



ANNUAL REPORT 2005 PUBLIC COMPLAINTS BUREAU



**PUBLIC COMPLAINTS BUREAU
PRIME MINISTER'S DEPARTMENT**

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Foreword

MINISTER IN THE PRIME MINISTER'S DEPARTMENT

I am proud that the Public Complaints Bureau (PCB) has contributed meaningfully to the existence of an efficient and quality Public Service in line with the present Government's aspirations.

Through the publication of this Annual Report by PCB, all the Government agencies and departments can evaluate their own work performance for the whole year.

The annual report should be regarded as a feedback mechanism especially by the top management of Government agencies and departments to redress any existing weaknesses within their organizations.

Public complaints against Government agencies and departments should be given attention and actions to be taken immediately in line with the public and the leadership's aspiration to create a Public Service of distinction.

I hope that all of us will be able to make full use of the services provided by PCB to lodge complaints regarding our dissatisfaction against the administration of the Government agencies and departments.

A handwritten signature in black ink, appearing to read 'Bernard Giluk Dompok'.

(TAN SRI BERNARD GILUK DOMPOK)

Minister in the Prime Minister's Department



MESSAGE

THE CHIEF SECRETARY TO THE GOVERNMENT OF MALAYSIA

Various efforts have been implemented to upgrade the efficiency, transparency and the effectiveness of the public service delivery system in line with the aspiration and the demand of our Government's leadership and stakeholders. The efforts that have been carried out are to give the best services and output that meet the expectations and the needs of the people, to provide efficient and effective services to the private sector, to reduce the business operating costs and at the same time increase the country's competitiveness and to ensure the work procedures and system are well organized, coordinated and efficient in order to prevent any misappropriation, abuse of power and corruption.

Complaints and criticisms against the Public Service should be viewed positively and are among the challenges faced by civil servants. Repetitive complaints on delays in certain Government agencies in processing applications are still being received, other than the public's grouses about the unsatisfactory quality and bureaucratic service delivery in some Government agencies.

Even though it seems impossible to fulfil and satisfy all of our clients' needs, civil servants should always give the best service and treatment to clients dealing with them. The lackadaisical attitude and insensitivity towards the public's complaints have created a negative perception of the Public Service.

I am confident that the quality of the Public Service can be improved further if every member of the Public Service possesses the resolve and commitment in executing the responsibilities entrusted to them.

A handwritten signature in black ink, appearing to be 'S. Samsudin', written in a cursive style. The signature is positioned above a horizontal line that extends to the right.

(TAN SRI SAMSUDIN BIN OSMAN)

The Chief Secretary to the Government of Malaysia



PREFACE

DIRECTOR-GENERAL OF THE PUBLIC COMPLAINTS BUREAU

In 2005, the Public Complaints Bureau (PCB) has successfully resolved a total of 2,247 complaints out of 2,707 complaints received from the public. The success of PCB to resolve about 83% of all the total complaints lodged is due to the cooperation and the positive actions given by all the Government agencies and departments in addressing public complaints.

The commitment given by heads of department both at the Federal and State levels has shown that the Public Service is sensitive to the demands of the public for the best, effective and transparent service. The PCB's own initiative in organizing proactive programmes such as "Mesra Rakyat", Mobile Complaints Service Counter and monitoring of the Meet the Clients' Day are manifestation and aspiration of the Government to always give priority to efforts in enhancing the quality of the Public Service to the people.

In conclusion, I would like to express my gratitude to the Chairman and members of the Permanent Committee on Public Complaints (PCPC), the Secretary Generals of all Ministries, State Secretaries and all Heads of Agencies and Departments at the Federal and State levels for forging a good working relationship in ensuring the success of the various programmes carried out by PCB throughout 2005.

A handwritten signature in black ink, appearing to read 'Khalid Bin Haji Ibrahim', written in a cursive style.

**(DATO' HAJI KHALID BIN HAJI IBRAHIM)
DIRECTOR GENERAL
PUBLIC COMPLAINTS BUREAU**

OBJECTIVES

TO resolve complaints efficiently, fairly, and effectively as promised in the PCB Client's Charter;

TO improve the percentage of resolving complaints received from the public;

TO provide and improve the facilities for the public to lodge complaints;

TO reduce repetitive complaints received against the public services;

TO introduce new and innovative administrative processes based on complaints received;

To give advisory services to any agencies in order to improve the effectiveness of the public complaint management system;

TO detect issues that can lead to complaints made by the public;
and

TO obtain public opinion to ensure the success of the Government's development programmes.

QUALITY STATEMENT OF PUBLIC COMPLAINTS BUREAU

We are committed in delivering quality services and treatment and dedicated in resolving complaints to satisfy clients' needs in line with the existing Quality Management System.

We are also committed in continuously improving the Quality Management System and re-evaluating the set quality objectives to ensure their relevance with clients' needs.

VISION

To be the leading organisation, in the management and detection of public complaints as well as a source of feedback, towards the creation of an excellent Public Service.

MISSION

To serve the public in resolving complaints against the public sector as well as obtaining opinion from the public on the Government's policies and programmes towards enhancing the quality of the Public Service.

CLIENTS' CHARTER OF 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 send an acknowledgement letter within 7 working days from the date of receiving the complaints via correspondence.
- Initiate investigation with the agencies involved within 14 working days from the date of receiving the complaints by the Principal Assistant Director (Complaints) and the Regional Directors.
- Investigate every complaint fairly and justly.
- Inform the complainant of the progress of the case once in every two months, until the case is resolved.
- Inform the complainant of 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 NOTIFY THE DEPUTY DIRECTOR-GENERAL OR THE DIRECTOR-GENERAL OF PCB.

PCB
“READY TO SERVE”

MEMBERS OF THE PERMANANT COMMITTEE ON PUBLIC COMPLAINTS

CHAIRMAN



Y. Bhg. Tan Sri Samsudin bin Osman
Chief Secretary to the Government of Malaysia

COMMITTEE MEMBERS



**Y. Bhg. Tan Sri Jamaluddin bin Haji Ahmad
Damanhuri**
Director-General of the Public Services
Department
Public Services Department of Malaysia
(Retired as at 16.6.2005)



Y. Bhg. Datin Paduka Nazariah binti Mohd. Khalid
Director-General
Malaysian Administrative Modernisation and
Management Planning Unit (MAMPU)
(Retired as at 12.6.2005)



Y. Bhg. Dato' Haji Yacob bin Hussin
Director-General,
Malaysian Administrative Modernisation and
Management Planning Unit
(MAMPU)
(w.e.f. 12.6.2005)



Y. Bhg. Datuk Seri Zulkipli bin Mat Noor
Director-General
Anti-Corruption Agency



Y. Bhg. Dato' Haji Rahim bin Ma'in,
Senior Deputy Secretary-General
Prime Minister's Department
(Retired as at 1.8.2005)



Y. Bhg. Datuk Wira Haji Ahmad Rusli bin Joharie
Senior Deputy Secretary-General
Prime Minister's Department
(w.e.f. 1.8.2005)

SECRETARY



Y. Bhg. Dato' Haji Khalid bin Haji Ibrahim
Director-General
Public Complaints Bureau

INTRODUCTION

1. OBJECTIVE

This 2005 Annual Report is published in accordance with Paragraph 12, of the Development Public Administration 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 and trust of the public towards PCB in particular and the Government in general. This report can also be used as an invaluable input for the Government departments and agencies to identify their shortcomings to prevent any recurrence in the future and undertake improvement actions.

2. ROLES AND FUNCTIONS OF PUBLIC COMPLAINTS BUREAU (PCB)

- 2.1. The establishment of PCB was officially announced on 23.7.1971 with the initial objective of being a monitoring body to ensure an effective, efficient and fair administration. The main role of PCB then was to provide feedback to the Government. The initial functions of PCB were as follows:
 - 2.1.1. as a link between the Government and the public; and
 - 2.1.2. to provide an avenue for the public to air their grouses or problems when dealing with the Government for various services or complaints against certain Government administrative actions that were deemed unfair.
- 2.2. The functions and responsibilities of PCB were further enhanced in the Development 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 immediately in a more effective and efficient manner.
- 2.3. This Circular also explains the purpose and role to be taken by every Ministry / State Government / Federal Department / Federal Statutory Body / Local Authority in the management of public complaints.

2.4. PCB is a hub for public complaints and responsible for the implementation of the public complaints management system with functions and responsibilities as follows:

- to receive public complaints on dissatisfaction of the Government's administrative actions.
- to investigate public complaints which are deemed to have basis;
- to report and to recommend the outcome of investigations to the Permanent Committee on Public Complaints (PCPC) and the relevant Authority;
- to forward the decisions of PCPC to Ministries, Government Agencies and Local Authorities concerned for corrective measures and actions; and
- to detect and monitor the corrective measures taken by Ministries, Government Agencies and Local Authorities and submit feedback to the PCPC.

2.5. PCB has provided an effective and efficient public complaint management system, based on the following criteria:

- i. all complaints to be resolved efficiently, effectively, fairly and expeditiously;
- ii. complaints to be managed honestly, without prejudice and identity of the complainants to be kept confidential (unless authorized); and
- iii. corrective actions to be fair, objective and transparent.

3. HEADQUARTERS AND REGIONAL OFFICES OF PCB

3.1. The PCB headquarters is situated at Level 6, Block B1, and Level 1, Block B8 of the Federal Government Administrative Centre, Putrajaya.

3.2. PCB has four regional offices, that is the Northern Regional Office in Penang, the Central Regional Office in Kuala Lumpur, the Southern Regional Office in Johor Bahru, Johor and the Eastern Regional Office in Kuala Terengganu, Terengganu.

3.3. The addresses, telephone numbers and the facsimile numbers for the regional offices are as follows:

i. Public Complaints Bureau

Northern Regional Office

Level 44, KOMTAR Tower
Jalan Penang
10000 PENANG.

Telephone No. : 04-263 6893

Facsimile No. : 04-263 6894

ii. Public Complaints Bureau

Central Regional Office

Level 41, Lot 2, Menara TH Perdana
1001, Jalan Sultan Ismail
50250 KUALA LUMPUR.

Telephone No. : 03-2691 1346

Facsimile No. : 03-2692 9107

iii. Public Complaints Bureau

Southern Regional Office

21th Floor, KOMTAR Building
Jalan Wong Ah Fook
80505 Johor Bahru
JOHOR.

Telephone No. : 07-223 0900

Facsimile No. : 07-224 3557

iv. Public Complaints Bureau

Eastern Regional Office

2nd Floor, Wisma MAIDAM
Jalan Banggol
20100 Kuala Terengganu
TERENGGANU.

Telephone No. : 09-623 8135

Facsimile No. : 09-623 8134

3.4. The list of officers for the Headquarters and Regional Offices is as shown in **Appendix 1**.

4. CHANNELS TO FORWARD COMPLAINTS

4.1. Complaints against the Public Service can be lodged to PCB via the following channels:

i. **Mail**

Complaints can be written and forwarded to the Headquarters and the regional offices.

ii. **Walk-In**

Complainants can come personally to the PCB's Headquarters and the regional offices.

iii) **Website** : www.bpa.jpm.my

iv) **E-mail** : aduan@bpa.jpm.my

v) **Telephone** : 03-88887777

vi) **Facsimile** : 03-88883748

5. DEFINITION OF COMPLAINTS

5.1. Public Complaints

Public complaints are complaints made by the public on their dissatisfaction towards any Government's administrative action (inclusive those made by Government agencies that have been privatised or institutions that have a monopoly and also those that provide public amenities) that is considered as unjust, not in accordance with the existing laws and regulations, abuse of power, maladministration, and similar acts by the Government agencies. The public complaints include all aspects of Government administration including government agencies that have been privatised. Subject matters that are under the authority of the Anti-Corruption Agency (ACA), Legal Aid Bureau, Court's Proceedings, Special Cabinet Committee on The Integrity of Government Management and the Public Accounts Committee are not within PCB's purview.

5.2. Cases That Have Basis

5.2.1. Complaints considered to have basis:

- i. the results of the investigation verifies the authenticity of the complainant's allegation;
- ii. admission by the agency complained; and
- iii. affirmative information from other agencies against the agency complained.

