housing Scheme at Taman Menara Maju

A complainant had paid a sum of RM10,000.00 to Koperasi Menara Maju Berhad for a housing scheme at Taman Menara Maju, Sidam Kiri, Sungai Petani on 2.5.1989. However it has been nearly 13 years and there had been no progress on the project by the co-operative. The complainant had written asking for a refund of his deposit, but there has been no response or action from the co-operative.

Investigation revealed that the Menara Maju Co-operative did not receive the letter applying for the refund as claimed by the complainant. The Menara Maju Co-operative promised to solved the complainant's problem as soon as the Co-operative Project at Sidam Kiri, Kedah was launched. The Chairman of the Cooperative will meet the buyers anytime now in Kedah.

BPA.12/2001.05/JPK/6259

Delay in Payment of Group Insurance Claim (Takaful Malaysia Berhad) by the Cooperative

A complainant had made a claim under the Takaful group death insurance to the West Malaysia Malay Teachers Association Co-operative. However, the cooperative took almost four months to forward the claim to Takaful. The complainant was unhappy because every time he called the Cooperative regarding the claim, he was told that it was the insurance company (Takaful) that was delaying the processing of the claim. The dissatisfied complainant then called Syarikat Takaful Malaysia Bhd. in Kuala Lumpur on 08.05.2001 to obtain a clear explanation of the status of the case. Syarikat Takaful informed that the monthly premium for the insurance was only paid until August 2000 and since then no payment was received from the Cooperative. Syarikat Takaful had to postpone all claims made by the complainant until all arrears payable to the company had been settled by the Cooperative. Subsequently, the complainant approached the Cooperative on 09.05.2001 regarding this explanation, but it was denied by the Cooperative. They claimed that they had made all payments till December 2000.

Investigation revealed that action regarding the complaint had been taken by the West Malaysia Malay Teachers Association Co-operative Ltd. (Koperasi Kesatuan Guruguru Melayu Malaysia Barat Berhad). A cheque was paid to the complainant on 3 September 2001, SBB No. 013318 amounting to RM 9,172.46.

2.11.2 The following are examples of unsubstantiated cases:-

A. BPA.12/2001.10/FELDA/7827

Deduction of Money from Sale of Rubber Wood

A complainant representing settlers of FELDA Jelai 2, was not satisfied with the action of the FELDA Management which had deducted almost 50% of the sale of rubber wood without informing them. The complainant also claimed that

the payment of the balance of the deduction was made to the settlers without an official receipt.

Investigation revealed that the sale of rubber wood at FELDA Jelai 2, was done by FELDA through open tender and had been carried out according to procedures. Money from the sale will be returned to the settlers amounting to 50% and the balance would be given in installments of RM20.00/acre/month. No deductions were made and all the balance of the money will be given back to the settlers according to procedures which had been predetermined and this was to ensure that the settlers had a monthly income. A receipt was not given out since it was not a deduction.

B. BPA.12/2001.04/FELDA/5905

Individual Replanting Program of Oil Palm at FELDA Trolak Utara

A complainant along with 150 other settlers claimed that they had many problems and did not get the attention of the authorities when they chose to replant the oil palm by themselves. They were ostracized and were not given the same facilities as the settlers who had chosen to do the replanting with FELDA. They were not given the free shares of Koperasi Permodalan FELDA (KPF) and they were not given a subsidy of RM12.00 per metric ton of palm oil and the special subsidy amounting to RM1,000.00 for every hectare as announced by the government. As such, he appealed that FELDA should treat him and his friends the same as with the other settlers.

Investigation revealed that the KPF shares worth RM300.00 were given to settlers who had sent their produce to FELDA. Therefore, the complainant was not eligible to receive this scheme as he did not send his produce to FELDA. With regards to the subsidy of RM12.00 per metric ton, this is given to those who sent the palm oil fruits directly to the FELDA factory. Payment was not made to the complainant as he was selling his produce

to a third party and thus did not qualify for the subsidy. The issue of replanting subsidy of RM1,000.00 per hectare which was announced by the Hon. Deputy Prime Minister on 8 March 2001, was still at the preparation stage where a guideline for channeling this subsidy was being drawn up. FELDA will forward the application to the Government for all settlers who are carrying out replanting.

C. BPA CWS/S4/12/2/2.01/UKUR/1

Application for Realignment of Boundary To Lot 952 EMR 266 Mukim Pontian

A complainant wanted to know the status of his application for realigning of the boundary to Lot 952 EMR 266, Mukim Pontian. It was related to a letter from the Pontian Land Office to the Johor Survey and National Mapping Department, which stated that they were waiting for some documents from the Survey and National Mapping Department.

Investigation revealed that the Survey and National Mapping Department Headquarters in Kuala Lumpur, had received a Confirmation Plan from a Licensed Land Surveyor. However, after checking, it was found that the size of the measured lots and the size of the applied land of the complainant were not the same. Thus, it was necessary to obtain the approval/consensus of all the land owners who had an interest on the land and also the approval of the District Land Administrator before the plan can be approved. The Johor Survey and National Mapping Department via its letter dated 7.08.2001 informed that the plan has been approved and a Masterlist of Titles has been prepared and sent to the District Land Administrator on 31.7.2001.

2.12 Ministry of Education

2.12.1 In 2001, PCB received a total of 139 complaints against agencies under the Ministry of Education. This number is higher than that received in the year 2000 which was 112 complaints.

2.12.2 The Education Department was the agency to receive the most number of complaints compared to other agencies. Most of the complaints were related to delays in payment of transfer/travel

allowances, delay in getting approval or payment of education loans from the National Higher Education Fund Board, dissatisfaction with the administration of schools, teaching colleges or ministry and claims of misconduct/misuse of power by education administrators.

2.12.3 Of the 139 complaints that were investigated, 109 of them were resolved and only 49 were found to be substantiated.

2.12.4 The total number of complaints against the Ministry of Education is as shown in Table 3.12 below.

Table 3.12

**Total Number of Complaints Against
the Ministry of Education and Its Agencies**

Agency	Total received	Total Resolv ed	Substantiat ed	Under Investigati on
State Education Department	71	57	23	13
Ministry	28	22	10	6
National Higher Education Fund Board	28	19	12	9
Tuanku Bainun Teachers' College	1	1	1	0
Malaysian Examination Board	1	1	1	0
National University of Malaysia Hospital	2	2	0	0
Science University of Malaysia Hospital	2	2	0	0
University of Malaya	1	1	1	0
Private Education Department	1	1	1	0
Higher Education Department	1	1	0	0
National University of Malaysia	1	1	0	0
Science University of Malaysia	1	1	0	0
Tenaga National University	1	0	0	1
TOTAL	139	109	49	29

2.12.5. The following are examples of substantiated cases:-

A. BPA/13/2001.07/JPN/6810

Problems with Water Supply at the Puteri Hostel of The Teluk Intan Science Secondary School

A complaint was made regarding the problem of water supply experienced at the Puteri Hostel of the Science Secondary School Teluk Intan for a long time. The complainant claimed that the School Head, the District Officer and the Teluk Intan Waterworks Department did not seem to consider the complaint as a problem and did not take any action in spite of complaints being made. As a result, the students had to drink tap water because boiled drinking water was not given by the hostel and the students had to get up as early as 4.00 a.m. to collect some of the water from the tank.

Investigation revealed that an allocation of RM100,000.00 had been approved for the year 2001 for repairs and upgrading of the school and this included repairs and rectifying the problems related to water pipes in the school.

B. BPA/13/2001.03/JPN/5788

Sabah Education Department Delays Dispatch of Service Book

An ex-teacher from the Sekolah Rancangan Suan Lamba, W.D.T. 22, Kota Kinabatangan, Sandakan, Sabah, had completed his half pay study leave and had been posted to SMK Telok Kerang, Pontian, Johor on 1.4.1999. On 2.3.2000, he was asked to attend an interview by the Teaching Services Commission for appointment to Grade DG3. However, he failed to submit his latest statement of service since the Sabah Education Department did not sent the service book to the Johor Education Department. The Johor Education Department had

sent a letter to the Sabah Education Department on 15.3.1999 followed by four reminders. As a result the complainant has not been offered the appointment to Grade DG3.

Investigation revealed that the Sabah Education Department had sent the service book to Johor Education Office on 16.2.2001.

C. BPA/13/2001.01/PTPTN/5124

Staff of National Higher Education Fund Corporation
Failed to Answer the Telephone

A complainant claimed that his telephone calls to the National Higher Education Fund Corporation was not answered since Tuesday 2.1.2000 till Friday 5.1.2000. The complainant also tried to telephone before Hari Raya (27.12.2000) and found that the telephone was ringing but there was no reply until it was disconnected.

Investigation revealed that there was a problem with the telephone service. The problem arose because the telephone service was next to the counter service and was manned by the same staff. When there were many clients at the counter, the counter staff did not answer the telephone. The National Higher Education Fund Corporation has taken action to move the telephone system and had assigned another staff to answer the telephone.

2.12.6 The following are examples of cases that are unsubstantiated:-

A. BPA/13/2001.06/JPN/6408

Amendment to Appointment Date and Salary for Grade DG3 Graduate Education Service Officers

A complainant was dissatisfied with the date of his appointment as a DG3 Graduate Education Service Officer which was amended resulting in him losing his seniority.

According to him, there was a teacher who was appointed at the same time as him but was not subjected to the amendment. He was also dissatisfied with the delay in the appointment by the Ministry of Education compared to the appointment by the Education Services Commission which was not synchronised.

Investigation revealed that candidates from the Long Distance Learning Program for the post of Grade DG3 Graduate Education Service Officer were recruited by the Ministry of Education after considering a number of criterias especially the specialization of the officer and the number of vacancies for the post. The Ministry had emplaced the complainant from 2.1.2001. The Education Services Commission also held to the principle that candidates who were not full time graduates but Long Distance Learning graduates' date of appointment will be based on the day of their emplacement by the Ministry of Education.

B. BPA/13/2001.11/PTPTN/7991

Delay in Approval of Education Loan by National Higher Education Fund Board

A complainant was a student of Institute of Management and Technology (IPTURA) which is one of the higher education institutes in the state of Kedah. He was doing a course on Diploma in Information Technology. He claimed that his application for a higher education loan by the Fund Board (NHEFB) was taking a very long time to be processed.

Investigation revealed that the course that he was doing was not recognised and was still in the process of being approved. NHEFB could not approve the loan as he did not fulfilled all the conditions. He was told to check with IPTURA for further information and to reapply for a loan.

C. BPA/13/2001.03/JPN/5665

Application for Education Loan From The Ministry of Education

A complainant's child, a student at the Johore Bahru Polytechnic, had applied for a Study Loan and had signed

the Ministry of Education Study Loan Agreement form which was sent through his lecturer in the beginning of the second semester. The complainant felt disappointed that the study loan was still not approved. He hoped that the loan would be approved quickly as he was unable to pay the fees since he is a pensioner and had other schooling children to take care of.

Investigation revealed that the Scholarship Division of the Ministry of Education had only received the agreement on 11 May 2001 and not at the beginning of the second semester. The loan is in the process of being paid to the student.

2.13 Ministry of Information

2.13.1 A total of 4 complaints were received against the Ministry of Information and the agencies under it for the year 2001 as compared to the 15 cases in the year 2000. 3 cases were resolved and 2 were substantiated.

2.13.2 The total number of complaints against the Ministry of Information is as shown in Table 3.13 below:

Table 3.13
Total Number of Complaints Against
the Ministry of Information and its Agencies

Agency	Total Receiv ed	Total Resolved	Substantiated	Under Investigation
Radio & Television Malaysia	2	1	1	1
Broadcasting Department	2	2	1	0
TOTAL	4	3	2	1

2.13.3 The following is an example of a substantiated case:-

A. BPA/15/2001.02/RTM/5411

Complaint Against a Radio DJ

A complainant pointed out that during a Hindi song program there was mistake in the sound but it went on for 7 minutes before being rectified. This occurred in one of the main radio stations.

Upon investigation it was found that the radio DJ had to go to the toilet and this occurred during the night. Normally it was difficult to get the assistance of another staff during the late night programs.

2.13.4 The following is an example of an unsubstantiated case:-

A. BPA WT 15/04.01/RTM/1(6154)

Service Terminated Without A Reason

A complainant claimed that one of the radio stations had terminated the services of a part time radio Disc Jockey (DJ) on 21 February 2001 without any reason. He was appointed on 15 September 2000.

Investigation revealed that the DJ was offered the post as a part time DJ with the Contract Artist Form (Borang BC.34 Pin. 8/64) Pin. 1/82 and his salary was paid according to the number of hours he worked. The process of his termination was in accordance with his contract.

2.14 Ministry of Transport

2.14.1 The Ministry of Transport received a total of 64 complaints in the year 2001 which is less compared to 67 complaints received in the year 2000. Action had been taken on the complaints received and 45 cases were resolved, 17 of them were found to be substantiated and 19 cases are still under investigation.

2.14.2 The total number of complaints against the Ministry of Transport is as shown in Table 3.14 below.

Table 3.14

**Total Number of Complaints Against
the Ministry of Transport and Its Agencies**

Agency	Total Received	Total Resolved	Substantiated	Under Investigation
Road Transport Department	50	36	15	14
Malaysian Airlines System Bhd.	4	3	0	1
Civil Aviation Department	2	2	1	0
Penang Port Sdn. Bhd.	2	0	0	2
Marine Department	2	2	0	0
Keretapi Tanah Melayu	2	1	1	1
Port Klang Authority	1	1	0	0
PUSPAKOM	1	0	0	1
TOTAL	64	45	17	19

2.14.3 The following are examples of substantiated cases:-

A. BPA/17/2001.06/JPJ/6552

Complaint Against A Driving School Curriculum

Certificate Holder

A complainant was dissatisfied with the Sarawak RTD which approved driving school certificates (KPP) to holders of SM2 which do not have classes and do not follow the new Driving School Curriculum (KBSM). Only one of the 4 staff of this Driving School had attended the course on 28.8.2000 and was given a KPP Certificate. According to the complainant holders of SM2 who were given the KPP certificate were from the Sri Sarawak Driving School and the Chuan Huat Driving School.

Investigation revealed that the new teaching curriculum was introduced by RTD from 1 September 2000 that is KBSM to KPP. As a follow-up, RTD had listed the names of all KBSM teachers to attend briefing on KPP and issued KPP certificates. It is possible a small number of teachers could have been left out due to the fact that there were

changes in teaching staff of driving schools who did not inform the RTD. There could also have been a case of oversight on the part of RTD. However, this was resolved when the teachers approached the RTD with their enquiries.

B. BPA/17/2001.06/JPJ/6381

Refund of Over Payment for Driving License

A complainant claimed that he had not yet to receive a refund of over payment for a driving license for the year 1998/1999 as promised by the government. A reminder was sent to the RTD Alor Setar, Kedah in July 2000.

Investigation revealed that the Accounts and Revenue Unit, Finance Division, RTD Head Quarters had made payment to the complainant on 14.8.2001 via cheque No.374512 dated 10.8.2001 for RM20.00.

C. BPA./17/2001.01/JPJ/5126

Kelantan Road Transport Department Reluctant to Issue a Car Ownership Grant

A complainant had bought a Renault in an open tender in Pulau Pinang. He then applied for the car's ownership grant, but was rejected by the RTD because the car was blacklisted since 1997 for false registration. Since the car's ownership grant was with held, the state RTD was reluctant to issue the grant even though the complainant showed documents to prove the purchase of the car.

Investigation revealed that the state RTD was instructed by the Legal Adviser to withdraw the blacklist on the car

because there was no provision in the Road Transport Act 1987 (Act 333) or under its regulations, which empowered the RTD to black list or to restrict any transaction or prevent anyone from getting a copy of the ownership grant.

2.14.4 The following are examples of unsubstantiated cases:-

A. BPA./17/2001.08/IPK/6943

Closure of Driving Instructors Class Curriculum (KPP) in Sarawak

As the Deputy Chairman of the Sarawak Driving School Owners Association, the complainant voiced his dissatisfaction towards the Sarawak Road Transport Department which had set aside the latest instructions of the West Malaysian Driving Institute's Licensing Committee Chairman. This instruction had allowed all Driving Schools in Sabah and Sarawak to continue with the KPP classes, as a result of an appeal by the Driving School owners in Sarawak. He claimed that the Instruction No 5 Year 2000 related to KPP which allowed Driving Institutes to conduct KPP classes, is not applicable to Sabah and Sarawak. As such the complainant claimed that the Sarawak RTD did not follow that instruction.