5.3. Cases That Have No Basis:

5.3.1. Complaints considered to have no basis:

- i. the results of the investigation carried out differs from that of the complaints made;
- ii. the agency complained gave acceptable explanations and evidence to the PCB;
- iii. the agency complained has adhered to the correct procedure; and
- iv. the decision made complied with the Government Policy.

5.4. Categories Of Complaints:

5.4.1. Delays / No Action

- Non-fulfillment of the Clients' Charter;
- Failure to respond to complainants' application, queries / complaints.

5.4.2. Unfair Action

- Unfair treatment
- Decisions inconsistent with standard practices.
- Complainants' perceptions.

5.4.3. Lack of Public Amenities

- Basic amenities required by the public for example:
 - i. Police station, fire station, schools, places of worship, market and others
 - ii. Water supplies, rubbish bins, telephone services, electricity supplies, street lights, road humps, drains etc.

5.4.4. Inadequacies of Policy Implementation and Law

- Obsolete policies / laws.

- Incomplete and inaccurate laws / rules and regulations such as lacking of enforcement provision.

5.4.5. Abuse of Power / Misappropriation

- Involving the Head of Department or Authorised Officer in matters concerning tenders, land applications, permit approval, licensing, enforcement of laws based on favouritism.
- Complainants' perceptions

5.4.6. Misconduct Of Civil Servants / Officers

- Involving individuals
- Conduct/Discipline
- Negligence

5.4.7. Failure to Adhere to Set Procedures

- Non-compliance with the Work Procedure Manual (WPM) / work process / ISO MS 9000 Quality Manual that has been set out.

5.4.8. Failure of Enforcement

- Involving Government department / agencies in enforcing laws and having Enforcement Officers such as Local Authority (LA), Employees Provident Fund (EPF), Royal Malaysian Police (RMP).

5.4.9. Unsatisfactory Quality of Service

- Telephone and counter services.
- Non-maintenance.
- Discourteous when dealing with clients.
 - Low quality of service / maintenance or non-fulfilment of the standard requirements or prescribed schedule.
 - Unsatisfactory public transport.
 - Unclear / inadequate signages.

5.4.10. Miscellaneous Complaints

- Complaints that do not fall in the 9 categories mentioned.

PERFORMANCE OF PUBLIC COMPLAINTS BUREAU

- 6.1. In 2005, the PCB investigated a total of 2,707 complaints against both Federal and State agencies compared to 2,792 cases in 2004, a decrease of 85 cases or 3.04%.
- 6.2. Most of the complaints investigated are still received in the form of letters, that is 951 complaints or 35.13%, a decrease of 181 (19%) compared to that of 2004. Complaints received through the electronic means, namely e-mail and website are 423 complaints, an increase of 134 complaints or 46.37% compared to 2004. Complaints received through PCB Integrated Mobile Complaints Counter are 337 complaints. Complaints received from walk-ins at both the Headquarters and the regional offices are 291 complaints, a decrease of 122 complaints compared to the previous year. Details of complaints received are as shown in **Table I**.

Table I

Sources of Complaints Lodged 2005

Mode of Complaints	Total 2005	(%)	Total 2004	(%)
Letters	951	35.13	1,132	40.54
Website and e-mails	423	15.63	289	10.35
Integrated Mobile Complaints Counter				
Programmes	337	12.45	-	-
Walk-ins	291	10.75	413	14.79
Mobile Complaints Counters	271	10.01	311	11.14
MESRA Programmes	151	5.58	254	9.10
Telephone	137	5.02	120	4.30
Department Counters Complaints Forms	67	2.48	146	5.23
Facsimile	-	2.03	70	2.51
Meet the Clients Day Programmes	55	0.41	-	-
KSN's Office	11	0.30	4	0.14
Minister's Office	8	0.11	6	0.21
Prime Minister's Office	3	0.07	47	1.68
	2	0.07	-	-
TOTAL	2,707	100	2,792	100

- 6.3. From the total complaints investigated, PCB has successfully resolved 2,247 cases, which is 83% for 2005 compared to 2,252 or

80.83% complaints for 2004. PCB has fixed a standard “response time” of 3 months to resolve a complaint. A response time exceeding 3 months is considered as back-log cases involving difficult cases (4 months), complex (8 months), and open-ended (more than 8 months). **Table II** shows the rate of resolving complaints according to “response time”.

Table II
Rate of Resolving Complaints According to Response Time

Tahun	Jumlah Aduan Diselesaikan		3 Bulan		4 Bulan		8 Bulan		Lebih 8 Bulan	
2005	2,247	83.00%	1,280	56.96%	342	15.22%	499	22.21%	126	5.61%
Kumulatif Tahun 2005			1,280	56.96%	1,622	72.19%	2,121	94.39%	2,247	100%
2004	2,252	80.83%	1,281	56.88%	331	14.70%	516	22.91%	124	5.51%

6.4. Based on **Table II** above, PCB has successfully resolved 1,280 complaints in 3 months time or 56.96% as compared to 1,281 or 56.88% in 2004. Overall, 2,121 complaints were solved within 8 months for those received in 2005.

7. BACK-LOG CASES

7.1. A total of 540 back-log cases for the year 2004 were carried forward to 2005 and these comprised of those registered at the end of 2004 and categorised as difficult cases. Of this total, 452 cases were resolved by 31.12.2005.

8. CUSTOMER’S SATISFACTION INDEX STUDY (CSI)

8.1. The Customer’s Satisfaction Index Study was carried out in 2005. The respondents consist of 2,247 complainants who had their cases resolved. A total of 174 feedback forms were received and used in the analysis of this study. Comparatively, the level of customers’ satisfaction for 2005 has shown a continuing increase compared to that of 2004.

Table III

**Customers Satisfaction Level for
2005 and 2004**

Level	2005 (%)	2004 (%)	Difference in Percentage (%)
Excellent	32.47	28.2	4.27
Good	46.55	47.2	- 0.65
Average	13.16	17.5	- 4.34
Low	7.82	7.1	0.72

8.2. Based on **Table III**, the “Excellent” level for 2005 is 32.47% as compared to 28.2% only for 2004. This shows a significant increase of 4.27%. The combination of “Excellent and Good” levels for 2005 (79.02%) is better than 2004 (75.4%). This increase correlates with a significant decrease for the “Good” and “Average” levels of customers’ satisfaction.

8.3. The respondents also offered several recommendations and comments to enhance the performance of the services provided by PCB to clients. Among them, to increase the number of regional offices throughout Malaysia and to give PCB more authority to enable it to function more effectively.

9. LETTERS OF APPRECIATION

9.1. Throughout 2005, PCB received 39 letters of appreciation from the complainants expressing their gratitude for the assistance by PCB in resolving their cases. Samples of the letters are as shown in **Appendix II**

CHAPTER 2

PERMANENT COMMITTEE ON PUBLIC COMPLAINTS (PCPC)

1. The Meeting of Permanent Committee on Public Complaints (PCPC) chaired by the Chief Secretary to the Government was held on 20th of May 2005. A total of three (3) Committee papers have been tabled at the meeting. The papers were:

1.1 Problems Of Motor Vehicles Kept As Evidence For Court Cases / Confiscated By The Royal Malaysian Police (RMP) And By The Road Transport Department (RTD).

1.2 Problems In Getting Strata Titles By Purchasers Of Long Completed Condominiums And Apartments.

1.3 Land Acquisition For The Purpose Of State Or Federal 'Economic Development', Section 3(1)(b) Land Acquisition Act 1960, As A Case Study.

2. Summary of the Committee Papers and PCPC's Decisions

2.1. Problems of Motor Vehicles Kept As Evidence for Court Cases/ Confiscated by the Royal Malaysian Police (RMP) And By The Road Transport Department (RTD)

2.1.1. Complaints received from the public concerned their dissatisfaction with RMP and RTD with regard to how they keep vehicles impounded, for investigative purposes or as

court exhibits. The vehicles are kept out in open spaces which are susceptible to thefts of the vehicles' accessories such as audio cassette players, tyres besides excessive damage to the vehicles. This result in the owners suffering heavy losses

2.1.2. In 2004, RMP impounded 18,327 vehicles such as cars, lorries, vans, motorcycles as case exhibits. On the other hand, RTD impounded 3321 vehicles for the same period.

2.1.3. The PCPC Meeting on 20 May 2005, decided that:

- i. RMP and RTD to provide a 'Special Storage Facility' for storing the vehicles used as case exhibits. The facility should be in an enclosed area, complete with a surveillance and security system;
- ii. Amendments to the laws should be made so that vehicles should not be kept. Several alternative ways can be proposed to be used as evidence in court such as use of photographs or video recordings;
- iii. Easier disposal procedures so that storage space can be fully utilised;
- iv. RMP take follow up action to obtain funds under the Ninth Malaysia Plan for the construction of three special storage facilities, in Kuala Lumpur, Penang and Johor Bahru; and
- v. RTD and RMP may consider the applications from private companies that are able to provide storage facilities for the vehicles if they fulfill the stipulated security requirements.

2.2 Problems In Getting Strata Titles By Purchasers Of Long Completed Condominiums And Apartments

2.2.1 Since the year 2001 till 2004, PCB received 8 complaints alleging 6250 units of condominiums/apartments have not been issued with strata titles even though the units were completed and occupied for the past 10 years. Search with the office

of the Director General of Land and Mines revealed that as off June 2004, 9123 developers/owners have submitted applications to obtain the strata titles throughout the country involving 530,566 units. From this figure only 5358 applicants (58.73%) have been issued strata titles involving 326,023 units. Thus, for the same period, 3765 applications involving 204,543 units have yet to be issued their strata titles.

2.2.2 The delay in getting the strata titles is caused by either the developer / building owners who failed to apply or delay by the Land Administrator in processing the applications. This can lead to various problems such as purchasers having to rely on the developers for maintenance of their units and also it prevent them from establishing Management Corporation. Purchasers cannot refer their problems to court as they do not have *locus standi*, leading to disputes among the developer, the land owners and the purchasers. If the delays in issuing the strata titles are not resolved effectively, the problems will be more critical in the future because there is an increase in the development of high rise building property.

2.2.3 The PCPC Meeting on 20 May 2005, decided that :-

- i. the *flying squad* that has been established by the Government to also study and come-up with a short and long term proposal to overcome this strata title problem. For the short term, the Local Authority and the Land Administrator have to intensify the monitoring and enforcement actions on the newly completed buildings;
- ii. As a long term solution, the Office of the Director General of the Land and Mines is required to make a thorough study of the buildings which have yet to be issued strata titles, to study existing laws in order to resolve the matters of unscrupulous developers. A study should be carried out on the capabilities / burden of the State Land and Mines Offices / Department of Survey and Mapping Malaysia

in terms of skilled workers in the management of strata titles.

2.3. Land Acquisition For The Purpose Of State Or Federal 'Economic Development', Section 3(1)(b) Land Acquisition Act 1960, As A Case Study.

2.3.1. PCB received a complaint from Syarikat Jenstud Marketing Sdn. Bhd. (JMSB) which alleged that the Selangor State Government abused its powers under the Land Acquisition Act 1960, regarding the acquisition of land owned by JMSB to build an access road for unloading Hai San Holding Sdn. Bhd. (HSHSB) goods. The Selangor State Government has been accused of siding with HSHSB despite the company having several alternative access roads to its unloading areas, even without the Government having to acquire the JMSB's land.

2.3.2 The PCPC Meeting on 20 May 2005, decided that:

- i. the definition of 'economic development' under the Land Acquisition Act 1960 needs to be clarified so that it will not be misinterpreted, leading to the abuse of power and ensuring any land acquisition being done fairly.
- ii. the dispute regarding the land acquisition owned by Jenstud Marketing Sdn. Bhd should be decided by the court.

CHAPTER 3

ANALYSIS OF COMPLAINTS

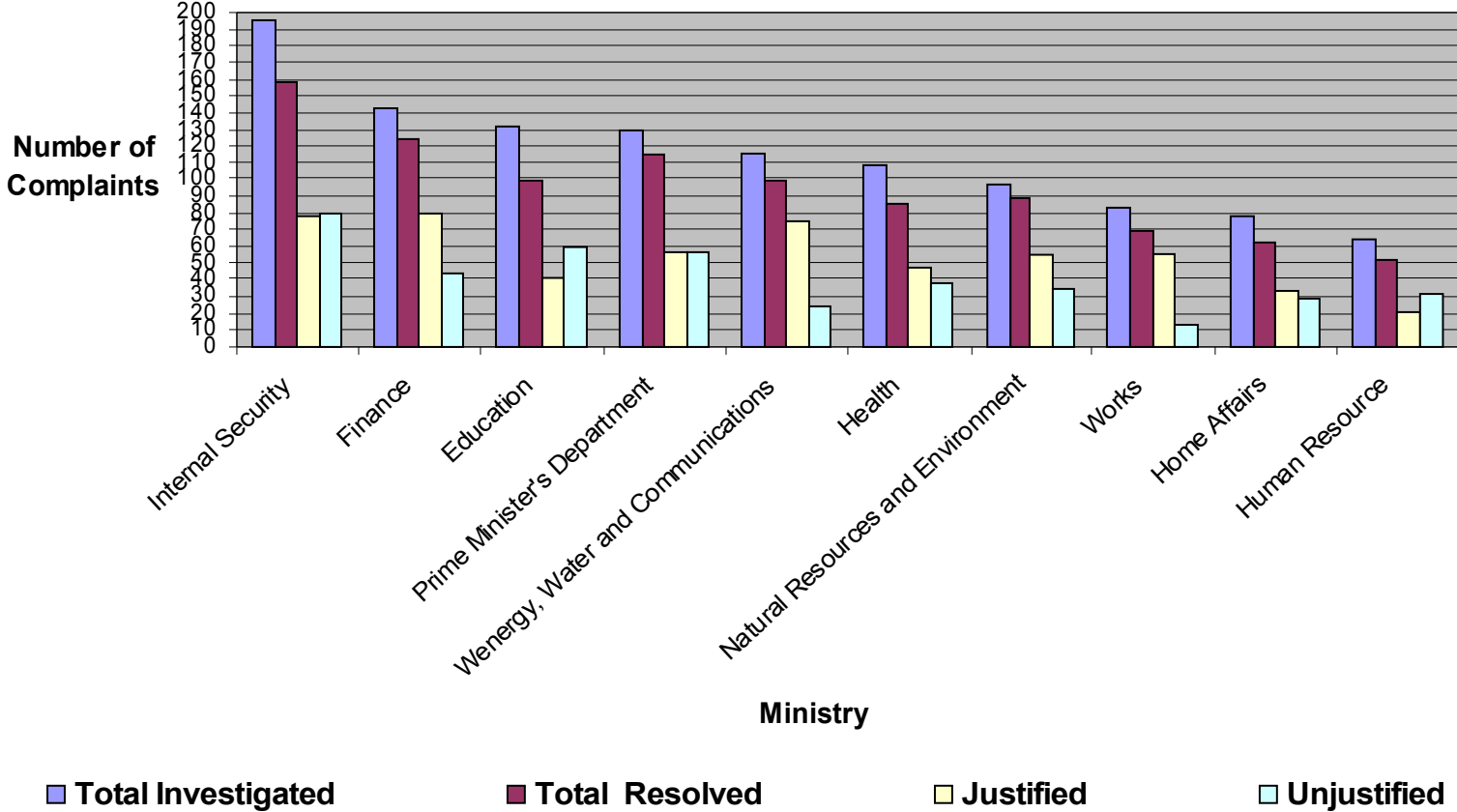
1. ANALYSIS OF COMPLAINTS AGAINST MINISTRIES

- 1.1. Out of 2,707 complaints that were investigated in 2005, 1,578 were lodged against Ministries compared to 1,858 or 15.07% complaints in 2004. **Table IV** indicates the complaints made against Ministries that were investigated in 2005.
- 1.2. Based on **Table IV**, most complaints received were against the agencies under the Home Affairs Ministry with 195 complaints and followed by the Finance Ministry with 142 complaints. The Ministry of Education received 132 complaints while the Prime Minister's Department received 130 complaints. The Ministry of Energy, Water and Communications received 116 complaints. A total of 1,291 complaints or 81.81% were successfully resolved and 731 or 56.62% complaints were found to be valid and justified.

Table IV
Number of Complaints Investigated Against Ministries 2005

Ministry	Total Investigated	Total Resolved	Justified	Unjustified	Rate Resolved (%)
Internal Security	195	158	78	80	81.03
Finance	142	124	80	44	87.32
Education	132	99	40	59	75.00
Prime Minister's Department	130	114	57	57	87.69
Energy, Water and Communications	116	99	75	24	85.34
Health	109	85	47	38	77.98
Natural Resources and Environment	97	89	54	35	91.75
Works	83	69	56	13	83.13
Home Affairs	77	62	33	29	80.52
Human Resources	64	52	21	31	81.25
Federal Territories	64	50	38	12	78.13
Transport	59	54	33	21	91.53
Agriculture and Agro-Based Industry	54	39	23	16	72.22
Entrepreneur and Cooperative Development	47	42	27	15	89.36
Higher Education	37	29	16	13	78.38
Women, Family and Community Development	35	29	13	16	82.86
Rural and Regional Development	35	27	11	16	77.14
Housing and Local Government	33	13	4	9	39.39
Domestic Trade and Consumer Affairs	26	25	11	14	96.15
Defence	20	15	7	8	75.00
Foreign Affairs	7	7	3	4	100
Information	6	4	3	1	66.67
Youth and Sports	3	3	1	2	100
Plantation Industries and Commodities	3	1	0	1	33.33
Science, Technology and Innovation	2	1	0	1	50.00
Culture, Arts and Heritage	2	1	0	1	50.00
TOTAL	1,578	1,291	731	560	81.81

Number of Complaints Investigated Against 10 Ministries With Most Cases in 2005



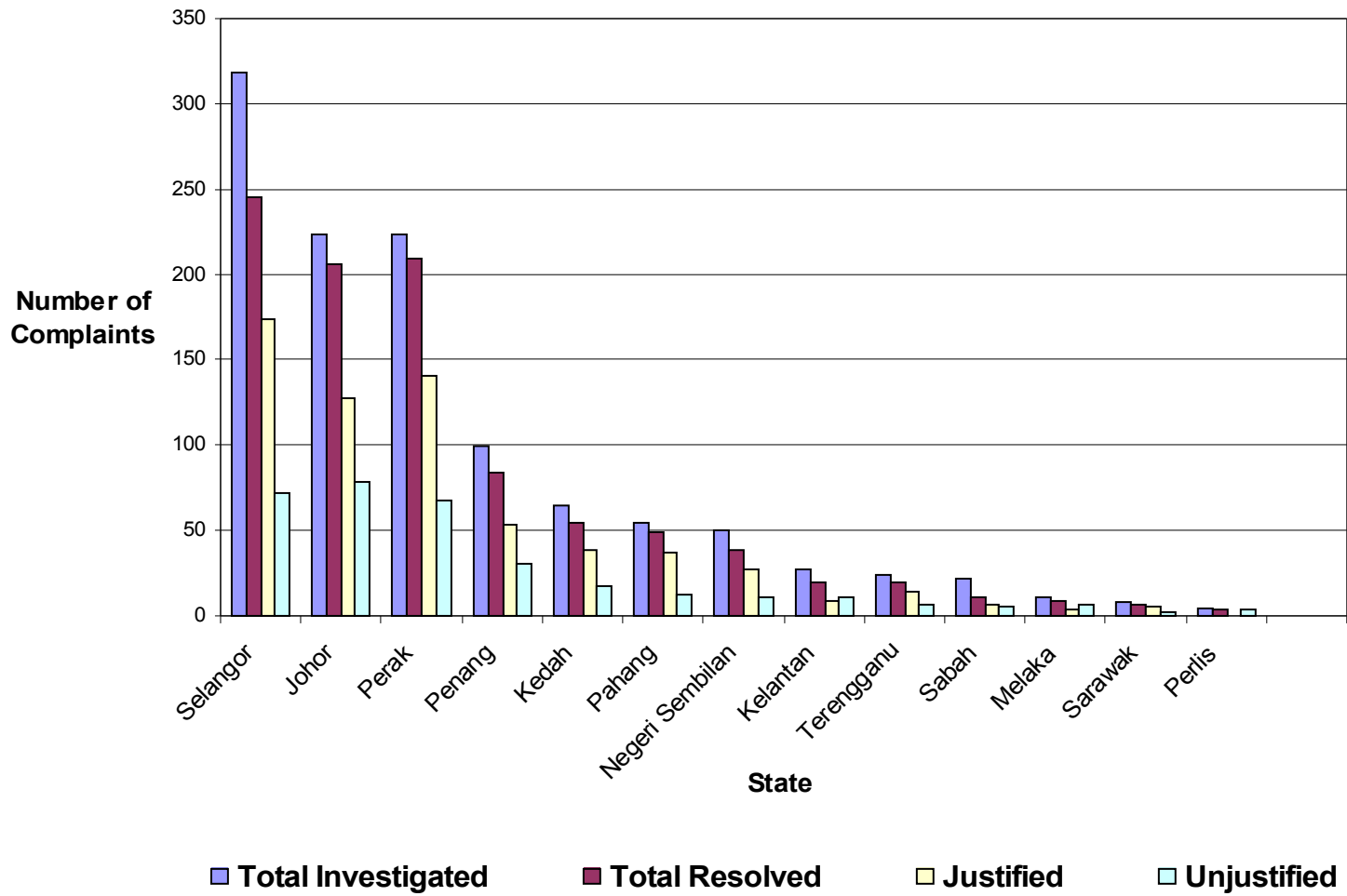
2. ANALYSIS OF COMPLAINTS AGAINST STATE GOVERNMENT ADMINISTRATION AGENCIES

- 2.1. In 2005, PCB has investigated a total of 1,129 complaints against the agencies that come under the State Government Administration compared to 928 investigated in 2004, an increase of 21.66%. The increase in the number of complaints in the States was due to the rise in complaints against the Land Office and Local Authority. The State of Selangor received the highest number of complaints that is 318 followed by Johor with 224 complaints, Perak with 223 complaints and Penang with 99 complaints. Out of these investigated complaints 956 or 84.68% were successfully resolved and 634 complaints were justified.
- 2.2. The total number of complaints in Sabah and Sarawak is small because all complaints against these two states are managed by the Sabah Public Complaints Bureau and the Public Relations and Corporate Unit of the Sarawak Chief Minister's Department. The PCB of the Prime Minister's Department always works in close cooperation with these two states in resolving public complaints. Besides, PCB does not have branches in Sabah and Sarawak. Thus, the people in these two states are unaware of the existence of PCB. Distance is also a factor that makes it difficult for people in Sabah and Sarawak to forge ties with PCB. **Table V** shows the total number of complaints investigated against the State Government Administration in 2005.