Investigation revealed that the West Malaysia Driving Institute's Licensing Committee had found that the classes conducted by the Driving Schools in Sarawak were KBSM and not KPP. The RTD had not approved any driving school to conduct classes in KPP. It was only introduced in 1999 in line with the expansion of the national driving industry which in turn introduced the concept of forming Driving Institutes. KPP classes replaced the KBSM classes which have been used for a long time. The RTD had given temporary permission to the Sarawak Driving Schools to continue the KBSM classes until the year 2001. Driving Institutes in Sarawak had increased from 3 to 13 and the RTD felt that the time has come for the Driving Institute to change from KBSM to KPP.

B. BPA/17/2001.08/JPJ/7030

Road Tax Renewed at Postal Counter But Not Updated in RTD Computer

A complainant was dissatisfied because a Road Tax Payment Confirmation Slip issued by the Post Office was not accepted as proof that his road tax was renewed. This occurred because the record of his road tax renewal was not in the RTD records. According to the complainant, the road tax payment confirmation slip should be accepted because the Post Office is a legal representative of the RTD.

Investigation revealed that the renewal of Motorcar License (Road Tax) done through the Post Office throughout the country from 1.7.2001 – 30.7.2001 was not in the State RTD computer system. To ensure that the records are constantly updated, the State RTD have a serial number for all the road tax while all information on insurance is also entered into the computer system. The information received from the post office on the renewal of road tax was insufficient for the purpose of updating renewal records.

C. BPA./17/2001/11/JPJ/7923

Application For Vehicle Ownership Transfer.

A complainant had sent an ownership transfer from the Kuantan RTD by registered post on 11.5.2001, but had yet to receive any reply.

Investigation revealed that the application made was incomplete, because the copy of the identify card was not clear and the number was illegible. The application form (JPJ K3) was not signed before a RTD officer, who must be at least in grade N6 and the copy of the Identity Card was not certified. The RTD had returned all the documents to the complainant to rectify the mistakes.

2.15 Ministry of Domestic Trade and Consumer Affairs

2.15.1 A total of 30 complaints were received regarding the Ministry of Domestic Trade and Consumer Affairs and the agencies under it for the year 2001 compared to 35 cases received in the year 2000. From the total mentioned 27 cases were successfully resolved and 10 were found to be substantiated.

2.15.2 Most of the complaints received for the year 2001 were directed to the Enforcement Division that is, 18 complaints from the total received. Most of the cases were dissatisfaction of consumers towards product prices, misuse of weights and measures, direct selling and phonographic VCD. Complaints related to the Registrar of Companies Office were regarding dissatisfaction with the treatment by the officials and the change in the new partnership in his company without his permission and knowledge. Generally all agencies under the Ministry of Domestic Trade and Consumer Affairs had given their feedback to the cases forwarded by the Public Complaints Bureau and had corporated in giving positive response towards the complaints that were received.

2.15.3 The total number of complaints against the Ministry of Domestic Trade and Consumer Affairs is as shown in Table 3.15 below.

Table 3.15

**Total Number of Complaints Against the
Ministry of Domestic Trade and Consumer Affairs and its Agencies**

Agency	Total Received	Total Resolved	Substantiated	Under Investigation
Enforcement Division	18	18	7	0
Registrar of Companies	3	1	1	2
Consumer Affairs Division	3	3	0	0
Intellectual Property Division	2	2	2	0
Ministry	1	1	0	0
Registrar of Business	3	2	0	1
TOTAL	30	27	10	3

2.15.4 The following are examples of substantiated cases:-

A. BPA/18/2001.11/BP/7932

Business Premise Selling Goods Without Proper Regulations

A complainant representing residents of Kampung Simpang Bekoh, Asahan, Melaka, voiced their dissatisfaction against business premises in town which were selling things as they like, for example, a shop selling motorcycles was also selling petrol mixed with kerosene and without a license. Provision shops and pharmacy sell gas, chemicals and poisonous medicines. There were a number of fires in the building housing these shops, arising from the petrol, gas and chemicals that were kept in these shops. A complaint was made to the Ministry of Domestic Trade and Consumer Affairs Melaka Branch but no positive action was taken.

Investigation revealed that the Enforcement Unit of the Ministry on 20.11.2001 investigated the Motor Shop mentioned and found that the owner was selling regular petrol without a valid license. All the petrol in the shop was confiscated and the owner was fined RM300.00. Investigation on the other 2 premises which were selling liquid petroleum gas revealed that both had license to sell these controlled items under the Controlled Items Regulations 1974. One businessman who was selling fertilizers and poisonous medication was advised by the Enforcement Officers that he should refer to the Local Authorities or the Local Farmers Association, to find out if the sale of fertilizers and poisonous medication required their approval. This was a substantiated case and the Ministry will monitor the activities of the businesses around the town.

B. BPA/18/2001.04/BHI/5996

Application for Registration of Trademark

A complainant claimed that he had applied for a Trademark No. 96/06882 Class 25 to the Intellectual Property Division since 25 June 1996. It had been almost 5 years and he had still not received any reply. He had sent 2 reminders and even gone personally to meet the processing officer on 22.12.1998 and 12.5.1999 who promised to process the case as soon as possible or the latest by the end of 1999, however, this promise was not kept.

Investigation revealed that the application was processed on 16.4.2001 and a Borang CD 70 (objection letter) dated 23.4.2001 was sent to the complainant. In that letter, the Intellectual Property Division had requested the complainant to give a written explanation with proof of usage within 2 months from the date of the letter. PCB sent a copy of Borang CD to the complainant so that he could take the necessary action as required by the Division. This case was substantiated and action had been taken by the relevant agency to resolve the case.

C. BPA/18/2001.04/BHI/5899

Application For Registration of Trademark Reference No. 97/07265

A lawyer's firm representing a company which deals with advertising claimed that the company had filed an application to register a trademark with the Trademark Registrar of Malaysia on 3.6.1997 with the reference number 97/07265. Although monthly reminders were sent, no feedback was received from the relevant agency.

Investigation revealed that the application of the company was approved by the Trademark Registrar and form CD 64 was sent to the complainant on 2.8.2000 which was to be filled by the complainant and returned to the office for further action. The office has yet to receive the form CD 64 from the complainant. A copy of the form CD 64 was obtained from the Trademark Unit and PCB has sent it to the complainant. Action was taken as required above and the case was resolved.

2.15.5 The following are examples of unsubstantiated cases:-

A. BPA/18/2001.07/BHEP/6822

Injustice By Management to Bumiputra Distributor

A complainant who is a manager of a Company distributing ice cream, was dissatisfied with the action of a manager of an ice cream company who was pressurising him as a Bumiputra distributor. For example, the Ice Cream Company would reduce the credit limit, supply old Ice

Cream Freezer Cabinets, not given facilities to his salesmen, withhold stock taking, reduce area of sales and appoint of other distribution agents. According to the complainant, companies that were not Bumiputra-owned companies, did not experienced such problems. He voiced his dissatisfaction because there was double standard where non-Bumiputra agents received many facilities. These actions were taken with a view of canceling his rights as a distributor although he has been a distributor for the past 20 years. As there were only 1% Bumiputra distributors, he hoped to obtain some help.

The complaint made was against a private company which is, a well known ice cream distribution Company in Malaysia. The Ministry of Domestic Trade and Consumer Affairs was contacted to help the complainant. The Bumiputra Participation Division of the Ministry had asked the ice cream production company to furnish some information to the Division. The company was reminded of the policy relating to existing distributors, and if the producer did not wish to extend the appointment of the distributors of their products, they had to obtain the permission of the Ministry, before these distributors were terminated. The case received the attention of the agency concerned and was resolved.

B. BPA/U/18/2001.07/BP/6(6783)

Complaint Against a Direct Sales Company

The Ministry of Domestic Trade and Consumers Affairs, had not informed to the complainant who made a complaint on 27.2.2001 the investigation results or the action taken against a direct sales company which was supposed to have done the following:

- i) Cheated the complainant because he had not received the cooking pot that he bought even though he had paid a deposit of RM 100.00 and 4 installments of RM50.00 for it. It was promised that the cooking pot would be sent to him after the installments were completed but although the 4 installments were paid, the salesman did not come to

collect the remaining installment from the complainant.

- ii) Collected the deposit on the day of signing the agreement and did not comply with the cooling off period.

Investigation revealed that the State Enforcement Division of the Ministry of Domestic Trade and Consumers Affairs had replied to the complainant on 10.4.2001 that the company had moved 7 years ago to Negeri Sembilan but could not be traced because there was no forwarding address. The Division's reference no. is 11/2001 (KLM) dated 29.7.2001. This case was found to be unsubstantiated.

C. BPA.TH/18/8.01/BP/2 (7279)

Dissatisfied with Action of An Enforcement Officer

A raid was carried out at a premise at Jalan 4/1 Taman Permata on 14.7.2001. It was claimed that during the raid the officer of the Ministry of Domestic Trade and Consumers Affairs was very rough and did not produce his authority card.

Investigation with the Ministry of Domestic Trade and Consumers Affairs showed that there was no "operation" during the date stated and there was no such premise at Jalan 4/1 Taman Permata.

2.15 Ministry of International Trade and Industry

2.15.1 The Ministry of International Trade and Industry (MITI) received 5 complaints compared to none the previous year. Three of the complaints had been investigated and found to be unsubstantiated, whereas the remaining 2 are still under investigation.

2.15.2 The total number of complaints against the Ministry of International Trade and Industry is as shown in Table 3.16 below.

Table 3.16

**Number of Complaints Against the
Ministry of International Trade and Industry**

Agency	Total Received	Total Resolved	Substantiated	Under Investigation
Ministry	5	3	0	2
Total	5	3	0	2

2.15.3 The following are examples of unsubstantiated cases:-

A. BPA/19/2001/MITI/5597

**Appeal to Reinstated an Old Import
License (AP) Pending Since 1990**

A complainant had claimed that his company was allocated an Import License (AP) quota since 1983. On 20 June 1989, his company had changed its name with the approval of the Registrar of Companies. He then sent an appeal letter dated 27.12.1999, to MITI via the Prime Minister's Department (PMD), to reinstate the license that has been pending since 1990. The PMD in its letter dated 14.8.2000, informed the complainant that MITI had rejected his appeal on the grounds that the new company had no relationship with the old company and was not approved any import license. The complainant was not satisfied with the rejection based on a misrepresentation of facts, which had caused him financial losses, emotional disturbance and loss of his company's reputation.

Investigation revealed that the new company was not given any import license (AP). According to MITI, the explanation of the company that it was a replacement of the old company, did not guarantee that the company would be granted an AP because it was cancelled in the year 1989 along with 139 other companies which were inactive. This company had appealed in 1989 and it would have been considered provided the company joined one of the smaller

consortiums which were holding APs. The company had joined a consortium, however it withdrew after a year because the consortium had been dissolved. MITI was of the opinion that since the consortium had been dissolved, the company could join another existing consortium, but he did not do so. As a result, this case was considered solved.

B. BPA/19/2001.10/MITI/7501

A Complaint About Import License Complaint of Cold Rolled Steel

A complainant claimed that a few of his friends were having problems getting an import license for cold rolled steel from MITI. He claimed that the procedure normally took 3 weeks to process but had extended to 2 – 3 months. The complainant was asked to give details such as the names of his friends' companies and other details pertaining to the application, but he was reluctant to reveal the information through the e-mail dated 5.10.2001. Two reminders were sent to him but no feedback was received from him. It was assumed that the complainant was no longer interested in the complaint.

2.17 Ministry of Defence

2.17.1 A total of 12 complaints were received by the PCB against the Ministry of Defence for the year 2001 compared to 8 complaints for the year 2000. Complaints against the Ministry were regarding the dissatisfaction of staff or ex-staff towards delay in payment of allowances, pension and gratuity, service and usage of budget by the agency.

2.17.2 Confusion regarding payment of allowance for Off Shore Duty Incentive for staff of the Royal Malaysian Navy had created dissatisfaction among the staff who were not paid the allowance although they worked in the same place. This matter arose due to a regulation drawn up by the Ministry. However, a Military Council Order had mentioned that the payment of the allowance should

include the staff of the Armed Forces, the Royal Malaysian Navy (TLDM) and the Royal Malaysian Airforce (TUDM). The Ministry of Defence should have cleared this before any circular was issued so that all the staff involved could receive the incentive.

2.17.2 The total number of complaints against the Ministry of Defence is as shown in Table 3.17 below.

Table 3.17

Total Number of Complaints Against the Ministry of Defence and its Agencies

Agency	Total Received	Total Resolved	Substantiated	Under Investigation
Ministry	10	8	2	2
Armed Forces	2	1	0	1
TOTAL	12	9	2	3

2.17.3 The following are examples of substantiated cases:-

A. BPA/16/2001.10/IPK/7586

Claim for Payment of Off Shore Duty Allowance

A complainant, a member of the Royal Malaysian Health Corp who was on duty at the Spratly Islands, South China Sea, was dissatisfied with the Armed Forces Salary Unit, Ministry of Defence which paid an off shore duty allowance of RM8.00 per day to the staff of the Royal Malaysian Navy but as a staff of the Health Corp he did not receive this allowance.

The Ministry of Defence issued instruction in a Armed Forces Regulation No 3 of Year 2001 to pay the allowance to all Royal Malaysian Navy personal but not to the staff of PASKAL who were on duty at certain stations. The confusion over who is eligible for the payment of this allowance was cleared by the circular of the Armed Forces Council No. 3 of Year 2001, whereby the Royal Malaysian Navy and Royal Malaysian Airforce Personnel were also

eligible for the allowance except for the staff of PASKAL who were on duty in the related stations.

B. BPA/16/2001.11/IPK/7971

Delay in Payment for Meals Supplied for Participants In a Cooking Course

A complainant had supplied meals for participants in a course for “public cooks” serial no. TMA 2/2001 from 27.7.2001 to 23.8.2001 and Wisma Waiters serial no. 2/2001 from 10.8.2001 to 23.8.2001, costing RM10,962.00 but was not paid. The complainant was facing difficulty in his business due to this delay.

There was some delay in the processing of payment to the supplier. However, looking at the chronology of the payment process it did not take a long time. The Agency had taken a month to prepare the cheque and 5 days to post it to the supplier.

2.17.5 The following are examples of unsubstantiated cases:-

A. BPA/16/2001.08/IPK/7017

Dissatisfied With Use of Government Funds by MSS Sungai Besi

A complainant, a member of the Sungai Besi Camp, was dissatisfied with the use of government funds for the renovation of the house of an officer of MSS Sungai Besi. It was unreasonable to renovate an officer’s house for RM99,686.50 and to build a car park in that house for RM38,220.00. He also claimed that the contract to cut grass and clean the drains was not done but payment had already been made.

Investigation revealed that there was no concrete evidence to proof the misuse of funds. The house was built as accommodation for the officer and the car park was a contribution from the contractor. There was also no evidence that there was abuse of funds while providing service for grass cutting and cleaning of drains.

B. BPA./16/2001.09/IPK/7228

Complaint Relating to MINDEF Reserve Unit

A complainant claimed that he wrote a letter to the Reserve Unit Division on 4 August 1998 applying to be absorbed from Temporary Staff to Permanent Staff but was informed that the Reserve Unit Division did not accept his application. However, other candidates whose names in the list (including his name) were absorbed. He was very hopeful for this absorption because this would entitle him to a pension from the armed forces. He had served as a temporary staff for the past 22 years.

MINDEF in their reply dated 7.11.2001 informed that the Reserve Unit Division, MARKAS Armed Forces did not receive the complainant's application in the year 1988, to be absorbed into the Permanent Armed Forces. Assuming that the application was received at the said time, it would have been difficult to approve it as he would have had to fulfill conditions laid out in Council Order No.11 Year 1991 and one of it was to be medically fit to the level of '*Fit Everywhere*' (FE) whereas the complainant had some health problems at that time.

C. BPA/16/2001.09/IPK/7313

Complaint Against Services at Maternity Ward 94 Armed Forces Hospital (AFH) Terendak Camp

A complainant was dissatisfied with the negligence that had occurred at the Maternity Ward 94, AFH, Terendak Camp Melaka, when his wife was not well and was about to deliver her baby. The incident took place on 10 June 2001, at 17.30 p.m. when he brought his wife to the hospital for delivery. The doctor told the complainant that his wife will deliver at about 2030 that night, but that proved incorrect because his wife delivered at 1730. At that point of time there were only 3 nurses and no doctor in attendance. One day after delivery, she was discharged although she had not completely recovered and she had to climb 3 flights of stairs to her apartment. On the same day she had to be rushed to hospital as she was in pain. All these problems led the complainant to distrust the services given by the hospital to the armed forces staff at the camp.