Table V
Number of Complaints Investigated Against State Administrations 2005

State	Total Investigated	Total Resolved	Justified	Unjustified	Rate Resolved (%)
Selangor	318	245	173	72	77.04
Johor	224	206	128	78	91.96
Perak	223	209	141	68	93.72
Penang	99	84	53	31	84.85
Kedah	64	55	38	17	85.94
Pahang	55	49	37	12	89.09
Negeri Sembilan	50	38	27	11	76.00
Kelantan	27	20	9	11	74.07
Terengganu	24	20	14	6	83.33
Sabah	22	11	6	5	50.00
Melaka	11	9	3	6	81.82
Sarawak	8	7	5	2	87.50
Perlis	4	3	0	3	75.00
TOTAL	1,129	956	634	322	84.68

Number of Complaints Investigated Against State Administrations 2005



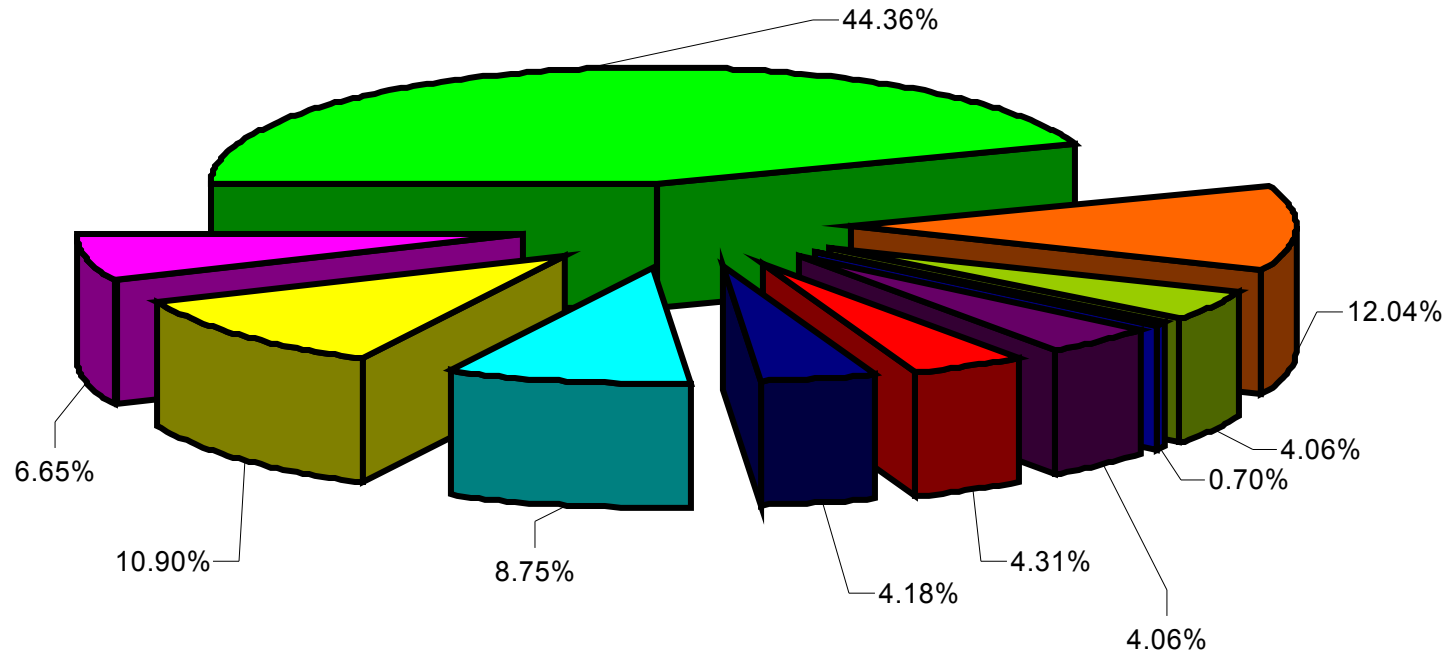
3. ANALYSIS OF COMPLAINTS ACCORDING TO CATEGORIES OF COMPLAINTS

3.1. **Table VI** below indicates the categories of complaints investigated in 2005. It was found that the category of **delays or no action** was the highest category of complaints received. The second highest category of complaints against Ministries was **unfair action** and the third highest category was **unsatisfactory quality of service**. Whereas for the State Government Administration, the second highest category was the **failure of enforcement** followed by the third highest category of **unfair action**.

Table VI
Category of Complaints Investigated 2004 and 2005

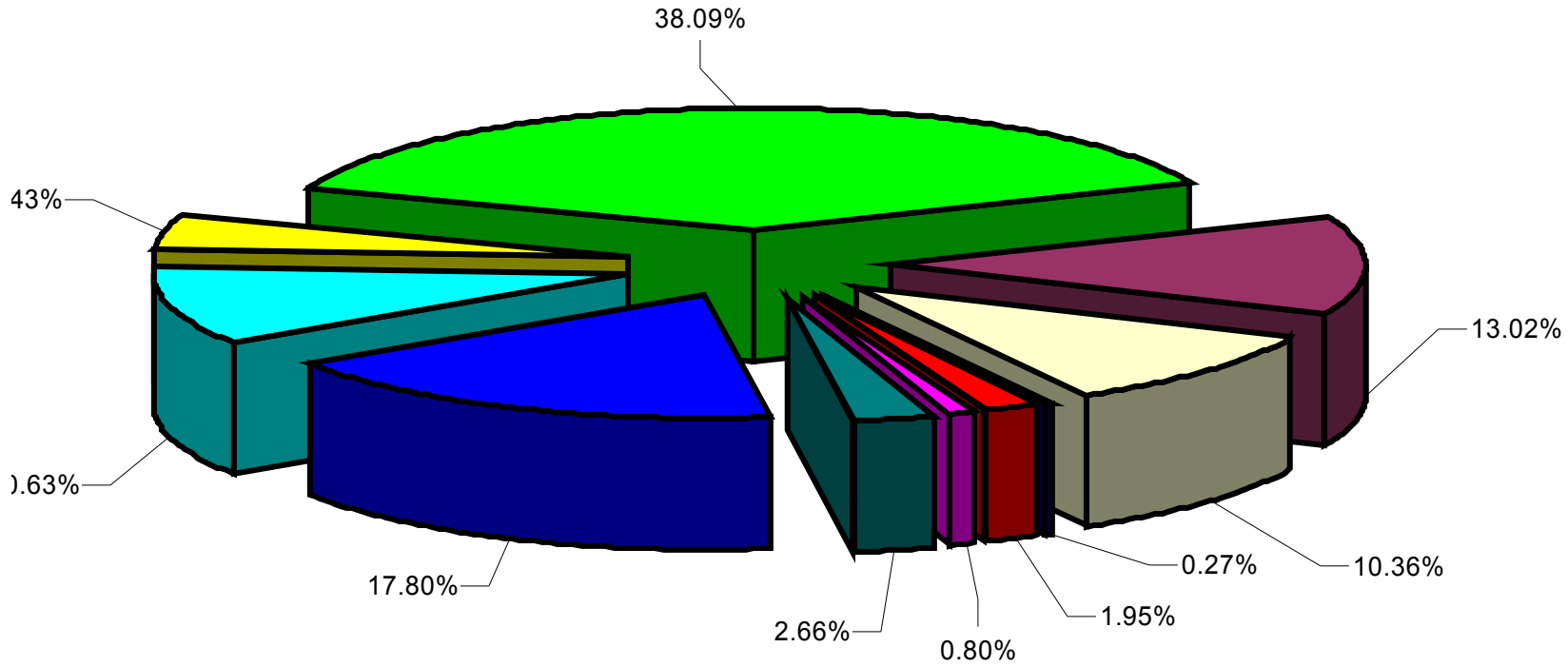
CATEGORY OF COMPLAINTS	MINISTRY				STATE			
	2005		2004		2005		2004	
	Total of Complaints	%	Total of Complaints	%	Total of Complaints	%	Total of Complaints	%
Delays / No Action	700	44.36	893	48.06	430	38.09	378	40.73
Unfair Action	190	12.04	215	11.57	147	13.02	122	13.15
Lack of Public Amenities	64	4.06	108	5.82	117	10.36	80	8.62
Inadaquacies of Policy Implementation and Law	11	0.7	22	1.18	3	0.27	-	-
Abuse of Power/ Misappropriation	64	4.06	89	4.79	22	1.95	43	4.63
Misconduct of Civil Servants	68	4.31	84	4.52	9	0.8	19	2.05
Failure to Adhere to Set Procedures	66	4.18	70	3.77	30	2.66	31	3.34
Failure of Enforcement	138	8.75	156	8.40	201	17.8	178	19.18
Unsatisfactory Quality of Service	172	10.9	122	6.57	120	10.63	50	5.39
Miscellaneous Complaints	105	6.65	99	5.33	50	4.43	27	2.91
TOTAL	1,578	100	1,858	100	1,129	100	928	100

Categories of Complaints against Ministries 2005



■ Delays / No Action	■ Unfair Action
■ Lack of Public Amenities	■ Inadequacies of Policy Implementation and Law
■ Abuse of Power / Misappropriation	■ Misconduct of Civil Servants
■ Failure to Adhere to Set Procedures	■ Failure of Enforcement
■ Unsatisfactory Quality of Services	■ Miscellaneous Complaints

Categories of Complaints against State Administrations 2005



- | | |
|---------------------------------------|---|
| ■ Delays / No Action | ■ Unfair Action |
| ■ Lack of Public Amenities | ■ Inadequacies of Policy Implementation and Law |
| ■ Abuse of Power / Misappropriation | ■ Misconduct of Civil Servants |
| ■ Failure to Adhere to Set Procedures | ■ Failure of Enforcement |
| ■ Unsatisfactory Quality of Services | ■ Miscellaneous Complaints |

- 3.2. In order to describe the complaints in detail based on the 10 categories, PCB selects only the Ministries and the State Government Administrations that received the most complaints. For those Ministries and State Government Administrations that are not mentioned in this analysis, detailed statistics can be found in **Appendix III** and **Appendix IV**.

4. ANALYSIS OF COMPLAINT CATEGORIES FOR MINISTRIES AND THEIR AGENCIES

4.1. DELAYS / NO ACTION

4.1.1. For Delays / No Action category, a total of 700 complaints against various Ministries were received by PCB. Out of this, 582 or 83.14% were resolved in which 370 or 63.57% complaints were justified and the remainder of 212 or 36.43% was unjustified.

4.1.2. The **Ministry of Internal Security (MIS)** received 105 complaints and 81 or 77.14% complaints were resolved. For those complaints that have been resolved, 39 or 48.15% were justified.

4.1.3. Among the MIS agencies that received complaints under this category were:

i. **Royal Malaysian Police (RMP)**

Out of 94 complaints received by RMP, 72 or 76.60% complaints were resolved and 34 or 47.22% complaints were justified.

ii. **Divisions in the Ministry**

The various divisions in the Ministry received 8 complaints and 6 or 75% had been resolved. Out of these, 3 were justified and the other 3 were not.

iii. **National Narcotics Agency (NNA)**

NNA received 2 complaints in this category and both complaints were resolved and justified.

4.1.4. Among the issues raised against MIS under this category were as follows:

- a. delay regarding the applications of arms ownership transfer;
- b. delay in receiving feedback regarding applications for Police Report;
 - c. no action taken on vehicles that obstructed traffic;
 - d. delay in taking action against unlicensed taxis and Thai's rental cars; and
 - e. no action taken on complaints against noise disturbance.

4.1.5. The **Ministry of Finance** received 92 complaints under the delays/no action category and 83 or 90.22% were resolved. Out of this, 60 or 72.29% complaints were justified.

4.1.6. Among the agencies of the Ministry of Finance that received the most complaints under this category were as follows:

- i. Inland Revenue Board of Malaysia (IRB)

IRB received a total of 40 complaints and 39 or 97.5% of them were resolved. Out of this, 82.05% complaints were justified.

- ii. Employees Provident Fund (EPF)

EPF received a total of 21 complaints and 20 or 95.24% were resolved and 13 or 65% were justified.

- iii. Housing Loan Division (HLD)

Out of 13 complaints received against HLD, 11 or 84.62% were resolved and 8 or 72.73% were justified.

4.1.7. Among the matters being complained against the Ministry of Finance and its agencies in this category were as follows:

- a. delay in the refund of income tax credit balance;
- b. delay in making progress payments;
- c. delay or failure of employers to contribute to EPF;

- d. delay in processing the cancellation of ownership claims;
- e. delay in reimbursing excess stamp duty;
- f. delay in processing the merging of membership number; and
- g. delay or failure to receive feedback on application for approval of housing loan.

4.1.8. The **Prime Minister's Department** received 79 complaints and 69 or 87.34% of them were resolved. Out of those resolved, 56.52% complaints were justified.

4.1.9. Among the agencies of the Prime Minister's Department that received complaints under this category were as follows:

i. Public Service Department (PSD)

PSD received 25 complaints and all were resolved with 11 or 44% found to be justified.

ii. Department of Insolvency Malaysia (DIM)

Out of 12 complaints received by DIM, 8 or 66.67% complaints were resolved and a total of 5 or 62.5% of them were justified.

iii. Bar Council Of Malaysia (BCM) and Amanah Raya Berhad (ARB)

BCM and ARB each received 5 complaints and 4 or 80 % cases have been resolved. For BCM all 4 complaints were justified. In the meantime, 2 or 50% of complaints against ARB were justified.

4.1.10. Among the matters complained against the Prime Minister's Department and its agencies under this category were as follows:

- a. no action on the request of salary adjustment;
- b. delay in processing compensation claims for clients;
- c. delay or no action taken on complaints against payment of pension arrears;

d. complaints against Court's failure in returning auction money; and

e. delay in getting honourarium for election personnel.

4.2. UNFAIR ACTION

4.2.1. In the **Unfair Action** category, a total of 190 complaints against Ministries were received by PCB. Out of this total, 157 or 82.63% were resolved and 47 or 29.94% were justified.

4.2.2. **The Ministry of Finance** received 26 complaints and 24 or 92.31% of them were resolved. For the resolved complaints, 9 or 37.5% were justified.

4.2.3. Among the agencies of the Ministry of Finance that received complaints under this category were as follows:

i. Housing Loan Division (HLD)

HLD received 7 complaints and all were resolved with only 2 or 28.57% found to be justified.

ii. Central Bank of Malaysia (CBM)

CBM received 6 complaints under this category and all complaints resolved with 4 or 66.67% found to be justified.

iii. Employees Provident Fund (EPF) and Inland Revenue Board (IRB)

EPF and IRB each received 4 complaints and all made against EPF were resolved and found to be unjustified. For the IRB, 3 or 75% complaints were resolved and 2 or 66.67% were justified.

4.2.4. Among the agencies of the Ministry of Finance that received complaints under this category were as follows:

a. dissatisfaction over the balance of tax arrears;

b. dissatisfaction over double deduction in a month for the repayment of housing loan;

- c. dissatisfaction over the blacklisting by banks and financial institutions; and
 - d. dissatisfaction over the fine imposed on late submission of income tax return forms.
- 4.2.5. The **Ministry of Education** received 20 complaints under this category and 17 or 85% were resolved. From this total, only 5 or 29.41% were justified.
- 4.2.6. Among the agencies of the Ministry of Education that received complaints under this category were as follows:
- i. State Education Departments (SED)

SED received 18 complaints and 16 or 88.89% of them were resolved in which 11 or 68.75% cases were not justified.
 - ii. Divisions in the Ministry

The various divisions in the Ministry received 2 complaints and 1 was resolved and found to be unjustified.
- 4.2.7. Among the matters complained against of the Ministry of Education and its agencies under this category were as follows:
- a. dissatisfaction over the assessment method of awarding tender for school canteens;
 - b. dissatisfaction with the security level at District Education Offices; and
 - c. dissatisfaction over the distribution of text books.
- 4.2.8. The **Ministry of Transport** received 19 complaints under this category and 17 or 89.47% of them were successfully resolved. Out of this, only 4 or 23.53% complaints were justified.
- 4.2.9. Among the agencies of the Ministry of Transport that received complaints under this category were as follows:
- i. Road Transport Department (RTD)

RTD received 13 complaints and a total of 12 or 92.31% of them were resolved and 3 or 25% cases were justified.

ii. Malaysia Airlines System (MAS)

All 3 complaints received by MAS were resolved and 1 or 33.33% was justified.

iii. Department of Civil Aviation (DCA)

DCA received 2 complaints and only 1 was resolved and found unjustified.

4.2.10. Among the matters complained against of the Ministry of Transport and its agencies under this category were as follows:

- a. dissatisfaction with the claims of goods stolen from KLIA baggage section;
- b. dissatisfaction for not being released from the black list even after fine has been paid; and
- c. dissatisfaction with the rejection of application of the transfer of vehicle ownership.

4.3. **LACK OF PUBLIC AMENITIES**

4.3.1. In the Lack of Public Amenities category, a total of 64 complaints against Ministries were received by the PCB. Out of this number, 54 or 84.38% cases were resolved and 38 or 70.37% were justified.

4.3.2. The **Ministry of Works** received 24 complaints and 19 or 79.17% were resolved and 17 or 89.47% were justified.

4.3.3. Among the agencies of the Ministry of Works that received complaints under this category were as follows:

i. Public Works Department (PWD)

PWD received 23 complaints and 18 or 78.26% were resolved. Out of this total, 16 or 88.89% complaints were justified.

ii. Malaysia Highway Authority (MHA)

MHA received only 1 complaint which was resolved and found to be justified.

4.3.4. Among the matters complained against of the Ministry of Works and its agencies under this category were as follows:

- a. application for the construction of overhead bridges at schools and flyovers at highways close to residential areas;
- b. application for the construction of speed humps in front of schools;
- c. complaints against narrow bridges that threaten the safety of school children;
- d. application for yellow lines at junctions near the entrances of schools; and
- e. complaints against the damaged fence of mosques as a result of road repairs work.

4.3.5. The **Ministry of Energy, Water and Communications** received 17 complaints and 14 or 82.35% were resolved. Out of the resolved cases, 9 or 64.29% complaints were justified.

4.3.6. Among the agencies of the Ministry of Energy, Water and Communications that received complaints under this category were as follows:

i. Tenaga Nasional Berhad (TNB)

TNB received 7 complaints and a total of 5 or 71.43% were resolved and 3 were found to be justified.

ii. Telekom Malaysia Berhad (TMB)

TMB received 5 complaints and 4 or 80% were resolved and justified.

iii. Pos Malaysia (POS)

POS also received 5 complaints and all of them were resolved and 2 or 40% were justified.

4.3.7. Among the matters complained against of the Ministry of Energy, Water and Communications and its agencies under this category were as follows:

- a. application for post boxes in residential areas;
- b. complaints against old rotting wooden lamp posts that need to be replaced;
- c. application for telephone lines in residential areas;
- d. application for electric supply and street lights; and
- e. complaints against damaged public telephones.

4.3.8. **The Ministry of Natural Resources and Environment** received 7 complaints and 5 or 71.43% were resolved. For these resolved cases, 2 or 40% complaints were justified. All complaints were lodged against the Department of Drainage and Irrigation (DID).

4.3.9. Among the matters complained against the DID under this category were as follows:

- a. application for the construction of concrete drain on the left side of the road; and
- b. complaints against improper maintenance of drains.

4.4. INADEQUACIES OF POLICY IMPLEMENTATION AND LAW

4.4.1. Throughout 2005, only 11 complaints were received under this category. Complaints were received against the Education Ministry 6 cases, Health Ministry 2 cases and 1 case each for Internal Security Ministry, Higher Education Ministry as well as Rural and Regional Development Ministry. Out of 11 complaints received, 7 or 63.64 cases were resolved with only 2 or 28.57 found justified.

4.4.2. Amongst the matters complained under this category were appeals for welfare assistance and treatment costs as well as requests for annual salary adjustment.

4.5. **ABUSE OF POWER / MISAPPROPRIATION**

4.5.1. In 2005, a total of 64 complaints received against Ministries and their agencies under this category were received by PCB and 54 or 84.38% cases were resolved. Out of this total, only 13 or 24.07% were justified.

4.5.2. **The Ministry of Education** received 21 complaints and 18 or 85.71% were resolved. For those resolved, only 3 or 16.67% were justified. All complaints were directed towards the State Education Department.

4.5.3. Among the matters complained against the State Education Department under this category were about a school which rented its parking lot to a restaurant and abuse of power by a primary school headmaster.

4.5.4. **The Higher Education Ministry** received 8 complaints and 5 or 62.5% were resolved. For the complaints resolved, a total of 3 or 60% were justified and 2 or 40% unjustified.

4.5.5. Among the agencies of the Ministry of Higher Education that received complaints under this category were as follows:

i. Divisions at Ministries and University of Malaya (UM)

The Divisions at Ministries and UM each received 2 complaints and all were resolved. The complaints against MU were justified.

ii. The Department of Higher Education and Polytechnics (DHEP), University of Malaya Medical Centre (UMMC), MARA University of Technology (UiTM), University Putra Malaysia (UPM)

DHEP, UMMC, UiTM and UPM each received 1 complaint and only the one lodged against DHEP was not resolved. The complaints against UMMC and UPM were justified and the complaint against UiTM was unjustified.

4.5.6. Among the matters complained against of the Ministry of Higher Education and its agencies under this category were as follows:

- a. complaint against the abuse of power by a staff of the University's Security Division;
- b. abuse of power by a University's Faculty Dean; and
- c. complaint against a Government Officer who was alleged to have received bribe.

4.5.7. **The Ministry of Internal Security (MIS)** received 6 complaints and 5 or 83.33% were resolved. For these resolved cases, only 1 or 20% complaint was justified.

4.5.8. Among the agencies of the MIS that received complaints under this category were as follows:

- i. Royal Malaysian Police (RMP)

RMP received 4 complaints and 3 or 75% were resolved and only 1 was justified.

- ii. Prisons Department (PD)

PD received 2 complaints and both were resolved and unjustified.

- ii. The justified complaint against MIS was of a police officer alleged to abetting a criminal.

4.6. **MISCONDUCT OF CIVIL SERVANTS**

4.6.1. In 2005, a total of 68 complaints were received against Ministries and their agencies under the category of misconduct of civil servants. A total of 52 or 76.47% cases have been resolved and 29 or 55.77% were justified and 44.23% unjustified.

4.6.2. The **Education Ministry** and the **Health Ministry** each received 15 complaints under this category. For the Education Ministry, 13 or 86.67% complaints were resolved and only 5 or 38.46% were justified. Whereas, for the Health Ministry, 8 or 53.33% complaints were resolved and 4 found to be justified.

4.6.3. Among the agencies of the Ministry of Education that received complaints under this category were as follows:

i. State Education Department (SED)

SED received a total of 14 complaints and 12 or 85.71% were resolved. Out of this total, 4 or 33.33% were justified and 8 or 66.67% unjustified.

ii. Department of Moral and Islamic Teaching (DMIT)

DMIT received 1 complaint which was resolved and found justified.

4.6.4. Among the matters complained against of the Ministry of Education and its agencies under this category were as follows:

a. complaint against the dishonesty of a teacher and his refusal to repay his car loan;

b. complaint against the weaknesses of a religious school administration;

c. misconduct of a school administrator; and

d. a teacher alleged to have received the salary of a Senior Assistant of Student Affairs despite not performing his duties.

4.6.5. Among the agencies of the Ministry of Health that received complaints under this category were as follows:

i. State Health Department (SHD)

SHD received 7 complaints and 3 or 42.86% were resolved and only 1 or 33.33% was justified.

ii. Hospitals

Hospitals received 5 complaints and 4 or 80% were resolved and 2 were justified.

iii. Divisions in the Ministry

Divisions in the Ministry received 2 complaints and only 1 resolved and justified.

4.6.6. Among the matters complained against of the Ministry of Health and its agencies under this category were as follows:

- a. complaints against Medical Officers and Staff who truant;
- b. misconduct of a Hospital staff who was alleged to be a stock broker; and
- c. misconduct of a nurse who was alleged of not practising the code of ethics and performing two jobs at one time.

4.6.7. **The Ministry of Internal Security (MIS)** received 10 complaints and 7 or 70% were resolved. For these resolved complaints, 5 or 71.43% were justified.

4.6.8. Among the agencies of the MIS that received complaints under this category were as follows:

- i. Royal Malaysian Police (RMP)

Under this category, the RMP received 9 complaints and 6 or 66.67% were resolved and 4 or 66.67% were justified.

- ii. Prisons Department (PD)

PD received only 1 complaint which was resolved and found justified.

4.6.9. Amongst the matters complained against the MIS and its agencies under this category were misconduct of a District Chief of Police who was alleged often absent from work and complaints regarding the misconduct of Police Officers while on duty.

4.7. **FAILURE TO ADHERE TO SET PROCEDURES**

4.7.1. Under the category Failure to Adhere to Set Procedures, a total of 66 complaints were received by Ministries and their agencies. From this total, 52 or 78.79% cases were resolved and 27 or 51.92% justified.

4.7.2. The **Ministry Of Health** received 12 complaints and 9 or 75% were resolved with 4 or 44.44% justified.

4.7.3. Among the agencies of the Ministry of Health that received complaints under this category were as follows:

i. Hospitals

Hospitals received 9 complaints with 7 or 77.78% resolved and 4 or 57.14% justified.

ii. Divisions at the Ministry, State Health Department (SHD) and Dentistry Department (DD)

The divisions in the Ministry, SHD and DD received 1 complaint each and only the complaint against SHD was unresolved. The resolved cases were unjustified.

4.7.4. Among the matters complained against of the Ministry of Health and its agencies under this category were as follows:

a. failure to issue Medical Reports according to the Clients' Charter;

b. complaints against Medical Clinics that closed early;

c. complaints against the Pensioner Card that was not certified;

d. failure to refund deposit / rental.

4.7.5. The Prime Minister's Department and The Ministry of Works received 9 complaints each and a total of 7 or 77.78% resolved. For the Prime Minister's Department, only 2 or 28.57% complaints were justified, while 6 or 85.71% for the Ministry of Works were justified.