In reply, the Hospital had fulfilled its duty and had provided the best possible service to the complainant's wife

while she was receiving treatment at the hospital. The complaint was due to miscommunication between the patient and the complainant with the hospital staff and also the lack of understanding regarding maternity procedure and post-delivery care and the possibilities that may occur.

2.18 Ministry of Agriculture

2.18.1 A total of 60 complaints were received against the Ministry of Agriculture and the agencies under it for the year 2001 compared to 51 cases in the year 2000. 43 cases were resolved and only 24 cases were found to be substantiated.

2.18.2 The complaints were cases related to delays by agencies to take remedial action towards problems that were put forward by complainants and delays by agencies to give feedback to general complaints. Other cases were regarding lack of enforcement and action and also unjust decisions by agencies.

2.18.3 The total number of complaints against the Ministry of Agriculture is as shown in Table 3.18 below.

Table 3.18

Total Number of Complaints Against the Ministry of Agriculture and its agencies

Agency	Total Received	Total Resolved	Substantiated	Under Investigati on
Irrigation and Drainage Department	27	20	12	7
Veterinary Services Department	10	9	7	1
Fisheries Department	5	5	1	0
Fisheries Development Authority	1	0	0	1
Farmers Organisation Authority	4	2	0	2
Agriculture Department	4	2	1	2
Bank Pertanian Malaysia	1	0	0	1
Ministry	1	0	0	1
Federal Agricultural Marketing Authority (FAMA)	2	1	0	1
Muda Agriculture Development Authority (MADA)	4	3	2	1
National Padi and Rice Board (LPN)	1	1	1	0

TOTAL		43	24	17
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2.18.4 The following are examples of substantiated cases:-

A. BPA.14/2001.09/MADA/7220

Stagnant Water in Farming Plots Not Being Maintained Properly

The related Agriculture Development Board did not take any action against a complaint regarding a padi field that was flooded and resulted in the destruction of the crop. Investigation revealed that the particular plot was a problematic plot. The Agriculture Development Board had taken some remedial steps and the drainage problem is expected to be reduced.

B. BPA.14/2001.09/JPS/7356

Drainage Problem In Padi Field

The Irrigation and Drainage Department (IDD) did not monitor the drainage and irrigation system properly. However, a dam was built to pump water to a drain but it did not function properly and created more problems to the farmers. The problem began when fertilization was carried out and the field did not have water. Drains dividing the water were not suitable as it was too deep and required a large quantity of water to water the field.

Investigation revealed that many remedial action were taken by IDD to overcome the problem. The IDD had requested the farmers to fertilize the field in stages so that they could distribute the water smoothly. They also raised the water dividers to improve the water supply and also to raise the invert of the irrigation but it was not possible as it involved the whole drainage system. The IDD will continue to work on the drainage problem until it is resolved.

C. BPA/TH/9.01/PBT/8(7958)

Coastal Erosion

IDD did not reply to a complaint regarding coastal erosion which occurred as a result of the construction of a holiday resort nearby.

IDD explained that the holiday resort was being built in a region which has a high risk (critical) of coastal erosion. The District IDD with the cooperation of IDD Malaysia and the Ministry of Culture, Arts and Tourism will carry out a Coastal Rehabilitation Program. Initial works are going on and will continue in the year 2002. It will be completed in the year 2004.

2.18.5 The following are examples of unsubstantiated cases:-

A. BPA/14/2001.01/JPS/5293

Drainage Not Properly Maintained

IDD did not maintain a drain near the complainant's house and this resulted in constant flooding. On his own accord, the complainant had cleared the drainage but he was dissatisfied that the IDD was not carrying out their responsibility.

Investigation revealed that the drain referred to was small in size and shallow and was categorised as individual earth drains and functioned to allow water to flow through individual land. It was not under the purview of IDD and was under the responsibility of the landowners to clean them. The complainant's land was always flooded because his land was low compared to the surrounding land areas including land that was filled.

B. BPA.14/2000.03/LPP/5825

Delay in Distribution of Fertilizer Subsidy Scheme

The Farmer's Organisation had not supplied the fertilizer subsidy for the second season in the year 2000. This problem had been brought up to the organisation but no action was taken.

Investigation revealed that the Federal Government padi fertilizer distribution was held between 10 to 12 October 2000 and the farmer failed to attend. He only registered and took the receipt on the 25 October 2000 after the closing date and he took the fertilizer for the season 2/2000 on 11 April 2001.

C. BPA/U/14/2001-08/IKAN/2 (7076)

Bombing and Poisoning of Fish

The State Fisheries Department was alleged to have not given a reply regarding illegal means of fishing by using bomb, poison and rocket. This activity was very rampant and growing and it was affecting the livelihood of the local fishermen and the breeding of fish.

Investigation revealed that monitoring and investigation on the ground was carried out from 17 to 19 March 2001 and 15 July 2001 and it was confirmed that there was no such bombing activity being carried out.

2.19 Ministry of Housing and Local Government

2.19.1 Throughout the year 2001 a total of 60 complaints were received compared to 49 complaints for the previous year, that is, an increase of 20.4%.

2.19.2 The total number of complaints against the Ministry of Housing and Local Government (MHLG) is as shown in Table 3.19 below.

Table 3.19

Total Number of Complaints Against the
Ministry of Housing and Local Government and Its Agencies

Agency	Total Receiv ed	Total Resolv ed	Substantiat ed	Under Investigati on
Monitoring and Enforcement Division	36	11	7	25
National Housing Department	1	1	0	0
Sewerage Services Department	11	7	3	4
Fire and Rescue Department	6	4	3	1
Ministry	4	1	0	3
Town and Country Planning Department	2	1	1	1
TOTAL	60	25	14	35

2.19.3 The following are examples of substantiated cases:-

A. BPA./20/2001.03/BPP/5694

Delay in Resolving An Abandoned Project

The complainant, a junior government servant, had purchased a house at Taman Kantan Permai, Kajang for RM25,000.00 in the year 1990. The project Developer, after receiving payment for the house should be responsible for the completion of the housing project. Most of the purchasers were low income government servants. The complainant had been to the Ministry a number of times but there had been no improvement in the situation. The project was still abandoned and the unfortunate matter was that the complainant's salary was being deducted for the past 2 years.

The Monitoring and Enforcement Division of the Ministry in its letter dated 18.7.2001 informed the status of the case. The project has been classified as an "Abandoned Project" in Selangor State and the progress of the project was being monitored and enforced from time to time. The Monitoring and Enforcement Division visited the site of the project on 6.6.2001 along with the developers and had discussions. It was agreed that the Developer will continue with the project as soon as the construction of the medium cost houses was completed. Construction work was expected to

begin in the middle of the year 2002. The Ministry also advised the buyers who wanted to terminate the sales and purchase agreement, to discuss with the developer before the termination. The purchasers can write in to the ministry for advise and consultation.

B. BPA./20/2001.04/BPP/5898

No Reply from the Ministry of Housing and Local Government

A complainant wrote on 24.1.2000 to the Ministry of Housing and Local Government to get further information regarding the liability period for developers to make good all house defects. That letter was followed by another letter dated 13.9.2000. However, till date the complainant has not received any reply from the Ministry.

The Ministry informed that the liability period for defects that were the responsibility of the developer was 18 months from the date of notice of vacant possession to the purchaser. If the developer fail to repair, the purchaser should give a notice of 14 days before beginning any construction work by his own contractor. The purchaser can deduct any repair cost from the money being held by the developer's lawyer as "stakeholder" for the developer.

C. BPA./20/2001.05/BPP/6345

Delay by the Ministry in Resolving Dispute Regarding Handing Over of House

A complainant had bought a double storey semi-detached house in Bandar Tasek Kesuma and had signed the agreement on 21 December 1998. In the agreement, the housing developer was to hand over the house in 36 months. According to the Sales and Purchase Agreement the buyer can claim 10% of the purchase price for any delay in handing over the house by the developer. The

developer had applied to the Ministry for an extension of 6 months. The complainant was dissatisfied with this.

Investigation revealed that the ministry had received many complaints regarding this developer. The developer was advised to pay the claim of late delivery in accordance to the sales and purchase agreement. For all purchasers who had complained to the ministry, there was a negotiation with the developer to try and get the highest amount of compensation for the purchasers. Purchasers were advised to take civil action against the developer if they were not satisfied with the amount of compensation offered by the developer. Besides that, the ministry also had rejected the appeal by the developer for the extension of the period of delivery. Purchasers had complete right to claim for compensation for late delivery according to the sales and purchaser agreement.

2.19.4 The following are examples of unsubstantiated cases:-

A. BPA./20/2001.06/JPN/6500

National Housing Department Delay in Issuing Housing Loan to Low Income Group

A complainant had applied for a housing loan to buy a house at P.T 1414, Mukim Chenderiang/Batang Padang on July 1999 from the National Housing Department (NHD) but he still had not received a reply.

NHD agreed there was a delay on their part and that of the Land and Mines Office but a large part of the delay was due to the fact that the complainant was late in handing over the application forms with other documents that were related to the loan application. According to the NHD report, the complainant had taken his time in handing over the documents, as late as 328 days and this had made it difficult for the NHD to process the loan application. The complainant also failed to inform the NHD Central Region, a change in his address. NHD had thus solved the problem and sent the application to the Housing Loan Scheme

Division of NHD on 15.6.001. The division had prepared the voucher for payment amounting to RM6,750.00 for building stages I, II and III, to the Accountant General's Department on 26.6.2001. It is expected that the complainant should receive his cheque soon.

B. BPA./20/2001.09/JPP/7393

Waste Water from a Petrol Station Flowing Into A Residential Area

A complainant claimed that the waste water from a petrol station was flowing into a residential area at Lot 1697, Mukim Taboh Naning, Simpang Empat, Alor Gajah resulting in foul smell which worsen during rainy days. He was surprised as to how the plan could be approved by the Alor Gajah District Council.

Investigation revealed that the Sewerage Services Department Southern Region, along with IWK, on 2.10.2001 found that the waste treatment plant belonging to the petrol station was in working order. The effluent was directed into an existing U-shaped drain and directly into an oil interceptor and then to the outlet that was approved. The complainant's claim of foul smell was probably air from under the ground (land that is soggy) which often emit gas through peat holes at retention walls. The complainant was advised to discuss with the owner of the petrol station to solve this problem

2.20 Ministry of National Unity and Community Development

- 2.20.1 The total number of complaints against the Ministry of National Unity and Community Development reduced by 26.1% to 23 complaints compared to 29 complaints for the year 2000. The total complaints resolved were 19 and only 12 were substantiated.
- 2.20.2 The issue that was brought up regarding the Aborigines Affairs Department was about delay in processing derivative pension for a deceased who had passed away in an accident. For the National Unity Department it was regarding delay in processing an

application to open a Kindergarden. Complaints against the Ministry were regarding delay in replying to an application for financial assistance for medical treatment. Other complaints were related to delays by the Social Welfare Department in processing application for assistance.

- 2.20.3 The total number of complaints against the Ministry of National Unity and Community Development is as shown in Table 3.20 below.

Table 3.20

**Number of Complaints Against the
Ministry of National Unity and Community Development and Its Agencies**

Agency	Total Received	Total Resolv ed	Substantiate d	Under Investigation
Social Welfare Department	20	16	10	4
Aborigines Affairs Department	1	1	1	0
National Unity Department	1	1	0	0
Ministry	1	1	1	0
TOTAL	23	19	12	4

- 2.20.4 The following are examples of substantiated cases:-

A. BPA WT 21/01.01/JKM/1 (5362)

Department Did Not Reply To an Application Letter

A District Ex-Police Association which represented two single mothers alleged that the Social Welfare Department was not caring to society because an application for financial assistance that was sent was not responded to, either to approve or reject.

The District Social Welfare Officer who was contacted explained that a decision was made on 20.9.2000 where the application by the two single mothers, who were represented by the Ex-Police Association, was rejected. However, there was no reply due to an oversight. The Department promised that this would not be repeated in the future.

B. BPA/TH/7/2.01/JHEOA/1 (5643)

Delay in Processing Derivative Pension

A complainant claimed that her late husband had passed away on 15.5.2000 in an accident on his way to work. However, until February 2001, the Derivative Pension and the Dependence Pension were not paid. The payment for funeral expenses was also not given.

Investigation showed that all the relevant documents for the deceased's pension were completed by the Department and handed over to the Pensions Division, Public Services Department, on 22.6.2001. The Department also prepared the payment for funeral expenses. The complainant is expected to receive payment as soon as it is approved.

C. BPA/U/L04/2001-04/JKM/1 (6689)

Department's Unjust Decision

A District Social Welfare Department was alleged to have made an unjust decision in rejecting the application of the complainant and his wife who were old, disabled and poor from receiving social welfare assistance. The complainant informed that they had two children but claimed that they too were living in poverty and thus unable to support the daily expenditure of the parents who lived far away. The complainant appealed for monthly social welfare assistance to be approved.

The District Social Welfare Department informed that a general assistance was approved from June 2001. However, this assistance would be only on a temporary basis until another decision was made.

2.20.5 The following are examples of unsubstantiated cases:-

A. BPA WT 21/10.01/JKM/2 (7685)

Application For Subsidy Not Entertained

A complainant had applied for a subsidy from the National Welfare Foundation to purchase a motorcycle for the handicapped. Amongst the conditions stipulated was that he had to possess a class A driving license (for handicapped persons). He claimed that the Orthopedic Department of a Hospital did not entertain his application and as such he failed to receive the assistance.

The Hospital's Orthopedic Department when contacted explained that the complainant had not made an appointment for examination.

B. BPA.TH/21/4.01/JKM/1 (6066)

Indiscipline Staff

A complainant was dissatisfied with the staff of a Child Care Centre who were very fierce with the children under their care. He alleged that there have been times when the cook came in late and thus the children were hungry. The attitude of the staff resulted in the parents of the children having to take leave to take care of the children.

Investigation by the District Social Welfare Department which had monitored the kindergarden a number of times, found the allegation to be untrue.

C. BPA/U/21/2001-09/JKM/3 (7295)

Delay in Processing Payment of Monthly Assistance

A complainant alleged that the District Social Welfare Department had not paid his monthly assistance from the beginning of the month as practised since 1991. From the year 2000, payment was always delayed until the end of the month. For the month of August 2001 payment was not made to the complainant's account.

Investigation revealed that the late payment was due to the bank and not the District Social Welfare Department. The bank agreed to the fact but in the year 2001, it still delayed the payment. According to the payment record, for the

month of January, the Department banked in the money on 17.1.2001, but it was only released on 30.1.2001. Delay of nearly two weeks occurred from the date the payment was credited for the month of January 2001 until August 2001. The bank is in the process of rectifying the situation.

2.21 Ministry of Entrepreneur Development

2.21.1 PCB received a total of 33 complaints against the agencies under the Ministry of Entrepreneur Development. A total of 22 complaints were resolved and 11 cases were substantiated.

2.21.2 The Commercial Vehicle Licensing Board (CVLB) was the agency that received the most number of complaints totalling 25 complaints (76%) compared to the total received by the whole Ministry of Entrepreneur Development, followed by Majlis Amanah Rakyat (MARA) and the Ministry each received 4 and 3 complaints respectively for the year 2001. Most of the complaints received by the CVLB were regarding public transport service namely, bus and taxi, which were unsatisfactory. For example, the hiking of bus/taxi fares which were not according to approved rates, non-working taxi meters and overloading of passengers, buses not following the approved route and bus drivers and conductors who were not caring and were rude to passengers.

2.21.3 The total number of complaints against the Ministry of Entrepreneur Development is as shown in Table 3.21 below.

Table 3.21

Number of Complaints Against the Ministry of Entrepreneur Development and Its Agencies

Agency	Total Receiv ed	Total Resolv ed	Substantiat ed	Under Investigatio n
Commercial Vehicle Licensing Board	25	17	10	8
Majlis Amanah Rakyat (MARA)	4	3	1	1
Ministry	3	2	0	1
UDA Holdings Sendirian Berhad	1	0	0	1
TOTAL		22	11	11

2.21.4 The following are examples of substantiated cases:-

A. BPA./22/2001.05/LPKP/6123

Route of Bus No 82 from Batang Berjuntai To Nigel Gardener Estate Not According To Schedule

A complaint was made regarding the route of bus No.82 from Batang Berjuntai to Nigel Gardener Estate that was not following the approved schedule, and this caused inconvenience to the bus commuters.