4.7.6. Among the agencies of the Prime Minister's Department that received complaints under this category were as follows:

i. Statistics Department (SD)

SD received 2 complaints and only 1 had been resolved and was unjustified.

ii. The Legal Aid Bureau (LAB), INTAN, Federal Territory Religious Department (FTRD), Public Trustee Department (PTD), National Unity and

Integration Department (NUID), Election Commission (EC) and Divisions at PM's Department

LAB, INTAN, FTRD, PTD, NUID, EC and PM's Department received 1 complaint each under this category and only complaint against FTRD had not been resolved. Cases against PTD and PM's Department were justified.

4.7.7. Among the matters complained against of the Prime Minister's Department and its agencies under this category were as follows:

- a. complaints against delay in informing the status of bankruptcy; and
- b. non-payment for Hall facilities.

4.7.8. All complaints against the Ministry of Works were directed towards the Public Works Department (PWD). Among the matters complained against PWD under this category were as follows:

- a. complaints against the absence of signage for road construction;
- b. complaints against the absence of safety measures while implementing the upgrading of road projects; and
- c. complaints against the failure to complete the construction of teachers quarters causing the project to be abandoned.

4.8. **FAILURE OF ENFORCEMENT**

4.8.1. Under the category of **Failure of Enforcement**, a total of 138 complaints against Ministries and their agencies were received by PCB. Out of this total, 115 or 83.33% cases had been resolved with 83 or 72.17% justified.

4.8.2. **The Ministry of Internal Security (MIS)** received 28 complaints and 21 or 75% were resolved. For the resolved cases, 14 or 66.67% were justified. All complaints were against the Royal Malaysian Police (RMP).

- 4.8.3. Among the matters complained against RMP under this category were as follows:
- a. failure of enforcement against illegal racing;
 - b. failure of enforcement against the increase in drug addiction in residential areas;
 - c. failure of enforcement against illegal taxi operators; and
 - d. failure of enforcement against theft and snatch-theft cases in residential areas.
- 4.8.4. **The Ministry of Federal Territories** received 22 complaints and 16 or 72.73% had been resolved. For the resolved cases, 13 or 81.25% were justified.
- 4.8.5. Among the agencies of the Ministry of Federal Territories that received complaints under this category were as follows:
- i. Kuala Lumpur City Hall (KLCH)

KLCH received 21 complaints and a total of 15 or 71.43% were resolved with 13 or 86.67% justified.
 - ii. Divisions at the Ministry

The divisions at the Ministry received only 1 complaint which was resolved but unjustified.
- 4.8.6. Among the matters complained against of the Ministry of Federal Territories and its agencies under this category were as follows:
- a. failure to enforce legal action against night market traders that operate in close proximity to low-cost housing projects;
 - b. failure to enforce legal actions against contractors who carried out road works leading to damaged and uneven roads;
 - c. complaints against location of foreign workers' settlement close to residential areas;

- d. failure to act on complaints against stray dogs in residential areas; and
- e. complaints against the dumping of rubbish of construction works at river banks.

4.8.7. The **Ministry of Natural Resources and Environment** received 22 complaints and all had been resolved. For these cases, 18 or 81.82% were justified.

4.8.8. Among the agencies of the Ministry of Natural Resources and Environment that received complaints under this category were as follows:

i. Department of Environment (DOE)

DOE received 14 complaints and all were resolved with a total of 12 or 85.71% justified.

ii. Department of Drainage and Irrigation (DID)

DID received 4 complaints and all were resolved. Out of these cases 3 or 75% were justified.

4.8.9. Among the matters complained against the Ministry of Natural Resources and Environment and its agencies under this category were as follows:

- a. failure of enforcement regarding the encroachment of wild elephants;
- b. failure of enforcement against lorry operators who extract sand from rivers;
- c. failure of enforcement against chicken processing factories which emitted foul smell and thus attracting flies in villages; and
- d. complaints against the problem of illegal burning and release of toxic gases.

4.9. **UNSATISFACTORY QUALITY OF SERVICE**

4.9.1. Throughout 2005, Ministries and their agencies had received 172 complaints under this category and a total

of 137 or 79.65% cases had been resolved. Out of this, 78 or 56.93% were justified.

4.9.2. The **Ministry of Energy, Water and Communications** received 29 complaints and 23 or 79.31% were resolved. For these resolved cases, 16 or 69.57% were justified.

4.9.3. Among the agencies of the Ministry of Energy, Water and Communications that received complaints under this category were as follows:

i. Tenaga Nasional Berhad (TNB)

TNB received 10 complaints and 8 or 80% had been resolved. Out of these, 6 or 75% cases were justified.

ii. Pos Malaysia (POS)

POS received 9 complaints and 8 or 88.89% had been resolved. Out of these, 6 or 75% cases were justified.

iii. Telekom Malaysia Berhad (TMB)

TMB received 4 complaints under this category and 2 had been resolved and found justified.

4.9.4. Among the matters complained against the Ministry of Energy, Water and Communications and its agencies under this category were as follows:

a. dissatisfaction of residents towards sewerage treatment plants;

b. complaints against Post Offices that closed every lunch hour;

c. complaints against improper delivery of letters;

d. complaint against the rude behaviour of a counter service operator at a school's Post Office; and

e. dissatisfaction of residents over frequent disruption of electricity supply.

4.9.5. **The Ministry of Health** received 23 complaints in which 20 or 86.96% were resolved. Out of these, 6 or 30% were justified.

4.9.6. Among the agencies of the Ministry of Health that received complaints under this category were as follows:

i. Hospitals

Hospitals received 16 complaints and a total of 14 or 87.5% cases were resolved and 4 or 28.57% were justified.

ii. Divisions at the Ministry and the State Health Department (SHD)

The various divisions at the Ministry and the SHD received 3 complaints each and the complaint against SHD had not been resolved. Only 1 complaint each against the respective Divisions and SHD was justified.

4.9.7. Among the matters complained against the Ministry of Health and its agencies under this category were as follows:

a. dissatisfaction with the service of a State Health Department's telephone operator; and

b. dissatisfaction with the inefficient service rendered by Hospital staff which resulted in death.

4.9.8. **The Ministry of Works** received 17 complaints and 15 or 88.24% were resolved. For these resolved cases, 10 or 66.67% complaints were justified.

4.9.9. Among the agencies of the Ministry of Works that received complaints under this category were as follows:

i. Public Works Department (PWD)

PWD received 16 complaints and a total of 15 or 93.75% cases had been resolved and 10 or 66.67% complaints were justified.

ii. Malaysia Highway Authority (MHA)

MHA received 1 complaint under this category which is still under investigation.

4.9.10. Among the matters complained against the Ministry of Works and its agencies under this category were as follows:

- a. complaints against the speed humps and damaged road signages;
- b. complaints against drive through payment counter which was often closed;
- c. complaints against the improper construction of drainage system;
- d. complaints regarding trees which obstruct the traffic flow; and
- e. complaints regarding the failure to resurface exit roads.

4.10. MISCELLANEOUS COMPLAINTS

4.10.1. In 2005, Ministries and their agencies received 105 enquiries and various complaints. Out of this amount, 81 or 77.14% were resolved. For unresolved cases, PCB is still waiting for clarifications from the departments concerned on the complaints lodged with PCB.

5. ANALYSIS OF CATEGORY OF COMPLAINTS AGAINST THE STATE GOVERNMENT ADMINISTRATIONS

5.1. DELAYS / NO ACTION

5.1.1. Under this category, a total of 430 complaints were received by all agencies under the State Government Administrations and 357 or 83.02% had been resolved. Out of this total, 254 or 71.15% were justified and 103 or 28.85% were unjustified. Most complaints were received by the Local Authorities (LAs) and the District and Land Offices (DLOs).

- 5.1.2. LAs of the State of Selangor received 63 complaints and a total of 48 or 76.19% were resolved. Out of this total, 39 or 81.25% were justified.
- 5.1.3. LAs of the State of Perak received 31 complaints and a total of 28 or 90.32% were resolved in which 24 or 85.71% were justified.
- 5.1.4. LAs of the State of Johor received 29 complaints and a total of 27 or 93.10% were resolved. Out of this total, 18 or 66.67% were justified.
- 5.1.5. Among the issues raised under this category were as follows:
- a. delay of LAs in taking action regarding clogged drains;
 - b. delay of LAs in processing commercial licences;
 - c. delay of LAs in taking action regarding damaged roads and street lights;
 - d. delay of LAs in giving replies regarding business premise applications; and
 - e. no action taken by LAs in demolishing buildings constructed without permission.
- 5.1.6. DLOs of the State of Perak received 41 complaints and all of them were resolved. Out of this total, 29 or 70.73% were justified.
- 5.1.7. DLOs of the State of Johor received 39 complaints and 35 or 89.74% of them were resolved. Out of this total, 18 or 51.43% were justified.
- 5.1.8. DLOs of the State of Selangor received 22 complaints and 15 or 68.18% of them were resolved. Out of this total, 10 or 66.67% were justified.
- 5.1.9. Among of the issues raised against the DLOs were as follows:
- a. delay in processing the application of land title;
 - b. delay in processing the transfer of asset ownership;

- c. delay in processing the application of Government owned land for residential areas;
- d. delay in issuing ownership to acquire Government land; and
- e. delay in the payment of land compensation.

5.2. UNFAIR ACTION

- 5.2.1. Throughout 2005, the State Government Administrations and their agencies received 147 complaints under this category and a total of 129 or 87.76% were resolved. Out of this total, 40 or 31.01% were justified and 89 or 68.99% were unjustified. Complaints under this category were also lodged to LAs and DLOs.
- 5.2.2. LAs of the State of Selangor received 19 complaints and all of them were resolved in which 12 or 63.16% were justified.
- 5.2.3. LAs of the State of Perak received 14 complaints and 13 or 92.86% were resolved in which only 2 or 15.38% were justified.
- 5.2.4. LAs of the State of Penang received 8 complaints and 3 or 37.5% were resolved and all were unjustified.
- 5.2.5. Among the issues raised against the LAs under this category were as follows:
 - a. complaints concerning LA's lack of professionalism in receiving public complaints;
 - b. dissatisfaction with LAs over the name of census which has been changed;
 - c. dissatisfaction regarding the imposition of charges for parking during public holidays;
 - d. complaints against LAs for not issuing summons to vehicle owners who committed offences; and

e. dissatisfaction with the relocation of food courts.

5.2.6. DLOs of the State of Selangor received 11 complaints and a total of 8 or 72.73% were resolved. Out of this, only 1 or 12.5% were justified.

5.2.7. DLOs of the State of Perak received 10 complaints and a total of 7 or 70% were resolved. Out of this total, only 2 were justified.

5.2.8. DLOs of the State of Penang received 5 complaints and 3 or 60% cases were resolved and all were unjustified.

5.2.9. Among the issues raised against the DLOs were as follows:

a. unfairness regarding the names in the census list for plots of land; and

b. unfairness in the distribution of plots of land.

5.3. LACK OF PUBLIC AMENITIES

5.3.1. In 2005, the State Government Administrations and their agencies received 117 complaints under this category and 109 or 93.16% were resolved. Out of this, 93 or 85.32% were justified and 16 or 14.68% were unjustified.

5.3.2. LAs of the State of Selangor received 20 complaints and 18 or 90% were resolved in which 17 or 94.44% complaints were justified.

5.3.3. LAs of the State of Perak received 12 complaints and all were resolved in which 8 or 66.67% were justified.

5.3.4. LAs of the State of Johor received 9 complaints and all were resolved in which 6 were justified.

5.3.5. Among the issues raised against the LAs were as follows:

a. problem of clogged drains, old shop houses and deserted houses;

b. problem of unmaintained playgrounds;

c. problem of unlit street lights;

- d. no provision of guard houses; and
- e. complaints regarding uncut grass and dirty bus stations.

5.3.6. DLOs of the State of Johor received 17 complaints under this category and 16 or 94.12% were resolved in which 14 or 87.5% were justified.

5.3.7. DLOs of the State of Kedah received 9 complaints and all were resolved and found to be justified. Meanwhile, DLOs of the States of Selangor and Negeri Sembilan received 4 complaints each. For the State of Selangor, 2 or 50% were resolved and justified. As for Negeri Sembilan, all 9 complaints were resolved and found to be justified.

5.3.8. Among the issues raised against the DLOs were as follows:

- a. lack of street lights; and
- b. application for community hall and playground.