The Commercial Vehicle Licensing Board (CVLB) informed that CVLB had monitored the bus service for the past two months for the sector and found that the bus company was facing some management and financial problems, because most of the buses had been repossessed by a finance company. This caused the bus company to reduce the frequency of buses in certain routes for example, the route from Batang Berjuntai to Nigel Gardener Estate. To overcome the problems faced by the bus commuters who were serviced by that company, the CVLB has offered other bus companies to carry out the service for that area.

B. BPA/22/2001.07/MARA/6814

Claim of Refund of College Fees from MARA Education Foundation

A complainant alleged that till now he has not received a refund of the fees for his child amounting to RM675.99 from the MARA Education Foundation College since June 1999 which was paid during the registration. The complainant said that in the registration offer letter, it was stated that the balance of the fees can be claimed through an invoice and will be sent within a period of one month after the student reported.

The MARA Education Foundation informed that the claim made by the complainant was correct and payment was duly made. The Foundation also informed that the amount to be

refunded should be RM830.00 and not RM675.99 as claimed.

C. BPA/22/2001.05/LPKP/6200

Application for Public Transport in Cabang Tiga Melawi and Pekan Jelawat

A complainant had requested for public transport especially to go from Cabang Tiga Melawi (Repek) to Tok Bali because that area was beginning to develop. Transport was necessary especially for the school children. He also requested for public transport from Pekan Jelawat to Melawi because the students of Tangok Technical School faced problems as there was no public transport.

CVLB Eastern Region informed that an initial investigation was carried out by the Kelantan Malay Vehicle Company regarding the bus routes between Chabang Tiga Melawi/Jelawat and Tok Bali, Bachok. The Company found that the suggested area was not so profitable as it is too widespread. As a result the company suggested that a bus service be provided between Kg. Raja/Kuala Besut/Bachok/Kota Bharu where the bus would pass a number of places including the area that was requested. The CVLB also informed that they would communicate and discuss with the Company so that a bus service for the requested route will be provided as soon as possible.

2.21.5 The following are examples of unsubstantiated cases:-

A. BPA/22/2001.10/IPK/7573

Memorandum From Lembah Klang Taxi Drivers

A complainant who represented the Federal Territory Taxi Drivers Welfare Association, forwarded their dissatisfaction against the Ministry of Entrepreneur Development for taking a long time to settle the issues brought up in a memorandum which they had sent earlier. The issues were related to objection to the decision of the Ministry to give the right of managing the city taxis in KLIA to the Airport Limo Malaysia (ALM). The Association also felt dissatisfied with the Commercial

Vehicle Licensing Board (CVLB) which always invited the Association to attend many discussions, relating to affairs of taxi drivers but on many occasions the invitation letter only arrived after the date of the discussion.

The Ministry informed that they have received the memorandum from the association and have decided that there was no need for a discussion as the matters raised were baseless. This association was the taxi drivers welfare association and not the association representing the public transport services license holders association. The Ministry have had many meetings with the various government agencies such as the Ministry of Finance, Ministry of Transport, Ministry of Home Affairs, Malaysia Airport Berhad and the Lembah Kelang Taxi Owners Association to discuss the reorganisation of the KLIA taxi operations as a step to overcome the problems of touts. As a result of the meeting, the Ministry had agreed that the KLIA taxi service would use the coupon system and appointed Airport Limo Sdn. Bhd as the company to manage the taxi service as well as sell the tickets. The Ministry had also invited the association to attend a series of discussions that were held. Letters related to these meetings were sent by post because the association did not give their fax number.

B. BPA/22/2001.10/IPK/7573

Bonus for MARA Education Foundation Staff

Staff of the MARA Education Foundation (YPM) alleged that they were not given the half month or minimum RM1000.00 bonus as received by other government servants under the 2000 Budget. The status of YPM colleges are categorised as Government Statutory Body since they are established under the Indigenous Trust Council Order.

The Director General of MARA explained that this matter was constantly brought up by the staff. The agency's ability to pay a bonus depends on the profit that has been made. For the time being the agency has not made any profit to

pay a bonus. However, this issue is in MARA's consideration.

C. BPA./22/2001.05/LPKP/6141

Appeal Against Cancellation of Car Rental License

A complainant appealed to the Commercial Vehicle Licensing Board (CVLB) not to withdraw his permit for his rental car as this is the only source of livelihood for him and his family.

The Appeal Secretariat of CVLB informed the Hon. Minister of Entrepreneur Development that it could not consider this appeal because the decision of an appeal is final and conclusive under section 29(3) of the CVLB Act 1987.

2.22 Ministry of Primary Industries

2.22.1 Complaints against the Ministry of Primary Industries and the agencies under it for the year 2001, had reduced to 5 cases compared to the 13 cases for the year 2000. Three of them were substantiated cases.

2.22.2 Complaints were regarding delays by agencies to take action relating to service matters and failure of the agency to enforce according to regulations.

2.22.3 The total number of complaints against the Ministry of Primary Industries is as shown in Table 3.21 below.

Table 3.21
Number of Complaints Against the
Ministry Of Primary Industries and Its Agencies

Agency	Total Received	Total Resolved	Substantiated	Under Investigation
Forestry Department	2	2	0	0
Mineral and Geoscience Department	1	1	1	0
Malaysian Rubber Board	2	2	2	0
TOTAL	5	5	3	0

2.22.4 The following are examples of substantiated cases:-

A. BPA/CWS/S20/23/9.01/LGM/1(7315)

Rubber Smallholders Facing Problems Registering For Assistance Scheme

A complainant, representing his mother, went to the District Rubber Board's office on 20.8.2001 to send a Form to Register under the Rubber Smallholders Revenue Assistance Scheme. However he failed to submit the forms because a notice on the office door showed that the office will be open on 23.8.2001. On 23.08.2001, when the complainant went to the office to hand over the registration forms, he was informed that the acknowledgement of receipt card was not available and he was told to return on Friday, which was Independence day holiday. After that date his father went to the office and was asked to go the Public Hall on 5.9.2001.

On 5.9.2001 the complainant was told that the Board could not accept the registration form as that day was specially for payment of assistance to the Rubber Smallholders. The complainant claimed that he felt belittled and was made to look stupid, as he had wasted time due to the inaccurate instructions that have been given by the Board to the smallholders.

The complaint was referred to the Regional Director, Malaysian Rubber Board (MRB) on 24.9.2001. The Regional Director, MRB, explained that the Revenue Assistance Scheme for Rubber Smallholders was launched by the Government from 1 July 2001. When the MRB launched the campaign and promotion of this scheme in June and July in the complainant's district, some smallholders failed to register because they did not believe

in the scheme and did not want to be taxed on the income. This included the complainant. When the payment for the scheme was made, the complainant saw that his friends and other smallholders receiving the subsidy from the scheme, only then did he want to register urgently. However, with only 3 staff and who had to work in and outside the office, there was a problem for the complainant to register to take part in the scheme.

B. BPA/23/2001.10/LGM/7499

Deduction in Rubber Payment

A complainant informed that he was a recipient of addition payment for rubber price which was approved by the Government, that is, RM0.15 per kilo of scrap rubber. The complainant had sold a total of 775 kg. dry rubber but he was paid RM58 only by the District Malaysian Rubber Board when the actual payment should have been RM116.25. The complainant was dissatisfied with the action of the Malaysian Rubber Board in deducting the payment.

Investigation revealed that the Malaysian Rubber Board had made payment of RM58.05 to the complainant by 24.8.2001 and the payment made was based on the claim voucher prepared by the trader. However, after receiving the complaint, an investigation was held on 17.10.2001 and it was found that the total rubber sold by the complainant was 1,315 kg wet and an estimated 48% DRC dry weight of 631 kg and the incentive claim was RM94.65 and not RM116.25 as claimed by the complainant. Since this incident had occurred due to the mistake of the trader, the balance amount of RM36.60 (RM94.65-RM58.05) was paid to the complainant. The Malaysian Rubber Board viewed this mistake very seriously and had taken appropriate action on this matter.

C. BPA/U/23/2001-11/JMG/1 (ID 8084)

Delay in Processing Pension Documents by Department

A complainant alleged that the Headquarters of the Minerals and Geoscience Department had delayed the preparation of his pension documents to enable the Pension Division, Public Services Department, to process the pension benefits for him although all the pension documents were signed on 3.1.2001.

The delay was by the Mineral and Geoscience Department which only sent the documents to the headquarters on 30.4.2001. This was because they were awaiting application from 3 others so as to send the applications at the same time. The documents were later sent back to the State Mineral and Geoscience Department on 8.5.2001 due to an error, before being sent to PSD again on 12.6.2001.

2.22.4 The following are examples of unsubstantiated cases:-

A. BPA/U/PRK/23/4-00/JP/1 (5287)

Complaint Against Illegal Logger

The State Forestry Department did not take action against an illegal logger who was operating in a forest reserve area located in Batu Kurau. The logger has been operating for the past 10 years.

The complaint was unsubstantiated. The logs that were processed were from private land and was not marketed anywhere but used by the family itself.

B. BPA/U/23/2001-09/JP/1(8095)

Waste from Logging Polluting the River

The District Forestry Department was alleged that they had not taken action on complaints regarding the pollution of a river due to illegal logging activities that was using the river to transport the waste wood. The complaint was made on 16 April 2001.

The complainant was asked to furnish the name of the company involved in this case but he failed to give any feedback.

2.23 Ministry of Science, Technology And Environment

2.23.1 Relatively, there was a reduction from the number of complaints received in the year 2001 as compared to the year 2000. A total of 20 complaints were received in 2001 against 24 complaints in 2000. The Environment Department was the agency receiving the most number of complaints, that is, 16 complaints compared to 2 complaints against the National Forest and Wildlife Protection Department. Whereas, the Atomic Energy Licensing Board and the Malaysian Institute For Nuclear Technology Research each recorded one complaint.

2.23.2 Complaints received were regarding air and water pollution caused by factories, noise and dust pollution and foul smell from business premises. Other complaints were regarding destruction of crops by wild elephants and service matters. From the 20 complaints that were investigated, 18 cases were resolved and 8 of them were substantiated.

2.23.3 The total number of complaints against the Ministry of Science, Technology and Environment is as shown in Table 3.23 below.

Table 3.23

Number of Complaints Against the Ministry of Science, Technology and Environment and Its Agencies

Agency	Total Received	Total Resolved	Substantiated	Under Investigation
Department of Environment	16	13	7	3
National Forest and Wildlife Protection Department (PERHILITAN)	2	1	1	1
Malaysian Institute For Nuclear Technology Research	1	1	0	0
Atomic Energy Licensing Board	1	1	0	0
TOTAL	20	16	8	4

2.23.4 The following are examples of substantiated cases:-

A. BPA.CWS/J/24/2.01/JAS/1 (ID 5425)

Toxic Waste Pollution from Battery Factory

A complainant alleged that a factory was throwing toxic waste into a nearby drain and the water from it drained into his farm. This pollution had affected his oil palm trees.

The Department of Environment (DOE) in its letter Ref. AS(B) 35-290-200-007 dated 28.6.2001 informed that the factory concerned was involved in reusing scheduled waste material that is, 'Zinc Ash – Code N201' and "Hydrochloric Acid – Kod N211'. As such the factory was not a battery factory as alleged by the complainant. The factory was licensed by the DOE to operate at the premise. A visit to the site by DOE revealed that the factory was facing problems related to storage of raw materials and material extracted by the filter press, documentation and management procedures of schedule waste matter. As a result of this, the factory was told to resolve all these problems and give a report to the DOE before a recommendation could be sent to the DOE Headquarters for renewal of the license to dispose scheduled waste outside the plot. To overcome this, the DOE has issued a Notice and a compound against the factory. The Notice required the factory to manage the waste of N201 and N211 with greater care as stipulated in the Environment Quality Regulations (Fixed Premises) (Facility to control and dispose scheduled waste matter) 1989, and ensured that waste water or chemicals were not discharged (zero discharge) and to carry out an "Environmental Compliance Audit" to ensure that the management of scheduled waste followed the environment standards.

B. BPA.WT 24/09.01/JAS/2 (7450)

Toxic Waste Pollution in Pengkalan Chepa, Kota Bharu

A complainant alleged that a factory in the Pengkalan Chepa Industrial Site, Kota Bharu, Kelantan was believed to be discharging toxic waste in a nearby drain. This was published in the daily papers Berita Harian on 22.1.2001. However, no action was taken.

The Director of the Environment Department, Kelantan had issued a notice under Section 31, Environment Quality Act

1974 to the factory concerned. The factory was instructed to stop immediately the discharge of effluence to any waterways and to build a control system for the effluence and to treat the effluence which was produced by the factory.

C. BPA.CWS/512/24/4.01/JAS/1 (6061)

**Pollution and Disturbance from a
Furniture Factory at Lot 26, Mg. No 50,
Mukim Sungai Segamat**

A complainant, representing the residents of that area alleged that of a furniture factory on Lot 26, MG. No. 50, Mukim Sungai Segamat was set up in the middle of a housing estate. This has caused air pollution from smoke and burnt particles, chemical from sprays and noise pollution from 8.30 a.m. to 5.00 p.m.. The factory also did not have proper drainage system and this caused their waste water to flow into the housing estate during the rainy season. Complaints have been made to the relevant authorities but no action had been taken.

The Department of Environment (DOE) Johor informed that results of an investigation showed that the complaint was substantiated. The location of the factory was too close to the housing estate which resulted in uncomfortable living conditions to the residents of the housing estate. The pollution was caused by the unlicensed factory making furniture. DOE had informed the Segamat Utara District Council regarding the status of the factory which was operating without a license. The complainant was informed of the action taken by DOE.

2.23.5The following are examples of unsubstantiated cases:-

A. BPA/U/24/2001.04/JAS/1 (6255)

**Summon No. 1306/28-03-2001 on
Excessive Smoke Emission from
Complainant's Vehicle**

The Department of Environment (DOE) Perlis was alleged to have wrongly issued a compound for emission of smoke exceeding 50 HSU from the vehicle owned by the complainant on 8 January 2001, although the vehicle had been inspected by Puspakom Perlis twice, on 8 January 2001 and 30 March 2001 and was found to emit smoke within the amount allowable level.

The test carried out by DOE Perlis on 28 March 2001 showed a reading of excessive smoke at 79 HSU, more than the amount permissible under Regulation 11 (1), Environment Quality Regulations (Emission from Diesel Engines) 1996, that is, 50 HSU. A compound of RM1,000.00 was imposed to be settled before 28 April 2001. A reminder was issued on 3 May 2001 for the compound to be settled but there was no appeal or reply. As a result the DOE filed a case with the Session's Court Kangar and the case was to be heard on 28 August 2001.

B. BPA.24/2001.04/JAS/5881

**Complaint Against A Factory that Had
Polluted the Environment**

A complainant alleged that a factory near his factory operated in a dangerous way which could result in pollution of the environment. They were surprised at how the Department of Environment could allow such a factory to operate.

The complainant later asked that the case to be deleted because the complaint that was sent to PCB was a anonymous letter which had used the letterhead of his factory.

Complaint Against Jaring

A complainant informed that he had registered an internet account under JARING. He tried to access the account by using the 4 digit number that was given to him but failed. As JARING did not have an office in Johor Bahru he went to the nearest agent and filled up a form and paid for the registration. He was given a 7 digit number as he could not access with the 4 digit number that was given to him. Two months later, he found that his bill was more than RM1,000.00 and he made a complaint to JARING. He was informed that he had agreed to all charges, conditions and regulations. As a new internet user, he was not given any form to fill or given a “starter disc”. He was unhappy that he was not informed of all the charges that will be made and information on usage of the services.

MIMOS in its letter dated 19.02.2001 had informed that the charges that were in question was payment of telephone charges to Telekom Malaysia and not access to JARING internet account and the complainant was advised to contact Telekom Malaysia. The complainant was also informed that he could access the internet with the number 1511 and will be charged 15 cents per minute. He could also access the internet by dialing the seven digit number but he will be charged the normal rate by Telekom Malaysia.

2.24 Ministry of Human Resources

2.24.1 In 2001, a total of 130 complaints were received as compared to 125 complaints received in 2000. The increase in complaints this year was mainly due to the economic recession which resulted in many discrepancy cases and problems between employers and employees.

2.24.2 The total complaints against the Ministry of Human Resource is as shown in Table 3.24 below.

Table 3.24

*Number of Complaints Against the
Ministry of Human Resource and Its Agencies*

Agency	Total Received	Total Resolved	Substantiated	Under Investigation
Labour Department	74	52	11	22
Social Security Organisation (SOC SO)	42	31	9	11
Industrial Relations Department	11	6	2	5
Manpower Department	1	1	0	0
Employee Safety and Health Department	2	1	0	1
Total	130	91	22	39

2.24.3 The following are examples of substantiated cases:-

A. BPA/25/2001.09/JB/7257

Inaction of Labour Department On A Complaint

A complainant and his friends complained that their employer did not pay their full salary from the month of June 2001 until now and did not credit the monthly deductions to EPF from December 1997 until now. The complaint was made to the Labour Department Branch Office but no action was taken.

The Labour Department Branch Office had investigated and found that the complaint was true. The Labour Department then instructed the company concerned to pay the arrears of salary to the staff. However, the company could not pay all the arrears as it was facing some financial problems. The payment made so far was due to the intervention of this department. The complainant's problem was resolved. The Labour Department Branch Office was instructed to monitor the situation and to ensure all the arrears in salary is made to the complainant by the company.

B. BPA/25/2001.06/JPP/6511

**Delay By the Industrial Relations
Department in Resolving a Complaint**

A complainant had reported to the State Industrial Relations Department regarding his dismissal in December 1999. After giving all the necessary information, the Officer of the Department called both parties to meet to resolve the problem. Unfortunately there was no resolution. This case was then referred to the Industrial Relations Department Kuala Lumpur in May 2000. But the report that was sent to the Director was different from the actual facts of the case. The complainant was not satisfied and had to furnish the information again. He was not happy with the attitude of the officer in the department.

Investigation revealed that the Hon. Minister of Human Resource had made a decision whereby any case dealing with wrongful dismissal should be taken to the Industrial Court for a decision. All matters related to this should be done by the Industrial Court.

C. BPA 25/25/2001.11/JB/7969

Dissatisfied With Ex-employer

A complainant who had worked as a promoter claimed that his ex-employer at a supermarket did not provide a prayer room for the Muslim Female workers. The ex-employer also did not allow the Muslim Female workers to use the “tudung”. This was the cause that led to his resignation. After his resignation, he felt that it was his duty to inform the relevant authorities of the situation for the benefit of his friends who were still working in that place.

An investigation was carried out by the State Labour Department. A meeting with the Company’s Manager and some workers showed that the complaint was genuine. However, in April 2002, the company had issued a letter to encourage the Muslim female workers to wear the “tudung”. A prayer room was also made available for the Muslim staff.

2.24.3 The following are examples of unsubstantiated cases:-

A. BPA./25/2001.10/JB/7879

Inaction Of Labour Department On a Complaint

A complainant, representing workers of an Oil Palm Factory, claimed that the employer had disregarded the welfare of his workers. Among them were abuse of power, in dismissal of workers discriminately and treating the workers like slaves. He had complained to the Labour Department but no action was taken.

Investigation showed that no complaint had been received by the Labour Department from the Workers Association regarding the misuse of power. However, there have been individual complaints from workers before the Workers Association was registered. Action had been taken regarding these complaints according to Section 20 of the Industrial Relations Act which had referred them to the Industrial Court and some of the cases had been resolved.

B. BPA./25/2001.09/JB/7311

Unjust Action by Department

An ex-employee of a company complained that he was dismissed for no valid reason. He had complained to the State Labour Department in January 2001. On August 2001 he tried to find out the status of his complaint but his case was rejected whereas four of his colleagues had received compensation.

Investigation showed that the action taken by the State Labour Department was according to set procedures. The complainant had not attended a series of discussions with the department, and had taken action on his own to file the case. When he filed the case under Section 69 of the Employment Act, the complainant's name was dropped from the case registered under his friends. The complainant also was found to avoid peaceful negotiation and meeting with the employer because he owed the company some

advance payment that had not being paid back. However, this situation did not stop the complainant from filing his claim again. The complainant was advised to take steps to file his case again to the Labour Officer.

C. BPA./25/2001.07/JB/6670

No Action From the Labour Office

The workers of a factory claimed that their employer did not take care of their welfare and was only interested in making profit. A complaint had been made to the State Labour Office but no action had been taken.

Investigation revealed that the Labour Department had received three complaints about the company and all three complaints were resolved. Therefore, the complaint that was received by the Labour Department through PCB was considered a new complaint. Further investigation showed that the issue brought up by the complainant was not substantiated. It was found that many of the workers only applied for leave after they had gone on leave. The claim that the company did not accept medical certificates from government hospitals was untrue, as records showed that the company had accepted these certificates and had not deducted the employees' salary. Thus, the complaint forwarded was found to be unsubstantiated.

2.25 Ministry of Energy, Communication and Multimedia

- 2.25.1 A total of 128 complaints were received by the agencies under the Ministry of Energy, Communication and Multimedia for the year 2001. The number of complaints had increased by 13 cases compared to the year 2000.
- 2.25.2 Complaints against the Tenaga Nasional Berhad (TNB) was the highest amounting to 52 cases. Some of the cases were related to delays by the TNB in paying compensation for land acquisition and restoring electricity supply. A total of 40 cases were successfully resolved and 25 of them were substantiated.
- 2.25.3 Telekom Malaysia Berhad received a total of 49 cases compared to 42 cases in the year 2000. Complaints were about dissatisfaction

with the quality of service, high bills and lack of public telephone services.

2.25.4 A total of 23 complaints were received regarding Pos Malaysia Berhad. The complaints were mainly regarding delays in sending letters and dissatisfaction of customers about counter service at Post Offices.

2.25.5 The Department of Electricity received 2 complaints in the year 2001. The Sabah Electricity Board and the Sarawak Electricity Supply Board respectively received one complaint each. The Ministry and the Departments have cooperated and resolved the cases.

2.25.6 The total number of complaints against the Ministry of Energy, Communication and Multimedia is as shown in Table 3.25 below.

Table 3.25
Number of Complaints Against
Ministry of Energy, Communication and Multimedia and Its Agencies

Agency	Total Received	Total Resolved	Substantiated	Under Investigation
Tenaga Nasional Berhad	52	40	25	12
Telekom Malaysia Berhad	49	36	24	13
Pos Malaysia Berhad	23	16	9	7
Department of Electricity	2	1	1	1
Sabah Electricity Board	1	1	1	0
Sarawak Electricity Supply Board	1	0	0	1
Total	128	94	60	34

2.25.7 The following are examples of substantiated cases:-

A. BPA/26/2001.06/LLS/6411

Regular Disruption of Electricity Supply

A complainant claimed that the supply of electricity to his area was constantly disrupted and took a very long time to be restored.

Investigation showed that the area referred to was in the interior and the electricity lines had to by-pass an oil palm plantation. The problem arose due to disturbances from oil palm harvesters who accidentally cut the lines, wild animals, trees and branches which fall on lines causing disruptions in electricity supply. To resolve this problem in that area TNB had put up *auto-recloser*, *circuit breaker*, *earth fault indicator* and the lines were changed to more hardy lines.

B. BPA/26/2001.10/STM/7857

No Public Telephone Service and Telephone Lines to Houses

A complainant informed that there was no public telephone services and telephone lines to their houses although they had applied for telephone six years ago. This situation had made it difficult for them to communicate with the outside world.

Telekom Malaysia Berhad (STMB) informed that they had taken action to resolve this problem and will be doing it under the cable laying program for the year 2002. Work will commence at the beginning of the year 2002 and telephone service is expected to be available as soon as the cable laying project is completed.

C. BPA./TH/26/2.01/TNB/1(5641)

Very High Electricity Bill

A complaint who was a bachelor and was seldom at home complaint about receiving high electricity bills. The complainant was also surprised that there was an arrears of RM623.18 whereas the units used since 15.8.1997 until 4.2.2001 was only 610 units and he has paid RM281.55 for it.

TNB investigated and found that the complaint was true. The complainant was given an estimated bill since the meter was situated inside the fenced area of the house. TNB sent a letter requesting that the complainant goes to the nearest TNB office for an adjustment to be made.

2.25.8 The following are examples of unsubstantiated cases:-

A. BPA/26/2001.11/STM/7989

STMB Delays Sending Telephone Bill

A complainant was dissatisfied with the service of STMB because they delayed sending the telephone bill causing his telephone line to be disconnected. He will only receive the bill after the line has been disconnected. This also caused him to have to pay for reconnection charges.

STMB informed that the delay had occurred because the complainant did not inform STMB of the change in his postal address. However, this information has been recorded and the bill will be sent to him at his new address.

B. BPA/26/2001.10/TNB/7761

Disconnection of Electricity Supply

A complainant informed that the electricity supply to his house was disconnected in October 2001 due to late payment. He was unhappy with the explanation because his bill was only delayed by one month and there was no prior notification that the electricity supply would be disconnected. The disconnection of electricity supply without warning caused inconvenience to the users and the complainant appealed that the TNB should follow this procedure from now on.

Investigation revealed that the procedure used by the TNB in the process of disconnecting electricity supply to the complainant's premise was in accordance with present procedures. The complainant's bill for the month of September was read on 13.9.01 and was delivered on the

same day. According to existing regulations, the bill must be paid within 15 days. Notification of disconnection was issued and delivered on 4.10.01, in accordance with the Regulation Supply to License Holder 1990.

C. BPA./26/2001.01/TNB/5269

Claim for Compensation for Land Used in Electricity Cable Path

The land of the complainant was used by TNB for laying a 3500kv electric cable from Ayer Tawar to Junjung and he was informed that he would be given an appropriate compensation but till now he has not heard from TNB.

TNB informed that the compensation of RM18,939.65 had been paid to the complainant according to the compensation judgement made on 13.12.1995 but the complainant had refused to accept the amount. The complainant had made an appeal and it was forwarded to the State Government by the Land Administrator for a final decision.

2.26 Ministry of Women and Family Development

2.26.1 The Ministry of Women and Family Development was formed in the year 2001 and has so far received one complainant.

2.26.2 The total number of complaints against the Ministry of Women and Family Development is as shown in Table 3.26 below.

Table 3.26

**Number of Complaints Against the Ministry of Women
and Family Development**

Agency	Total Received	Total Resolved	Substantiated	Under Investigation
Ministry	1	1	0	0
TOTAL	1	1	0	0

2.26.3 The following is an example of an unsubstantiated case:-

A. BPA/27/2001.08/IPK/6974

Delay/Did Not Receive Feedback from the Ministry

A complainant, who was a representative from the Rahmat Volunteer Centre, Lembah Pantai, Kuala Lumpur, voiced his dissatisfaction about applications that were channeled to the Ministry of Women and Family Development. The complainant claimed that many of the applicants had to wait for a long time to receive their replies and there were some who did not get any response from the agency at all.

Investigation revealed that the Political Secretary for the Minister of Women and Family Development had met the complainant on 13.09.01 to explain the status of the matter raised by the complainant. The Political Secretary also informed that they will hold a discussion with the complainant so that the problems can be resolved together.

COMPLAINTS AGAINST STATE ADMINISTRATION

1. INTRODUCTION

- 1.1. For the year 2001, complaints against State Administration totaled 805 cases compared to 826 cases for the year 2000. The total number of cases received, resolved, substantiated and under investigation according to the states concerned is as shown in Table 4.1.

Table 4.1

Number of Complaints Received Against State Administration

State	Total Received	Total Resolved	Substantiated	Under Investigation
<u>Selangor</u>	166	92	53	74
<u>Perak</u>	136	109	71	27
Pulau Pinang	131	95	49	36
<u>Johor</u>	107	90	56	17
Kedah	69	44	23	25
<u>Pahang</u>	67	49	18	18
<u>Negeri Sembilan</u>	48	37	23	11
<u>Terengganu</u>	38	24	10	14
<u>Kelantan</u>	18	11	4	7
<u>Melaka</u>	13	10	8	3
<u>Perlis</u>	7	6	3	1
<u>Sarawak</u>	3	1	0	2
<u>Sabah</u>	1	1	0	0
<u>Wilayah Persekutuan Labuan</u>	1	1	0	0
TOTAL	805	570	318	235

- 1.2. The State of Selangor, Perak, Pulau Pinang, Johor and Kedah recorded the most number of complaints compared with other states, that is, about 75.7% of the total number of complaints received.
- 1.3. Of the 570 complaints that were resolved, 318 or 55.8% were found to be substantiated. Similar to the year 2000, Local Authorities were the focus of complaints receiving a total of 396 cases. The number of cases received

and resolved and those still under investigation according to State Agencies are as shown in Table 4.2.

Table 4.2

Number of Complaints Against State Government Administration

Agency	Total Received	Total Resolved	Substantiated	Under Investigation
<i><u>Local Authorities</u></i>	396	270	157	126
<i><u>Land Administration</u></i>	229	171	95	58
Water Works Authorities	48	40	33	8
<i><u>Land and Mines Office</u></i>	37	24	9	13
<i><u>State Secretariat</u></i>	36	24	8	12
Islamic Religious Department	33	26	8	7
<i><u>State Development Board</u></i>	18	9	4	9
<i><u>State Corporate Bodies</u></i>	4	4	3	0
<i><u>Syariah Court</u></i>	4	2	1	2
TOTAL	805	570	318	235

2. STATE SECRETARIAT

2.1. A total of 36 complaints were received in the year 2001 against the State Secretariats. Of this total, 24 cases were resolved of which 8 were valid complaints and 12 cases were still under investigation.

2.2. The following are substantiated cases:-

2.2.1. BPA/U/G/2001-01/SUK/1(5197)

A State Secretariat was alleged not to have given any reply to a query on over-charging of rental on a Government Quarters. The complainant alleged that the monthly rent charged was RM178.00 whereas according to Service Circular No. 2/1996, it should be RM90.00 and RM48.00 for administrative charge. The complainant had asked the State Secretariat to refund the surplus money collected which amounted to RM1,302.00 from June 1996 to June 1999.

Investigation by PCB showed that the complaint raise as true and the State Secretariat took steps to refund the surplus money to the complainant.

2.2.2. BPA/TH/L/5.01/SUK/1 (6833)

Delay In Getting Approval For Transfer Of Title HS(M)21702

The complainant was dissatisfied with the relevant agency which delayed in making a decision in approving his application to transfer the title of his property HS(M) 21702 which was sold.

Investigation by PCB showed that the complainant's application was initially not approved to which he appealed and was finally approved on 12.5.2001.

2.2.3. BPA/U/G/2001-08/SUK/8

Sewage Pipe Broken But Not Repaired

The State Housing Office was alleged not to have taken action to repair a broken sewage pipe in Unit E14-6, Rifle Range Flats even though the problem was reported since 21.4.2000. Many subsequent reports were made followed by 2 visits and still no action was taken.

Investigation by PCB showed that the sewage pipe was repaired and there was no further leakage.

2.3. The following are examples of unsubstantiated cases:-

2.3.1. BPA/U/H/2001-11/SUK/1 (8093)

Misconduct of a Government Employee

A State Secretariat was alleged not to have taken action against a Government employee in the Museum, who had conducted himself badly, he comes to office late, sleeps in office, steals goods from the museum to be sold and is a member of the Malaya Militant Group (KMM).

Investigation by PCB revealed that theft or loss of goods had occurred in the museum but all the allegations against the employee were baseless.

2.3.2. BPA/L/2001.02/SUK/5463

Claims For Lot In Squatter Resettlement Scheme

In 1986, a State Government had approved 1,634 lots of land for 1,634 squatters families staying in Bukit Botak. In early 2000, the Land Office issued offer letters to the settlers requesting for payment of RM1,000.00 to a contractor and those who failed to pay would be struck off from the list. Up to date, almost a million ringgit had been collected by the contractor but the land is still classified as Government Land.

Investigation by PCB against the State Secretariat concerned showed that a total of 1,634 squatters were recommended to be give a lot each. The total area for the objective of resettling the squatters in Bukit Botak is 165 acres of land and not 32 acres as stated in the complaint. The collection of RM1,000.00 is the commitment money which is applied to all squatters' resettlement scheme and was approved by the District Land Committee at its meeting on 7.3.2000 and 13.7.2000. A contractor was appointed to prepare the basic infrastructure in the area. The complainant was one of the squatters who failed to pay the commitment fee as a pre-condition for all the recommended squatters to get an approved lot.

2.3.3. BPA. CWS/S10/A/4.01/SUK/1

Application For Low Cost House In Parit Raja Area

A complainant alleged he had made an application to the Housing Division of the State Secretariat for a low-cost house since 1993. Up to now, he had not been approved of one.

Investigation showed that the applicant was given a reply by the Housing Division Ref. PSU(P)38/1149 dated 6.6.2001 with a copy of the letter to PCB. The complainant was requested to submit a fresh application as the old application was out of date.