5.4. Inadequacies of Policy Implementation and Law

5.4.1. In 2005, PCB received 3 complaints against the State Government Administrations' agencies under this category. 2 complaints were lodged against the State of Johor and 1 against the State of Sabah. All complaints were resolved for the State of Johor with 1 or 50 % justified. For the State of Sabah, the complaint was unjustified.

5.4.2. The complaints made pertained to the application to impose restrictions on rearers of swiftlets and the problem of enforcing laws regarding entertainment premises.

5.5. ABUSE OF POWER / MISAPPROPRIATION

5.5.1. The State Government Administrations and their agencies received 22 complaints under this category and a total of 16 or 72.73% were resolved. Out of this, 3 or 18.75% were justified and 13 or 81.25% unjustified.

- 5.5.2. LAs of the State of Selangor received 2 complaints and both were resolved in which 1 was justified.
- 5.5.3. LAs of the States of Perak, Johor and Penang received 1 complaint each and all of them were resolved with only 1 complaint against Penang justified.
- 5.5.4. Among the issues raised against the LAs were as follows:
 - a. allegations of LAs enforcement personnel requesting money from shop owners; and
 - b. allegations Government officers receiving bribes and owning property beyond their means.
- 5.5.5. DLOs of the State of Selangor received 3 complaints which are still being investigated.
- 5.5.6. DLOs of the State of Perak received 1 complaint which was resolved and found unjustified.
- 5.5.7. Issues raised under this category against the DLOs were abuse of power in the transfer of land ownership and the unpaid allowances for Village Development Committee members.

5.6. MISCONDUCT OF CIVIL SERVANTS

- 5.6.1. The State Government Administrations and their agencies received 9 complaints under this category and a total of 6 or 66.67% were resolved in which 3 or 50% were justified.
- 5.6.2. All the 9 complaints comprised of 2 each for the States of Perak and Selangor. For the State of Perak, the complaints were against the Department of Water Supply and the Religious Office. 1 complaint was resolved but unjustified.
- 5.6.3. The remaining 5 complaints were against the State of Kedah (the complaint against DLOs was resolved and found justified), the State of Pahang (complaint against DLOs was still under investigation), the State of Penang (complaint against DLOs which was resolved and found unjustified), the State of Terengganu, (complaint against

Las was resolved and unjustified) and the State of Sarawak (complaint against the State Secretariat and still under investigation).

5.6.4. Justified complaints under this category were such as application to replace the existing *penghulu*, the LAs van was claimed to have obstructed the flow of traffic and DLO counter operator was not customer friendly.

5.7. FAILURE TO ADHERE TO SET PROCEDURES

5.7.1. The State Government Administrations and their agencies received 30 complaints under this category and 26 or 86.67% were resolved. Out of this, 16 or 61.54% were justified and 10 or 38.46% were unjustified.

5.7.2. LAs of the State of Selangor received 3 complaints and 2 were resolved in which 1 was justified.

5.7.3. LAs of the States of Penang and Perak each received 2 complaints and all of them were resolved in which only 2 were justified.

5.7.4. Among the issues raised against the LAs were as follows:

- a. a kindergarten still operating after the expiry of its permit;
- b. a developer who closed up the existing drainage system; and
- c. the construction of drains and roads not in accordance with the regulations.

5.7.5. The Department of Islamic Religion of the States of Johor received 3 complaints and all were resolved with only 1 justified. The complaints raised were problems regarding mosque mismanagement, allowance for a trainee religious teacher was not paid in full and termination of service of a religious school teacher.

5.7.6. The Land and Mineral Office of the State of Penang received and resolved 2 complaints in which only 1 was justified. The complaints raised were non-issuance of permanent land titles and the salary paid was not in accordance with the grade salary offered.

5.8. FAILURE OF ENFORCEMENT

- 5.8.1. Throughout 1.1.2005 to 31.12.2005, the State Government Administrations and their agencies received 201 complaints under this category. A total of 163 or 81.09% were resolved in which 125 or 76.69% were justified and 38 or 23.31% were unjustified. DLOs and LAs are the highest agencies to receive this category of complaints.
- 5.8.2. LAs of the State of Selangor received 57 complaints and 6 or 80.70% were resolved. Out of this 36 or 78.26% were justified.
- 5.8.3. LAs of the State of Perak received 24 complaints and all were resolved in which 21 or 87.5% were justified.
- 5.8.4. LAs of the State of Penang received 23 complaints in which 18 or 78.26% were resolved and 14 or 77.78% were justified.
- 5.8.5. Among the issues raised against the LAs were as follows:
- a. stray dogs in residential areas;
 - b. nuisance caused by factories and used car business;
 - c. illegal extraction of sand;
 - d. parking of heavy vehicles in residential areas; and
 - e. air pollution caused by rubbish dumping ground and rubbish by the road side.
- 5.8.6. DLOs of the State of Selangor received 8 complaints and 7 or 87.5% were resolved. Out of that figure, 3 were justified and the other 4 were unjustified.
- 5.8.7. DLOs of the States of Johor and Perak received 6 complaints each in which 5 or 83.33% were resolved. In Johor, 3 complaints were justified and 2 cases were unjustified. Meanwhile in Perak, all 6 complaints were resolved and a total of 5 or 83.33% were justified.

5.8.8. Among the issues under this category that were raised by the complainants against the DLOs were as follows:

- a. non-enforcement regarding the extraction of red soil from the plantation;
- b. non-enforcement against illegal extraction of sand;
- c. failure of enforcement on the problem of clogged drains;
- d. non-enforcement against trespassing of mangrove forest; and
- e. failure of enforcement on the construction of prawn farming ponds which led to the destruction of mangrove swamps.

5.9. UNSATISFACTORY QUALITY OF SERVICE

5.9.1. A total of 120 complaints under this category were received by the State Government Administrations and their agencies and 101 or 84.17% were resolved in which 72 or 71.29% were justified and 29 or 28.71% were unjustified.

5.9.2. LAs of the State of Perak received 16 complaints and all were resolved in which 13 or 81.25% were justified and 3 or 18.75% were unjustified.

5.9.3. LAs of the States of Johor and Selangor received 15 complaints each and 13 were resolved and 7 or 53.85 complaints in the State of Johor were justified. Meanwhile a total of 11 or 84.62% in the State of Selangor were justified.

5.9.4. Among the issues under this category against LAs were as follows:-

- a. dissatisfaction over the maintenance of drains which led to clogging;
- b. dissatisfaction over the maintenance of drainage system;

c. dissatisfaction over the garbage collection schedule; and

d. complaints against unsatisfactory counter services.

5.9.5. Southern Waste Management (SWM) and SAJ Holdings Sdn. Bhd. in Johor each received 7 complaints under this category. All complaints against SWM were resolved and 6 or 85.71% were justified. As for SAJ Holdings Sdn. Bhd., 6 or 85.71% were resolved and 5 or 83.33% were justified.

5.9.6. The issues against SWM included the dissatisfaction over the garbage collection service, grass-cutting works, discharge of dirty and foul smelling water from the garbage trucks and others.

5.9.7. The issues against SAJ Holdings Sdn. Bhd. were no water supply, low water pressure, frequent breakage of water pipes, problems with clean water supply and others.

5.10. MISCELLANEOUS COMPLAINTS

5.10.1. Throughout 2005, a total of 50 enquiries and various complaints were received by the State Government Administration's agencies. A total of 46 or 92% enquiries were resolved.

6. EXAMPLES OF JUSTIFIED CASES

6.1. 2 ½ Years Taken to Refund Income Tax Credit

A branch office of Inland Revenue Board (IRB) had yet to refund the income tax credit balance for the years 2000, 2001 and 2003 amounting to RM1,514.08 which was claimed since 3.3.2004. The amount was for the dividends of shares.

Following PCB's action, the IRB immediately issued a payment voucher amounting to RM1,514.08 and delivered the cheque to the complainant at the end of October 2005.

6.2. Replacement of Night Duty With Annual Leave

The complainant who worked the night shift in a school claimed that the leave which he was entitled to was replaced by public holidays and his annual leave. This caused the complainant to lose his eligibility of his annual leave of 25 days and public holidays.

Investigation revealed that the school authority admitted its error concerning the deduction of the complainant's leave. It agreed to reinstate the number of leaves deducted in 2004 and brought forward to 2005.

6.3. Failure to Issue Medical Report as Stated in the Clients' Charter

The complainant claimed that he was discharged from hospital after he was involved in a road accident on 8.12.2004. The application for a medical report was made to the hospital's Record Division on 22.12.2004 vide receipt no. 239270 to enable him to make an insurance claim. The officer at the Record Division promised that the report would be ready in 8 weeks. After the time period promised, the complainant went to collect it but was told it was not ready and he returned on 17.2.2005. However, it was still not ready. He was upset with the promise made and dissatisfied with the Client's Charter shown at the hospital.

The Director of the State Hospital clarified in a letter dated 10.3.2005 that the delay in processing the medical report was due to the delay in tracking down his record which was still active and in the process of being delivered to the Medical Record Unit and the medical officer responsible was busy. The hospital authority gave the report to the complainant on 8.3.2005 and pledged that they would embark on improvement measures to ensure such a situation would not happen again.

6.4. Telephone Bill Paid But Line Disconnected

The complainant claimed that he had settled his phone bill amounting to RM93.57 on 10.7.2005 after receiving the first reminder from Telekom Malaysia (TM). After payment was made, TM sent a reminder with the note '*please ignore this statement if payment had been made*'. However, the complainant was not satisfied as his telephone line was still disconnected even though payment was made.

The Head of Customer Service Management, TM clarified in a letter dated 18.10.2005 that the complainant had two telephone

accounts: G 203162530110 and G 203162530208. On 10.7.2005 he made payment for both accounts.

There was an error in the input of data when payment was made whereby the payment for the two accounts was credited into one account: G 203162530208. This led the Credit Management System to automatically disconnect the line temporarily. TM reconnected the line on 18.10.2005 and the amount mistakenly credited was then credited back to the other account G 203162530110. The complainant was informed of the error and the corrective action with an apology. The Head of Customer Service Management personally apologised to the complainant and regretted the error and inconvenience caused.

6.5. Housing Loan Deducted Twice Monthly From February 2005 to June 2005 From Derivative Pension and Pension As Repayment for Housing Loan

The Housing Loan Division (HLD) was claimed to have deducted RM1116.22 from the complainant's derivative pension from February to April 2005. Similarly, the Pension Division made deduction of RM1168.75 from his monthly pension for the same period. The double deductions from both the derivative pension and the complainant's pension were repayments of his housing loan. This did not include deduction of RM1173.07 from his gratuity and RM1163.25 from his salary of December 2004. Besides, a deduction was made from his pension for June 2005. Enquiries made to HLD and Pension Division since 23.5.2005, that was 2 months ago was not given any response.

Investigation with HLD found that the complaint was substantiated. HLD then sent a cheque of RM4,511.91 to the complainant for the deductions made in December 2004 and February to April 2005.

6.6. Shop Houses Damaged At Pekan Rasa Caused By The Rawang – Ipoh Electrified Double-Tracking Rail Project

The complainant as representative of the Village Committee of Security and Development (VCSD) received a complaint on shophouses damaged on both sides of the tunnel caused by the Rawang – Ipoh Electrified Double-Tracking Rail Project. 14 shophouses had cracked and sunk slightly. This caused the residents to live in fear and worry for their safety. Thus, the VCSD and the residents involved forwarded applications for compensation to the Malayan Railway Berhad (MRB) and the project consultant.

Based on PCB's investigation, MRB instructed the consultant to prepare a report and to take measures to immediately repair the

damaged shophouses. With regards to the compensation sought the consultant agreed to extend assistance to repair the said shophouses after inspection by the insurance company. PCB was satisfied with the explanation and would at the same time continue to monitor the situation.

6.7. Problem of Clogged Drains and Mosquito Breeding in Residential Areas

According to the complainant, whenever there was a heavy downpour, the rainwater would spill onto the entrance of the residential area. This caused inconvenience to the residents. Besides, in the area concerned, there was a housing project in progress that caused the water to stagnate and thus, became a mosquito breeding ground. The residents requested for fogging to be carried out to prevent dengue.

As a result of a site visit, it was found that Seberang Prai Municipal Council (SPMC) had investigated this situation since 30.9.2005. Based on these investigations, SPMC had carried out fogging the area concerned and its surroundings. On 5.11.2005 fogging was again carried out and cleaning and repair work on damaged drains was in progress and expected to be completed by 13.1.2006.