3. LOCAL AUTHORITIES

3.1. Compared to the year 2000, the total number of complaints received in 2001 reduced by 5.49% to 396 cases. Of this total, 270 had been resolved and 157 were substantiated.

3.2. The following are examples of substantiated cases:-

3.2.1. BPA.TH/L/2001-05/PBT/6148

Complaint Against Opening Up Of A Residential Road To Traffic In Bukit Antarabangsa

A complainant acting on behalf of the residents of Taman Bukit Mulia, Bukit Antarabangsa alleged that they had made objections to the Local Authority after a proposal to open up Jalan 1/1 to traffic. The road in question is an access road and is not appropriate to be a main through fare, taking into account the safety and peaceful environment of the residents. The main through fare can be made through Taman Club Ukay, which was given a Certificate of Fitness on the condition that it built a main road to Ukay Perdana.

The Local Authority explained that a meeting held on 28.8.2001 had decided that Jalan Mulia 1/1 which joined Jalan Sering will not be opened and a review will be made after a bridge has been built by the developer which will link Kelab Ukay from Jalan Sering.

3.2.2. BPA/TH/L5/E/4.01/PBT/15(6453)

Application for a Surau and a Bridge

A complainant alleged that an application was made to build a new surau and a bridge in Bukit Lintang Village but had not received any response. The old wooden bridge needed to be replaced with a new one because it is a hazard to the villagers. This situation has persisted for a long time and failed to get the attention of the authorities concerned.

Investigation showed that the application was given attention and was a priority project in the list of projects of the District Office. The project will be implemented as soon as the allocation is received.

3.2.3. BPA.CWS/J/A/1.01/PBT/37(7934)

Poor Maintenance of Toilets in Public Transportation Complex

A complainant was not happy with the maintenance of the toilets in a public transportation complex. The toilets were dirty, full of rubbish, smelly, the flush did not function and the door and pipes were in a state of disrepair. Still, collection to use the toilets was made but maintenance was not done at all. Such a situation will only leave a bad impression on tourists who come from all over the world and who have to use the services of express buses at the complex.

Investigation by PCB showed that the complaint was true. The Local Authority concerned then directed the contractor of the complex to clean up the place and to take remedial actions.

3.3. The following are examples of unsubstantiated cases:-

3.3.1. BPA. TH/L/3.01/PBT/10(5872)

No Response to Application for Renovation of House

A complainant was not satisfied with a Local Authority for not responding to his application for renovating his house.

Investigation by PCB showed that the Local Authority concerned had not received any application from the complainant regarding the renovation of his house.

3.3.2. BPA/TH/L/1.01/PBT/2(5788)

Arrears In Quit Rent At Majlis Perbandaran Kajang

A complainant was not happy with an officer in the Ministry of Housing and Local Government because he failed to give any response to his query about the payment of arrears of assessment imposed upon a house that his wife had bought through public auction conducted by the Courts on 28.4.1994. The arrears of the assessment not paid by the previous owner amounted to RM3,332.00.

Investigation by PCB with the Ministry revealed that there was no Government Department which dealt with the auction. The complainant was advised to appoint a lawyer to claim back from the bank which handled the auction based on the provisions provided for in the Sales and Purchase Agreement.

4. **LAND ADMINISTRATION**

4.1. The State Administration, the agency that received the second most number of complaints is the District Land Office. For the year 2001, a total of 229 complaints were received compared to 214 cases in 2000, that is an increase of 6.07%. There were 171 cases which have been resolved and 95 of which were found to be substantiated.

4.2. The following are examples of substantiated cases:-

4.2.1. BPA/U/H/2001.03/PTD/16(5927)

Application of Government Land for Cultivation Under The Group Land Scheme

A District Land Administrator was alleged to be slow in giving a decision to an application to be part of a group Land Scheme in Bukit Jana, which was made on 27.12.1993.

The investigation showed that the decision on the application was delayed because the State Executive Council was slow in giving a final decision, thereby causing the scheme to be postponed.

4.2.2. BPA.CWS/J/A/10.01/PTD/10(7684)

Delay in Obtaining a Land Title

A complainant informed that he had already paid all the fees regarding to an application to transfer a land title on 12.4.2001. Up to the date of the complaint made in October 2001, he has yet to receive the new land title from the Land Office concerned.

Based on the investigation, the land title was issued on time. The delay was due to the upgrading exercise done by the District Land Office in shifting from manual filing system to the computerized land registration system. The complainant finally received his title on 31.10.2001.

4.3. The following are examples of unsubstantiated cases:-

4.3.1. BPA/A/2001.01/PTD/7568

Application For Exemption From Payment Of Fine For Delay In Paying Land Assessment

A complainant was dissatisfied because he was fined for late payment of land assessment of RM160.00 for his property HS(D)216577, Mukim Tebrau. His appeal was based on the grounds that he did not receive any prior Notice of Payment and had only received the first notice 6 years after the house was purchased. He had acknowledged a clause in the National Land Code which clearly stated that the land owner must be responsible to settle down land assessment even without any prior notice from the Land Office. He had appealed to be considered for exemption.

The provisions regarding payment of fine for late payment of land assessment is stated in Section 16 Third Schedule of the Johor Land Rules 1966 and only the State Authority have the right to consider any exemption or waives as stated in Provision 14(1) 62 Johor Land Rules 1966. In this matter, the State Authority had decided to exempt all fines for the year 2001 to those who made their payments between 1.1.2001 to 31.5.2001.

5. ISLAMIC RELIGIOUS OFFICE AND SYARIAH COURTS

- 5.1. A total of 37 cases were received by PCB regarding the above agencies. Of this total, 28 cases were resolved and only 9 were substantiated. Nine cases are still under investigation.

- 5.2. The following are examples of substantiated cases:-

5.2.1. BPA/E/2001.03/PA/5755

Mismanagement Of A Mosque

A complainant alleged there were signs of mismanagement in a mosque administration. Among the mismanagement that occurred were that the Committee Meeting and the Annual General Meetings did not follow procedures, financial statements were not properly done, no inventory book to record purchases and expenditure incurred without the approval of the committee. All these alleged mismanagement had been reported to the Islamic Religious Council by post, dated 28.6.1999 and to the State Islamic Religious Department by post on 12.4.2000 but no immediate

action was taken by them. A police report No. 130/2001 had also been made prior to this allegation.

Based on the investigation, the Department had discussed the issues with the Mosque Official including the Nazir and the Imam. The Mosque Committee was advised and given proper guidelines in having an inventory book and proper preparation of financial statement. The Department will continue to monitor these weaknesses from time to time to ensure that it will not recur.

5.2.2. BPA. TH/E/2001.03/PA/5797

Problem of Teachers in KAFA School

A complainant was unhappy because the State Islamic Religious Department did not contribute to the Employees Provident Fund for the teachers in a KAFA Religious School. The teacher's allowances were paid once in every 3 or 4 months and they were not supplied with teaching aids and materials.

PCB was informed that the problems of EPF contribution arose when the EPF does not have the detailed information required from the teacher. However, action has been taken to ensure that EPF gets the proper and required information in order to record the contributions.

As for the teaching materials and aids, there was no allocation from JAKIM to supply these aids and materials.

5.3. The following are examples of unsubstantiated cases:-

5.3.1. BPA. CWS/J/A/8.01/PA/4(7105)

Not Satisfied With A Decision Of The Syariah Court

A complainant, who is a member of RELA in a FELDA Scheme, together with the Deputy Kadi, had caught a couple in a raid who were subsequently being charged in the Syariah Court under Section 27(1), 9(a) and (b), criminal offences Syariah Enactment 1997. After the hearing took place, the couple was freed. The complainant was not satisfied with the outcome because he and the other witnesses were not called to testify in the hearing.

Based on the investigation done by PCB along with the Head Judge of the Syariah Court, it was revealed that the arrest by the RELA personnel and the Deputy Kadi was not properly conducted under the law as they had no authority to do so and also there was no search warrant issued to make the arrest as the couple were inside a house. Even though the accused have admitted to the offence and understood the consequence of his admission, the Judge had the right not to accept his admission if the facts of the case was not conducted in accordance to the provisions of the law. In this case, the prosecution did not object to the decision made by the judge. As the Judge's final judgment was to discharge the accused, there was no necessity to call all the witnesses in the proceedings.

5.3.2. BPA. CWS/S13/D/5.01/PA/1

Building of Religious School Abandoned

A complainant alleged a religious school was planned to be build in 1996. Appeal and collection of funds for the building of this school was also carried out. The residents wanted to know about the progress of the school development.

The complaint was referred to the Director State Islamic Religious Department who had confirmed that the work for the building of the Primary Religious School will begin in September 2001 at a cost of RM560,000.00 and is scheduled to be complete in March 2002. The Department also explained that the delay was due to insufficient funds. The school board, especially the Development Committee, had worked hard to raise sufficient funds from various agencies in order to implement the project within the schedule.

6. WATER WORKS AUTHORITY

- 6.1. Compared to the years 2001 and 2000, complaints against the Water Works Authority has been reduced by 10 cases. In 2001, a total of 48 cases were received, 40 cases were resolved and 33 cases were found to have a basis.
- 6.2. The following are examples of substantiated cases:-

6.2.1. BPA/TH/L1/E/3.01/BA/1(6452)

Complaint About Broken Pipe In Kampung Hj. Yusuf Which Is Still Not Repaired

A complainant was not satisfied with the Water Works Department which had failed to take action to repair some broken pipes in Kampung Haji Yusuf. Complaints have been made but no action was taken and this problem had been going on for some time.

The State Water Works Department have taken action to repair the broken pipe as reported. The pipes in the kampung always broke constantly because it was made from asbestos cement.

6.2.2. BPA WT.F/01/BA/2

Problem of Interrupted Water Supply in a Land Scheme

The residents in a FELDA Land Scheme complained that they constantly faced interrupted water supply. This situation had worsened during the fasting month and Hari Raya.

Investigation had revealed that the interrupted water supply only occurred in certain areas. About 18 houses which were located on the hill were affected because of low water pressure. The low pressure was caused by the excessive usage of water in the District of Temerloh while the reservoir was not sufficient in meeting this excessive requirement. The authority had collected additional funds to overcome the problem by improving the water pressure and to build a new reservoir.

6.2.3. BPA/E/2001.01/BA/5056

Complaints Against Water Supply

The residents of Taman Woon in Tampin were dissatisfied with the amount of water supplied to their area. For 20 years, the water supply were interrupted during the day and only resumed late at night. This had caused inconveniences to the residents who were forced to stay up late at night just to save some water. Sometimes the water supply at night was also disrupted, which caused the people to sacrifice their sleep, and affected their performance at work the next day. This situation had worsened during festive seasons like Hari Raya, Christmas and Chinese New Year because the water supply can be disrupted for a few days in a row. The residents had made frequent complaints to the Department but the problem remained the same while the department reception had worsened. The complaints have also been addressed to the State

Office but no remedial action was taken. Therefore, the residents hoped that the Water Works Department could take positive steps to resolve their problem.

The State Water Works Department had informed that they have installed new pipes, scoured the reticulation of pipes and cleaned up the water tanks in Taman Woon. With the new improvements completed by January 2001, the problem with water pressure and discolouration has been solved. The complainant was informed of the remedial steps taken.

6.3. The following are examples of unsubstantiated cases:-

6.3.1. BPA. WT.F/08.01/BA/3 (7135)

Claim of Compensation for Eye Injuries While On Duty

The complainant works as a operator in a District Water Works Department. While on duty his eyes were accidentally splashed with a chemical solution (anti rust oil) resulting in permanent damage to his right eye. While in hospital, he was given the wrong medicine resulting in his health becoming worse. For all he had endured and suffered, he was not given any form of compensation.

The Director of the State Water Works Department in a letter, which dated 19.11.2001, had explained that the complainant did not fulfill the conditions as required in Treasury Circular No. 13/1994, Compensation Payment Scheme (ex-gratia).

6.3.2. BPA/U/G/2001-09/BA/4(7492)

Connection of Pipe to Neighbours' House Through the Water Supply Pipe at Mr. Supramaniam a/l Narayanasamy's Premise

A State Water Works Board was alleged to have mistakenly connected water supply to the complainant's neighbour (Godown 2A) without the complainant's permission (Godown 1). The complainant alleged that the connection caused him to spent RM4,000.00 to reconnect his pipes.

An investigation done by PCB showed that the Water Works Board had the right to connect to the nearest main supply link.

This is because all the pipes and connecting pipes are owned by the Board and the complainant had agreed to all these conditions while signing Form EF 44.83 when applying for water supply.

6.3.3. BPA. WT F/01.01/BA/1(5050)

Broken Pipe at Lorong DJ, Taman Desa Jaya, Pusat Bandar Jenka

A complainant alleged that on 8.12.2000 and 13.12.2000, he had made a complaint regarding a main pipe at Lorong DJ 12, Taman Desa Jaya which was broken resulting in disruption of water supply. However, the Water Works Department had failed to resolve the problem quickly.

The District Engineer of Maran Water Works Department in a letter dated 29.1.2001 had explained that according to the Provision of the Water Supply Act, Pahang 1980, Work Section Provision 307(1), the cost of repairs of connecting pipes is solely the responsibility of the consumer. Investigation by the Water Works Department showed that there was no main pipe that was broken along the lane where the complainant stays was alleged by him.

CHAPTER 5



PERFORMANCE REPORT ON THE REGIONAL OFFICES OF THE PUBLIC COMPLAINTS BUREAU

1. INTRODUCTION

The PCB has four regional offices, namely the Central Regional Office in Kuala Lumpur, the Eastern Regional Office in Kuala Terengganu, the Northern Regional Office in Pulau Pinang and the Southern Regional Office in Johor Bharu. Each Regional office has a Director, one Assistant Director, 2 Investigation Officers and 4 supporting staff.

2. CASES HANDLED BY THE REGIONAL OFFICES

2.1 Total Number of Complaints

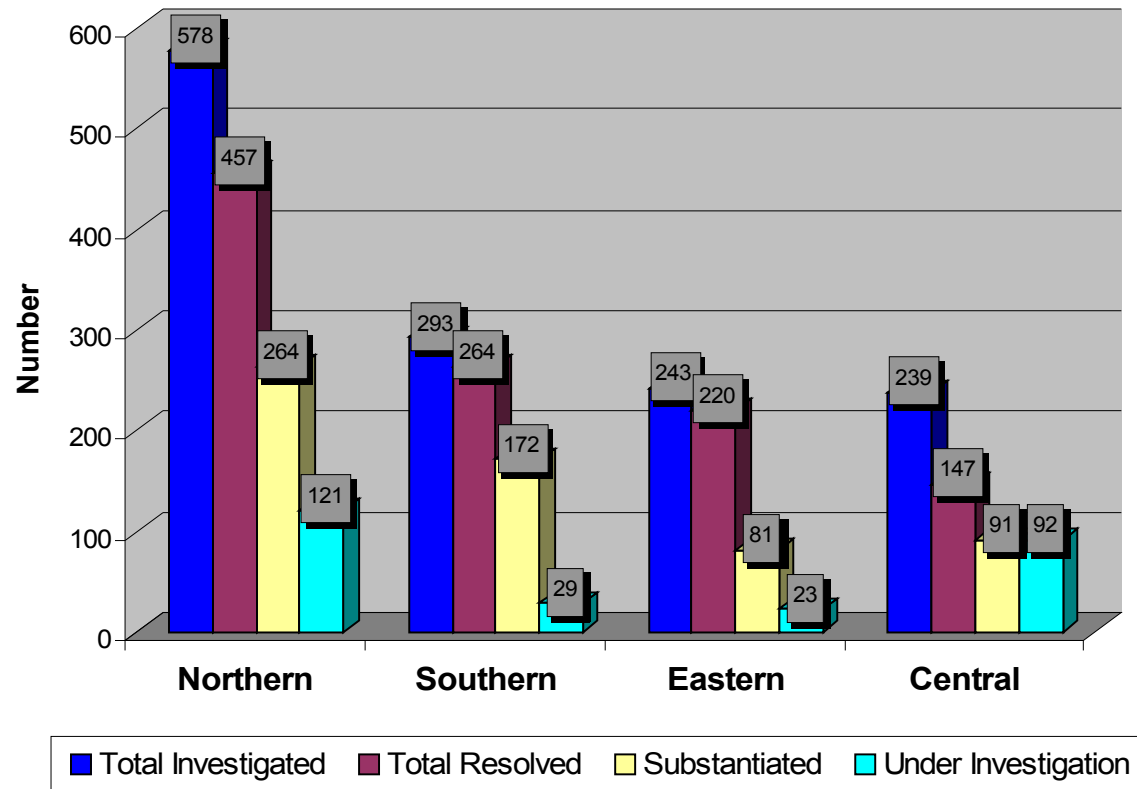
In the year 2001, the PCB Regional Offices received a total of 1,420 complaints. Of this total, 1,353 complaints were investigated and 1,088 of that or 80.4% were resolved. The total number of complaints investigated and resolved are shown in **Table 1**.

Table 1

Complaints Received by the Regional Offices 2001

Regional Offices	Total Investig ated	Total resolve d	Substantiated	Under Invest igatio n
Northern	578	457	264	121
Southern	293	264	172	29
Eastern	243	220	81	23
Central	239	147	91	92
Total	1,353	1,088	608	265

Complaints Received by the Regional Offices 2001



2.2. The following are examples of substantiated complaints:-

2.2.1. BPA/TH/E/9.01/PBT/8(7958)

Coastal Erosion at Tanjung Tuan Port Dickson

A complainant claimed that he had made a complaint regarding coastal erosion of the beach at Tanjung Tuan, Port Dickson. The erosion was due to the construction of a resort center nearby. He was disappointed as he did not get any response from the authorities regarding his complaint.

An investigation was carried out and it was found that a resort hotel was being constructed in the beach zone which had a high risk of erosion. The beach was in the beach zone category 1 (very critical) in relation to erosion problems. The Drainage and Irrigation Department (DID), Port Dickson with the cooperation of DID Malaysia and the Ministry of Culture, Arts and Tourism will launch a project under the Port Dickson Beach Rehabilitation Programme, where phase 1 will include the beaches from Mile 2 until Mile 5 (including the resort hotel). Initial works (survey and investigation) is in progress and will continue in the year 2002 and the whole programme will be completed in the year 2004.

2.2.2. BPA/TH/L8/10/5.01/LHDN(6636)

Claim of Overdeduction of Income Tax for the Year 2000

A complainant claimed that he had applied to get a refund of an overdeduction of income tax amounting to RM706.93 because he had at the moment stopped working. He had contacted the officers at the Internal Revenue Board (IRB) many times but no action was taken. He was disappointed that he still had not received any payment.

PCB forwarded the complaint to IRB. As a result, the IRB processed the application and approved payment on 12.9.2001. On 10.10.2001, a cheque No.462155 amounting to RM706.93 was made out to the complainant.

2.2.3. BPA/TH/2001.10/PBT/7774

Complaint Against Day Market in Front of Houses in Taman Kosas, Ampang

A number of residents in the Taman Kosas housing area were not happy with the Day Market that was set up in that housing area. The market had resulted in foul smell and rubbish. A

complaint was sent to the Local Authority concerned but no action was taken.

Investigation revealed that the Local Authority had received an application for Temporary Hawkers Licenses to have a Day Market in Tamna Kosas on 21.7.2000. Seeing that there were many complaints against this from the local residents the authority had rejected the application for the licenses. The Local Authority would continue its enforcement and take action against any hawkers who violate this decision and will monitor the situation.

2.2.4. BPA/U/2/2001-10/MAH/3 (8073)

Delay in Giving Judgement In a Court Case

A complainant was not satisfied with the status of his case which he had filed in a Court in the year 1998 and there was still no judgement. His case was heard in court and a date for judgement was given as 6.7.2001 but was later postponed 6 times.

On 12.11.2001 the complainant informed the PCB that his case was heard on 9.11.2001 where judgement was delivered and thus his case was resolved.

2.2.5. BPA/U/26/2001-05/STM/3 (6435)

Objection to Charges on Calls Not Made

Telekom Malaysia was accused of charging for 26 calls made between the months of December 2000 and February 2001 amounting to RM33.88 to a fax machine which was not known to the complainant. A complaint was made to Telekom Malaysia but a reply stating that the charges made were according to procedures and Telekom Malaysia did not find any technical mistakes in the charges.

Investigation by PCB revealed that the number called was a fax machine and when Telekom Malaysia was informed of this, they corrected the bill and credited the extra charges into the complainant's next bill.

2.2.6. BPA/U/26/2001-08/STM/8 (7139)

Compensation for Damaged Car Due to Uncovered Manhole

On 28.6.2001 while the complainant was passing by a road in Bukit Mertajam the tyre of the car he was driving went into a manhole which was not covered after the day's work. The complainant who was driving at night did not realise the condition of the road as there was no warning sign at that spot. As a result of this, the complainant had incurred a cost of RM478.00 to repair the damage. A claim was made to Telekom Malaysia but was not entertained.

When PCB forwarded the complaint, Telekom Malaysia called the complainant and agreed to pay a compensation of RM478.00.

2.2.7. BPA/U/G/2001-08/PBT/63 (7288)

Mini Market Business in a Residential Premise

A Town Council was found to have not taken action against the owner of a premise who had changed his residence to a business by operating a mini market. The business was also conducted without a business license and was obstructing other businesses which were operating legally. A complaint was made on 2 August 2001.

After the complaint was made to the Town Council on 15.8.2001, the Town council issued a compound No. 8374 on 8.9.2001 and an investigation by the Town Council on 2.10.2001 showed that the business has stopped.

2.2.8. BPA/U/L13/22/2001-08/LPKP/1 (7035)

No Replies To Application for Taxi Permit Since 1997

The Commercial Vehicle Licensing Board (CVLB) of a State was accused of not giving a reply regarding an application for a taxi permit since 26.1.1991. An acknowledgement letter was given but the status of the application was not informed. The complainant was at the moment earning a living by driving a

friend's taxi with an approval letter from CVLB dated 2.8.1991.

PCB investigated the case and as a result of the investigation, CVLB approved the taxi application/car rental to the complainant on 23.10.2001.

2.2.9. BPA/U/B/2001-10/PBT/18 (7939)

Business Activity in Housing Area

A complainant was dissatisfied with the Town Council for not taking action against a fire extinguisher repair business in a housing area. This business caused waste matter from the extinguisher to be blown by the wind to nearby areas and thrown in the drains. This resulted in foul smell and was hazardous to the health of the residents of the area.

PCB referred the case to the Town Council and as a result of the investigation, found that the premise was being used as a store to keep the fire extinguishers. A compound notice under Section 108, Local Government Act 1976 (Act 671) was issued and a compound of RM150.00 was imposed. The council also advised the owner of the premise to stop carrying out business in that area.

2.2.10. BPA.CWS/J/10/8.01/KWSP/3 (6970)

Warrant for Savings Withdrawal Issued In spite of Application Being Rejected

A complainant informed that his application for savings withdrawal for the purpose of purchasing a house was rejected by a Statutory Body on 24.9.1998. However, the annual statement showed that a warrant of RM12,033.50 was issued from the complainant's account. The complainant informed the Statutory Body regarding the mistake and applied for the amount to be credited into his account including the dividend but no action was taken.

Investigation was done and the Statutory Body credited the sum of RM13,337.16 (inclusive of dividend) into the complainant's account.

2.2.11. BPA.CWS/J/13/9.01/JPN/3 (7444)

No Feedback on Inquiry Letter

A part time student was working in a Private College for 12 months and had not received his teaching allowance for 7 months although he had contacted the higher executive officer of the college. He wanted to bring his case to the Labour Department and he applied to the State Education Department to confirm the status of the college. The complainant alleged that the State Education Department did not give him any cooperation.

The State Education Department informed that upon investigation it was found that the private college that the complainant was working in was actually an institute of higher learning which was not registered with the Ministry of Education or the State Education Department. As a result of this it was found that the complainant and the college were contravening the Private Institutes of Higher Education Act 1996 (Act 555) Section 81(1) c and 81(1) e under which if found guilty, could be fined a maximum of RM10,000.00 and jailed not longer than one month. This information was given to the complainant.

2.2.12. BPA/CWS/J/17/12.01/JPJ/1 (8394)

Complaint Regarding Vehicle Registration Tender Number

A complainant tendered for a vehicle registration number at the Road Transport Department (RTD) at an offer price of RM210.00 on 28.9.2001 and was informed that he was successful on 28.9.2001. On 13.12.2001, when he went to register the number, it was found that the number had been registered under another person's vehicle. RTD informed that the number was given to someone else because the time for the registration of his vehicle had expired. The complainant was dissatisfied because the time period stated at the back of the offer form had clearly stated that the validity period for registration was 3 months.

RTD admitted to their mistake in registering another vehicle. To resolve the problem RTD offered the complainant a different number or refund of his tender money. Since the

complainant had registered his vehicle with another number he received a refund of RM210.00.

2.2.13. BPA.CWS/S18/A/8.01/YPJ/1 (7094)

Application for Partial Refund of Registration/Tuition Fees for 1998

A complainant informed that his child was doing a Course in Diploma in Science Education (Islamic Studies) in a College for the session of July 1998. However, his child stopped studies on 30.9.1998 because he was offered a Matriculation Course in one of the Institutes of Higher Education in Kuala Lumpur on 1.10.1998. On 31.3.1999, the complainant had applied to the College for a partial refund of the Tuition Fees for 1998 amounting to RM1,280.00, but he did not receive any reply.

PCB referred the case to the college and was informed that the request for partial refund of the fees that had been paid was rejected on the following basis:-

- (i) Fees paid included registration fees, tuition fees and hostel fees. The registration fees is considered non-refundable, and the rest of the fees had involved costs for the period of two months that his child was in the college.
- (ii) Financial policy set by the Company (Education College) with regards to refund of registration/tuition fees should be done within one month from the date of registration.

2.2.14. BPA WT 07/04.01/KEMAS/1

Delay in Receiving Compensation for Injury Incurred During Working Hours

In November 1994, a complainant had an accident while on official duty. He was working on a year to year contract. According to the Labour Act 1955, he was eligible to receive a worker's compensation. The Labour Department had decided that he was eligible for the sum of RM5,760.00. However, until

the year 2000 the complainant had not received any compensation.

Investigation revealed that the delay was due to the failure of the officer to understand the department's financial procedure. After the weakness in the administration was corrected, the complainant was then paid his compensation in November 2001.

2.2.15. BPA WT 09/02.01/PU/1

Delay in Receiving Medical Report of a Road Accident Victim

A lawyer acting on behalf of his client felt dissatisfied because he had applied for a medical report for a road accident and had contacted the Hospital many times to obtain it. The application was made in the year 1994.

Investigation showed that the patient's notes had been destroyed according to the National Archives Regulations because it was more than 8 – 9 years. To overcome this problem the lawyer and the hospital authority agreed to re-examine the patient.

2.2.16. BPA WT C/10.01/PBT/6(2)

Disturbance from a Factory Making Mentol Bulbs

Village residents staying close to a factory manufacturing mentol bulbs were dissatisfied over the failure of the Local Authority in overcoming the problem of disturbance from the factory. Among the problems disturbing the residents were the foul smell from the chemicals used by the factory, glass dust that caused their eyes to smart and the noise pollution. The distance of the houses from the factory was only 12 feet.

Investigation revealed that the Department of Environment had suggested to the Local Authority and the Land Office to take action by moving the factory to another area further from the residential area.

2.2.17. BPA WT F/05.01/PBT/6

Foul Smell of Frozen Rubber

Residents living in an area in the District of Jerantut were dissatisfied with the way the Local Authority carried out their duties to get rid of the smell of rubber that was left to dry in the open near their premises. There was foul smell and a lot of flies. The residents had requested that the factory be moved to a place far away from their residence.

Investigation found that the complaint had been sent to the Local Authority many times. Action to cancel the license was not under the jurisdiction of the Local Authority but under the jurisdiction of the Malaysian Rubber Board, as of 29.12.2001. The Malaysian Rubber Board gave a six month warning notice to the owner of the premises. The new premises should be at least 2.4 km, away from residential areas. This was in line with the regulations of the Local Authority.

2.3. The following are examples of unsubstantiated cases:-

2.3.1. BPA/TH/I/2001.10/PTG/7801

Complaint of Insufficient Compensation By The Land Office

A complainant alleged that the compensation paid by the Land Office was insufficient as all his land was taken over by the government.

Investigation showed the claim by the complainant that all his land was taken by the government was not true. The government only took 0.1862 hectare (1,862 square meter). The value of the land that was taken was RM32.00 per square meter and the total sum of compensation was RM59,584.00.

2.3.2. BPA/TH/13/12.00/JPN/4 (5511)

Delay in Approval of Loan Under the Higher Education National Fund

A complainant was dissatisfied with the delay in approval by the Loan Division of the National Higher Education Fund Authority, even though the application and agreement had been completed. The complainant had also personally gone to see the officer in charge in that Division but still did not receive his money.

Investigation in the National Higher Education Fund Authority found that the complainant had changed courses from Diploma level to Degree. This meant that the application/agreement letter which had been for the previous course was not valid. As such, if the complainant was still interested in a loan, he would have to make a fresh application.

2.3.3. BPA.CWS/J/7/12.01/RISDA/1 (8321)

Oil Palm Replanting Assistance

A complainant had applied for replanting assistance from the Federal Statutory Body. He was dissatisfied with the unjust action of the Statutory Body because they did not pay him the first and second installments of his assistance and furthermore fined him for the sum of RM718.90 because he had purchased the seeds from an outside supplier who was, according to the complainant, supplying high quality seeds at a reasonable price and was recognised by the government.

Investigation with the Statutory Body revealed that the application of the complainant to participate in the oil palm replanting was received on 30.8.2000 and a temporary approval was issued on 14.7.2001. A visit to inspect the plantation to assess the first assistance was carried out on 02.08.2001 and it was found that the oil palm was about eight months old. As such, according to the existing regulations, the complainant was only eligible for the payment of the third installment. Besides that, the complainant was also charged a fine for using seeds from an outside source without permission.

2.3.4. BPA.CWS/J/18/8.01/BP/1 (7186)

No Feedback On Complaint About Discrepancy In the Sales and Purchase Act 1967

A complainant claimed to have made a written complaint regarding discrepancy in the Sales and Purchase Act 1967 to the Controller of Sales and Purchase, Ministry of Domestic Trade and Consumer Affairs on 27.03.2001. However, until 02.08.2001, there was no action on the complaint.

The Enforcement Division of the Ministry of Domestic Trade and Consumers Affairs, informed that the letter from the complainant to the Controller of Sales and Purchase was not received because it was sent to the wrong address. As such, the Enforcement Division could not give a written reply to the complainant. However, on 21.09.201, a letter was sent by the Enforcement division to the complainant to inform him that the complaint was a civil matter and the discrepancy that was brought up could result in the agreement being null and void but it was not a criminal offence.

2.3.5. BPA WT 07/10.01/PLB/1

Programme Wang Ehsan Under the Programme To Build Homes for the Poor

According to the complainant he had applied to renovate his house, which was in a bad condition, under the Programme Wang Ehsan. However, his application was not considered.

Investigation revealed that his application was rejected because his house was still in a good condition and priority was given to applicants whose houses were in really bad condition.

2.3.6. BPA WT 09/03.01/PU/2

Negligence of Doctor at a Maternity Unit of a District Hospital

According to a complainant, on 14.2.2001 she had delivered a pair of twins normally and then by operation. However, the

baby which was delivered by operation had breathing problem. The complainant was not happy with the doctor because she had requested for a caesarean operation from the beginning as it was her first delivery.

The Hospital Authority carried out an investigation by forming an Independent Investigation Committee. The result of the investigation was made known to the complainant. The hospital confirmed that there was no negligence by the doctor.

2.3.7. BPA WT 16/05.01/IPK/2

Pension Claim by Widow of TUDM Pensioner 701804 PWI

A complainant is a widow of an ex-serviceman with the rank of PWI. On 11.12.1999 the pensioner passed away leaving behind 2 children and a widow. According to the complainant, after the death of her husband, the Pension Division of the Public Services Department had stopped the payment of pension of her late husband. No explanation was given as to the reason why the pension was stopped.

Investigation revealed that the complainant had married the late pensioner on 18.9.1991 that is, after he had retired from the Armed Forces. As such the complainant was only eligible for derivative pension for the period of 12 ½ years from the date of retirement of the deceased. This regulation is in line with Regulation 45(2) and (3) Armed Forces Pension, Gratuity and Other Benefits Regulations (1982).

2.3.8. BPA WT 24/09.01/JAS/2

Toxic Waste Pollution in Pengkalan Chepa, Kota Bharu

The Department of Environment did not take action on factories that were disposing toxic waste into drains indiscriminately.

Investigation revealed that the department was constantly monitoring the activities of the factories that have been identified. Notice under Section 31, of the Environment Quality Act 1974 was enforced. The factory owners, as a temporary measure, have built a system to control effluence and recycle waste water from the premises.

3. Activities of Regional Offices

3.1. Mobile Complaints Counter

Throughout the year 2001, the regional offices of PCB had successfully carried out 62 day stations under the Mobile Complaints Counter Programme. The main targets of this programme are small towns and rural areas. A total of 900 people visited PCB's Mobile Complaints Counters during this period. Of this total number, 282 cases needed further investigation whereas the rest were mostly on advice regarding various aspects of government functions and responsibility. The total number of complainants and complaints received during the Mobile Complaints Counter Programme is as shown in Appendix 1.

3.2. Publicity

A number of activities were carried out to increase the awareness of the public regarding the existence and the role of PCB. Among the programmes carried out were distribution of the Annual Report, information dissemination by radio and newspapers, distribution of PCB pamphlets regarding the role and functions of PCB and also having discussions with Government Departments and Agencies.

3.3. Briefing to Federation of Malaysian Manufacturers (FMM)

PCB's Southern Regional Office was invited to give a briefing regarding the functions and organisational structure of PCB and the manner of handling public complaints in a seminar to be hosted by the FMM on 9.10.2001. This briefing is a recognition to PCB and an opportunity to explain and inform the members of FMM regarding the role of PCB in improving the quality of service provided by all government departments and agencies.

4. Conclusion

The role and function of PCB is increasing and becoming more important as a result of the confidence and trust given by the Government. The introduction of a number of new programmes require them to be handled with complete dedication and responsibility. Towards this end, the PCB regional offices are always ready to cooperate, and to carry out their role and function that has been entrusted towards improving the image and capabilities of PCB as a whole.

**Number of Complainants and Complaints Received Through
The Circuit Program Of PCB's Northern Regional Office**

No.	Date	Station	No. of Complainants	No. Of Complaints
1.	01.02.2001	Sungai Bakap, Pulau Pinang	7	3
2.	20.02.2001	Abi, Kedah	8	5
3.	21.03.2001	Kamunting, Perak	40	31
4.	10.04.2001	Tanjung Rambutan, Perak	16	10
5.	17.04.2001	Kuala Perlis, Perlis	7	1
6.	09.05.2001	Sik, Kedah	15	8
7.	22.05.2001	Penaga, Pulau Pinang	5	1
8.	29.05.2001	Pulau Langkawi, Kedah	12	4
9.	12.06.2001	Manjung, Perak	4	3
10.	26.06.2001	Tanjung Malim, Perak	5	3
11.	05.07.2001	Padang Besar, Perlis	4	1
12.	18.07.2001	Batu Gajah, Perak	3	2
13.	02.07.2001	Kuala Nerang, Kedah	18	18
14.	23.07.2001	Pauh, Perlis	3	1
15.	06.08.2001	Tapah, Perak	12	9
16.	20.08.2001	Sungkai, Perak	12	6
17.	18.09.2001	Changloon, Kedah	1	0
18.	25.09.2001	Pengkalan Hulu, Perak	4	3
19.	03.10.2001	Pulau Pangkor, Perak	2	2
20.	16.10.2001	Sungai Petani, Kedah	4	3
		<u>TOTAL</u>	183	111

Number of Complainants and Complaints Received Through

The Circuit Program Of PCB's Southern Regional Office

No.	Date	Station	No. of Complainants	No. Of Complaints
1.	16.01.2001	Kluang, Johor	7	3
2.	17.01.2001	Simpang Renggam, Johor	3	1
3.	23.01.2001	Jaya Jusco, Melaka	3	0
4.	05.02.2001	Pontian, Johor	5	1
5.	19.02.2001	Kesang, Johor	7	2
6.	20.02.2001	Muar, Johor	10	5
7.	19.03.2001	Felda Air Tawar 2, Johor	12	4
8.	27.03.2001	Kota Tinggi, Johor	5	1
9.	28.03.2001	Sg. Rengit, Pengerang	28	3
10.	11.04.2001	Parit Raja Johor	7	6
11.	12.04.2001	Batu Pahat, Johor	5	2
12.	19.04.2001	Segamat, Johor	3	2
13.	24.05.2001	Durian Tunggal, Melaka	9	12
14.	20.06.2001	Tangkak, Johor	1	0
15.	25.06.2001	Pasir Gudang, Johor	14	3
16.	13.07.2001	Mersing, Johor	7	2
17.	19.07.2001	Rengit, Batu Pahat, Johor	2	0
18.	15.08.2001	Semerah, Johor	10	4
19.	22.08.2001	Merlimau, Melaka	4	2
20.	05.09.2001	Buluh Kasap, Johor	5	3
		TOTAL	147	56

Number of Complainants and Complaints Received Through

The Circuit Program Of PCB's Central Regional Office

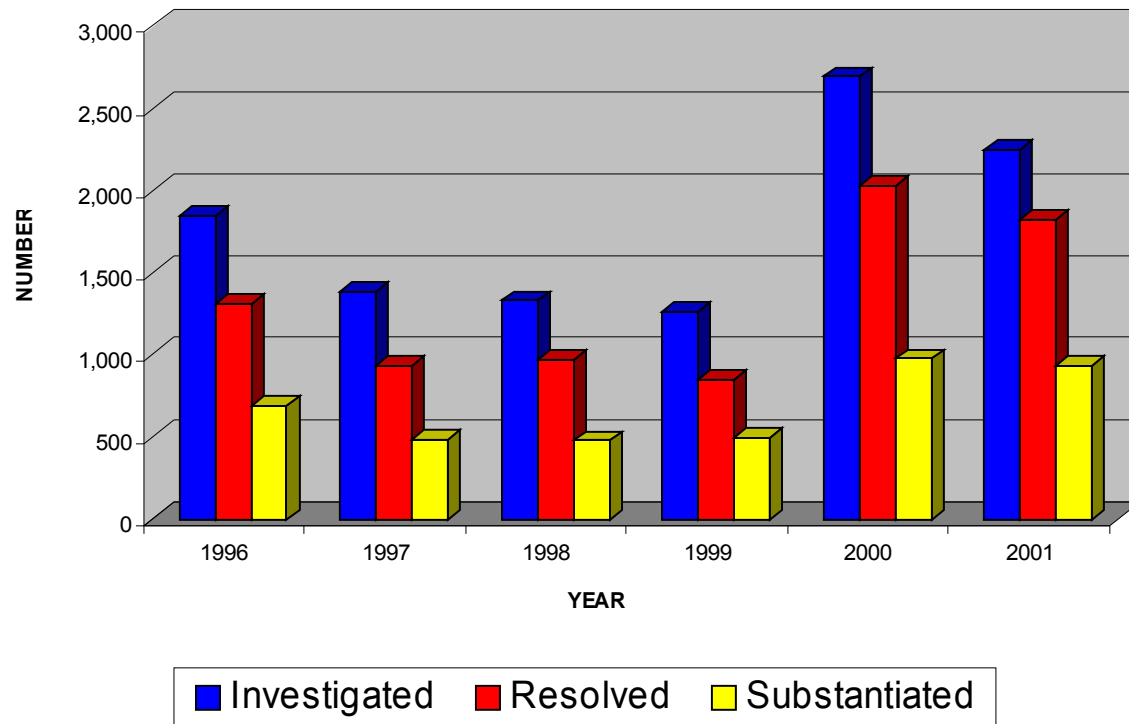
No.	Date	Station	No. of Complainants	No. Of Complaints
1.	28.02.2001	Port Dickson, Negeri Sembilan	7	7
2.	21.03.2001	Karak, Pahang	19	13
3.	22.03.2001	Simpang Durian, Negeri Sembilan	14	12
4.	17.04.2001	Seri Menanti, Negeri Sembilan	7	15
5.	20.04.2001	Kemayan, Pahang	8	4
6.	11.05.2001	Kuala Lipis, Pahang	26	22
7.	24.05.2001	Temerloh, Pahang	6	3
8.	26.06.2001	Kuala Pilah, Negeri Sembilan	8	5
9.	30.06.2001	Cameron Highlands, Pahang	7	4
10.	07.08.2001	Triang, Pahang	10	12
11.	20.09.2001	Raub, Pahang	3	0
12.	08.11.2001	Sepang, Selangor	5	0
		TOTAL	120	97

Number of Complainants and Complaints Received Through

The Circuit Program Of PCB's Eastern Regional Office

No.	Date	Station	No. of Complainants	No. Of Complaints
1.	31.01.2001	Ajil, Hulu Terengganu	15	0
2.	23.02.2001	Temerloh, Pahang	20	0
3.	10.04.2001	Kuala Terengganu (PCB's Briefing)	60	0
4.	03.05.2001	Pekan, Pahang	20	5
5.	15.05.2001	Kota Bharu, Kelantan	15	0
6.	24.05.2001	Marang, Terengganu	20	0
7.	14.06.2001	Dungun, Terengganu (PCB's Briefing) at Bahagian Pesaka	200	0
8.	20.06.2001	Jeli, Kelantan (PCB's Briefing)	45	2
9.	08.10.2001	Dungun, Terengganu (PCB's Briefing)	30	2
10.	10.10.2001	Pasir Puteh, Kelantan (PCB's Briefing)	25	0
		TOTAL	450	9

**CHART OF INVESTIGATION AND RESOLVEMENT OF COMPLAINTS AGAINST
MINISTRY/FEDERAL DEPARTMENT AND STATE GOVERNMENT IN YEAR 1996 - 2001**



**LIST OF OFFICERS AND STAFF
PUBLIC COMPLAINTS BUREAU**

HEADQUARTER

Director-General	:	Y.Bhg. Dato' Wan Abdul Wahab bin Abdullah
Deputy Director-General (I)	:	Encik Yip Seong Chee (Retired as at 21.6.2001)
		Tuan Haji Khalid bin Hj Ibrahim (w.e.f. 21.6.2001)
Deputy Director-General (II)	:	Y. Bhg. Dato' Haji Nahwari b. Hj Hashim
Director of Administration	:	Puan Leela Ramadas
Senior Assistant Directors	:	Encik Md. Nasir bin Ecsoff
	:	Cik Lim Ah Tin (Transfer to Headquarters w.e.f. 1.12.2001)
	:	Encik Md. Din bin Jusoh (w.e.f. 16.11.2001)
	:	Encik Ibrahim bin Abdullah (w.e.f. 1.12.2001)
	:	Puan Rogayah bt. Kadari (w.e.f. 1.12.2001)
	:	Puan Rokiah bt. A. Rahaman (w.e.f. 1.12.2001)
Assistant Directors	:	Puan Ruziati bt. Mior Ahmad Ariffin

	:	Encik Nik Idris bin Wan Hamat (Passaway on 21.9.2001)
	:	Encik Khasnol Atoiddin bin Sulimin
	:	Encik Ridzuan bin Kamis
	:	Encik Che Razali bin Che Senik (w.e.f. 5.7.2001)
	:	Encik Muhammad Huzaifah bin Redzuan (w.e.f. 6.8.2001)
	:	Cik Nor Azlina bt. Yacob (w.e.f. 6.8.2001)
	:	Puan Che Norliza bt. Hj. Yahaya
System Analyst	:	Encik Johari bin Hashim (w.e.f. 1.12.2001)
Legal Officer	:	(vacant)
Assistant Accountant	:	Encik Wong Choh Kai
Senior Clerical Officer	:	Puan Normah bt. Abd. Hamid
Clerical Officers	:	Puan Hajah Rahani bt. Rashid
	:	Puan Che Jam bt. Hussain
	:	Puan Laili bt. Ismail
	:	Puan Letipah Yaacob
	:	Encik Azzaman bin Mokhtar
	:	Puan Seti Aminah bt. Jaikon
	:	Puan Normala bt. Mohd. Said
	:	Puan Siti Khaira bt. Ismail
	:	Encik Hassan Ab. Jalil

Senior Administrative Assistant (Secretary)	:	Puan Hajah Puziah bt. Saad
Administrative Assistants (Secretary)	:	Puan Azizah bt. Atan
	:	Puan Halijah Bt. Ramli
Translator (Chinese)	:	Puan Lim Chew Hong (Retired w.e.f. October 2001)
Typists	:	Puan Haslina bt. Mokhtar @ Ahmad
	:	Puan Noor Azizah bt. Mohd. Haitami (w.e.f. 19.6.2001)
	:	Cik Faezahnurazlin bt. Rubani (w.e.f. 16.6.2001 and transferred w.e.f. 31.10.2001)
Telephone Operator	:	Puan Roziah bt. Sulaiman
Drivers	:	Encik Rostam bin Omar
	:	Encik Khairi bin Nordin
General Assistants	:	Encik Mohd. Darus bin Abdullah
	:	Encik Mohd. Syahrizal bin Haji Ismail (w.e.f. 12.4.2001)

**REGIONAL OFFICES
PUBLIC COMPLAINTS BUREAU**

1. Central Region

Regional Director	:	Encik Baharudin bin Ahmad (w.e.f. 1.12.2001)
Assistant Directors	:	Encik Adnan bin Che Mud (Transferred w.e.f. 16.11.2001)
	:	Encik Ishak bin Mohd. Radzi (w.e.f. 1.9.2001)
Clerical Officer	:	Puan Latifah bt. Haji Bakar
Typist	:	Puan Khatijah bt. Shamsuddin
Driver	:	Vacant
General Assistant	:	Encik Fadzil bin Zakaria

2. Eastern Region

Regional Director	:	Encik Halim bin Ahmad
Assistant Director	;	Encik Muhamad bin Che Awang
Clerical Officer	:	Puan Nolida bt. Ramli
Typist	:	Cik Syarifah Sobah bt. Syed Alwi
Driver	:	Encik Salleh Zainal bin Awang
General Assistant	:	Encik Kamarudin Harun

3. Northern Region

Regional Director	:	Cik Lim Ah Tin (Transferred to Headquarters w.e.f. 1.12.2001)
	:	Encik Aziz bin Ismail (w.e.f. 1.12.2001)
Assistant Directors	:	Encik Wan Zulkifli bin Wan Hassan (w.e.f. 1.12.2001)
	:	Encik Hilmi bin Abdul Rahman
Clerical Officer	:	Encik Baharrudin bin Bahasim
Typist	:	Cik Hasniza bt. Mat (w.e.f. 19.6.2001)
Driver	:	Encik Shukri bin Osman
General Assistant	:	Encik Che Hashim bin Mahmood

4. SOUTHERN REGION

Regional Director	:	Encik Mohd. Jamalludin bin Kasbi (w.e.f. 1.12.2001)
Assistant Directors	:	Cik Azmah bt Azman (w.e.f. 1.5.2001)
	:	Cik Loh Lee Too
	:	Puan Zawiyah bt. Omar
Clerical Officer	:	Puan Salmah bt. Ahmad
Typist	:	Puan Mazni bt. Ahmad
Driver	:	Vacant
General Assistant	:	EncikMohamad Zainal Abidin bin Tuki

HOW TO FORWARD COMPLAINTS

Complaints against the civil service machinery may be forwarded by means of:

◆ Correspondence via letters

Complaints can be sent to the address as below:

Director-General,
Public Complaints Bureau,
Prime Minister's Department,
P.O. Box 9000,
Kuala Lumpur.

(all letters can be posted stamp free).

◆ Visit to PCB's Office

Complainants can come personally to the PCB's offices at:

◆ Public Complaints Bureau,	Tel	:	88887777
Headquarter,	Fax	:	88883748
Aras 6, Blok B1,	H/Page	:	www.bpa.jpm.my
Pusat Pentadbiran	e-mail	:	aduan@bpa.jpm.my
Kerajaan Persekutuan,			
62502, Putrajaya.			

◆ Public Complaints Bureau,	Tel	:	04-2636893
Northern Regional Office,	Fax	:	04-263-6894
Paras 44, Menara KOMTAR,			
Jalan Pinang,			
10000 Pulau Pinang.			

◆ Public Complaints Bureau,	Tel	:	07-2230900
Southern Regional Office,	Fax	:	07-2243557
Tingkat 21,			
Bangunan KOMTAR,			
Jalan Wong Ah Fook,			

80505 Johor Bharu.

- ◆ Public Complaints Bureau, Tel : 03-26911346
Central Regional Office, : 03-26910033
Lot 12.1 Tingkat 12, Fax : 03-26929107
Kompleks Pertama,
Jalan Tunku Abdul Rahman,
50505 Kuala Lumpur.

- ◆ Public Complaints Bureau, Tel : 09-6238135
Eastern Regional Office, : 09-6238134
Tingkat 1, Wisma Maju,
Jalan Sultan Ismail,
20200 Kuala Terengganu.