6.8. Delay in Refund of Excess Housing Loan Deduction

The complainant informed that the Housing Loan Division (HLD) had not refunded the over deduction on repayment of housing loan for the month of September 2005 of RM754.33 and excess payments after the loan had been fully settled in June 2004, even though the claim had been made since 21.9.2004.

Investigation with the Property Section of HLD, PCB found that:

- i) HLD issued a cheque of RM754.33 to refund the September 2004 deduction to the complainant on 8.5.2005.
- ii) No over payment existed in the complainant's account to enable refund to be made. This was because the payment made has been used to repay the housing loan arrears which was the complainant failed to pay in the amount of RM1748.00 (excluding interest) for April 2002 to March 2003 and April 2003 to August 2004.

6.9. Seepage of Water Into a House Due to Poor Drainage

The complainant informed that on 28.4.2005 when it rained for an hour, his house was flooded with 3 inches of water. Even though, it

was not as bad as before when it was flooded up to 4 feet that damaged a lot of his belongings and property. The problem was caused by poor drainage system. The drains were clogged and not cleared where soil and rubbish were trapped and grass and weeds had grown in the drain. A complaint was lodged ten years ago but the problem still persisted.

Based on the investigation and a meeting also attended by the complainant on 23.9.2005, a few decisions were made for actions to be taken, namely the Council would appoint a contactor to build a culvert near the complainant's house to overcome the heavy flow of water caused by the housing project on the upper part to the main drain near the complainant's house. The Drainage and Irrigation Department (DID) would clear the drain concerned and make a study on a nearby *S-shaped* drain that also contributed to the flooding problem. DID would also cooperate with the MRB to ensure that the nearby drainage passing through the MRB's Signal Depot near Taman Kajang Jaya would be properly maintained considering it may contribute to this problem. The Selangor Water Supply Company (SYABAS) would be informed regarding a pipe running across the drain which was claimed to cause flooding (rubbish trapped). The complainant was satisfied with the actions taken and it would solve the problem.

6.10. Delay in Payment of Compensation by Human Resource Department

The complainant is an agent supplying foreign workers. He had filed a claim with the Industrial Court on 22.7.2005 regarding the failure of an agency to pay the salaries of foreign workers. The Court decided that he should be awarded compensation. The compensation should be made through the State Human Resource Department (SHRD). The complainant was dissatisfied with the delay of the payment by SHRD. He had frequently been in contact with the officer responsible but each time an inquiry was made, the officer would always make excuses. To date, the officer told the complainant to enquire at the Accountant-General's Department (AGD) but when AGD was asked for a reference number, group and voucher number, SHRD officer could not furnish them with the excuse of difficulty in tracing them. The complainant felt that he was purposely made a fool by the officer. He hoped that SHRD would pay the compensation as soon as possible.

HRD informed that the complainant's compensation of RM233.33 was paid on 21.11.2005 by SHRD (a copy of payment receipt is attached / cheque no. 910077). HRD admitted a slight delay in the payment was due to the fact that the employer made the cheque payable to the Director of SHRD. Hence, the payment process had to be done through the AGD which needed more time. However, the process was completed and the complainant had received the payment.

7.

EXAMPLES OF UNJUSTIFIED CASES

7.1. Delay in Payment For Renovation Works

The complainant informed that the contractor/supplier who had carried out renovation work on a multi-purpose warehouse had not received payment. He enquired with the District Office and was told that the payment was under the State Development Office as it was under a Member of Parliament's special allocation. However, the complainant still had not received payment for the project even though the application had been made.

The monitoring meeting of this case was held at the District Office attended by representatives from the District Development Office, Accountant-General's Department and the State Development Office. Investigation by the Accountant-General's Department revealed that a cheque had been issued and cashed and yet the complainant still insisted that the supplier had not received the cheque. A visit to the supplier's shop was made and its account was examined which showed that the cheque had been received and cashed. The supplier had signed a letter certifying the receipt of the cheque. The complainant apologised.

7.2. Complaint against an Officer of the Royal Customs of Malaysia

A Customs officer working at a port was alleged spending most of his time at a company owned by him even though his name was not listed as one of the Board of Directors of the company. On the contrary, he used the name of immediate family. He led a lavish life style inspite of his salary as a Customs Officer whereby he is willing to spend RM15,000.00 per night enjoying himself at a night club. In August 2004, with just 5 transactions, he had embezzled Government's money worth RM303,972.70.

Investigation revealed that the allegation was unjustified because:

- i) The Customs Officer was not the owner of the company a alleged according to the statement given by Malaysian Commission of Companies (MCC). Based on the record,

among the Board of Directors and the owners is his twin brother;

- ii) concerning the complaint that he used his position to embezzle the Government's money in 5 transactions, no evidence was found to support this allegation and influence the assessment of the value of the company's goods. This is because on the date and time the company's goods were declared, he was working in a different branch. Furthermore, he was a low-ranking officer who was not authorized to determine the value and trade exemption because the power lies in the hands of the senior officers;
- iii) concerning the complaint that he often enjoy himself at a night club and spent RM15,000.00 a night, the allegation was weak and misleading because the identity of the officer was not clear as to whether it was the officer or his twin.

7.3. **Double Standard Action Against Staff**

The complainant claimed that there was a double standard action by the Senior Assistant Registrar of Student Affairs towards the supporting staff of a University's Health Campus. Officers and staff who are close to him could arrive late, leave the office at any time but the others could not. Most of the office time were misused for doing personal errands. This matter had been complained to the top management but no action was taken to overcome this.

The Director of the Campus, in a letter dated 18.4.2005 stated that an Investigation Committee was formed to investigate complaints such as those lodged by PCB. The Senior Assistant Registrar, Students' Affairs did not give special treatment to the Assistant Officer of Youth and Sports as claimed. Witnesses who were called to testify denied that such things occur. The Assistant Officer of Youth and Sports often left the office for official duties and was directed by the Head of Department himself. He opted for the flexible hour as most of his work had to be done outside working hours and weekends.

Concerning complaints of frequently speaking on the telephone, witnesses denied the claim, and as there were no complaints from officers of the other departments. Students who were called to testify also denied that they were unfairly treated. There was only 1 case in which the student's application form for advance was lost. However, the issue was resolved after the student filled in a new form. The Head of Department also denied any misconduct of the two staff because all the actions taken were upon his directive and approval. The Committee was also of the view that there was no

misconduct and advised the two staff to be more responsible in performing their duties so that any action/behaviour would not be misconstrued.

7.4. Delay in the Distribution of Estate

A complaint was received alleging that the Malaysian Security Commission (MSC) had not released the complainant's share of his late father's estate which was in the form of shares registered with the Central Depository System (CDS) even though MSC had credited the shares into the petitioner's account in July/August 2003, that was 2 years ago, to be distributed to the beneficiaries concerned.

After the case had been investigated, it was found that the MSC had already credited the shares which were applied by the complainant, into his sibling's CDS account between 9.7.2003 to 19.8.2003. It is the responsibility of the complainant's brother as their late father's estate administrator to distribute the shares to the beneficiaries including the complainant.

7.5. Damaged X-ray Machine at the District Hospital

The complainant claimed that the X-ray machine at the District Office had been faulty for more than a month and had not been repaired until today. This had inconvenienced the public who needed the x-ray service for the purpose of treatment or for medical examination and thus, they were forced to go to another hospital to do it.

The investigation revealed that the x-ray machine had been faulty for more than a month was not true. Currently there are 2 portable x-ray machines being used at the hospital. In the past 5 months (Jan-May 2005) the rate of the usage of x-ray machine at the hospital was 670 a month. Within that period there was no distinct decrease in the use of the machine that could indicate the machine was not functioning or not in use. The hospital management informed that they provided excellent service to customers with the existing facilities.

8. IMPORTANT ISSUES THAT REQUIRES ATTENTION

- 8.1. Based on the observation made by PCB on all the complaints received in 2005, it was found that amongst the problems or main issues often raised by the public against the services provided by the Government were delay or no action, non-enforcement, Land and District Offices and issues against the Local Authorities.

1. Delays / No Action

i. In 2005, out of 2,707 complaints investigated by PCB, 1,130 or 41.74% were those in the delay/no action category. For this category, PCB's statistics shows that the public were still dissatisfied with the attitude of some Government departments which failed to respond or delayed in responding to applications or enquiries regarding services provided. For example:

a. At the Federal Level

Applications to replace MyKad from the National Registration Department in the States, applications for taxi permits from the Commercial Vehicle Licensing Board, the processing of foreign labour permits at the Immigration Department, the processing of the registration of contractors at the Contractors Service Centre, applications for accident reports from the Police, application for medical reports from hospitals, applications for medical treatment reimbursement from retirees from the Pension Division, Public Service Department.

b. At the State level

It was found that the problems such as applications for land, land ownership transfers from Land Offices; issuance of strata titles and applications for Certificate of Fitness Occupation (CFO) from Local Authorities took a long time to be resolved. In such cases it was found that most agencies did not have or did not practise the monitoring system on each application and enquiry received. The Clients' Charter set by the department itself was also not fully implemented. There were also departments which faced constraints with many posts not filled which resulted in an officer carrying out the work of more than 2 positions.

- ii. Besides this, PCB also observed that the cause for delays was due to the human factor especially the attitude of the workers. In this case, it is important that Heads of Department see for themselves what is happening at the fore front and analyse whether the existing work system needs improvements. Changes in the working method needs to be given attention so that officers at the frontline will be able to provide a more effective and client friendly service.
- iii. Furthermore, motivation should be given to the officers from time to time so they will always be reminded of the need to have positive attitude towards the clients. The departments' management team should always monitor the services rendered to ensure they meet the clients' satisfaction. All the views, complaints and proposals from the clients need to be given due attention to improve the quality of service.

2. Failure of Enforcement Issues

- i. The observation made by PCB also revealed that the issue of non-enforcement was often raised by the public. Out of 2,707 complaints received in 2005, a total of 339 (12.5%) were regarding non-enforcement.
- ii. Amongst the main agencies involved were Local Authorities which failed to act against illegal traders and premises such as stalls, factories and entertainment centres. For the Royal Malaysian Police (RMP) the complaints regarding non-enforcement were activities such as illegal racing, drug trafficking and traffic congestion. For the Department of Environment, there were cases of air pollution by factories and stone quarries. Whereas for the Transport Department, the problems were heavy vehicles carrying overloaded goods. The Local Government Department on the other hand, was claimed to have failed to act against housing developers who failed to complete their projects. Complaints against the Employees Provident Fund was the failure to act against the employers who did not subscribe contributions for their employees. The Labour Department failed to take actions against employers who did not adhere to the regulations of the Labour Act. The Immigration Department failed to

act against the employers who hired illegal foreign workers and the Land and District office failed to act against illegal sand operators.

iii. Most of the complaints received by PCB indicate that the relevant enforcement agencies/departments failed to act after reports had been lodged. This had directly or indirectly affected the comfort and the quality of their lives. PCB's observation also revealed that amongst the main factors contributing to the failure of enforcement was the failure to act expeditiously. In such cases, often the information/complaint received from the public was not given serious attention; in fact there were cases in which similar complaints were lodged repeatedly but ignored.

iii. The lack of enforcement personnel was also another factor that contributed to this problem. It could not be denied that the limited number of enforcement personnel resulted in the inability to carry out monitoring work comprehensively. Moreover, it was also found that a few enforcement actions that were carried out against the offenders were not effective. For example, the repeat issuance of compounds for an offence was not sufficient to overcome the problem. Sometimes, the rate of the compound was very much less compared to the profits made by the operators of illegal activities.

3. Issues against the Land and District Offices

i. PCB also found that issues against the Land and District Offices such as delay in obtaining land ownership titles, issuance of strata titles, approval of land applications and compensation payments were the common complaints from the public. In this case, the main issue raised was the delay by the Land Offices in processing or taking appropriate on the applications submitted. At times the applications or process for land approvals took a very long time and the applicants were not informed of the status. As a result of not being informed, the applicants often blamed the land administrators as irresponsible and sluggish in executing their duties.

- ii. Apart from that, many of the cases complained also concerned the non-enforcement by the Land Office against quarry owners. In this case, the complainants had informed the Land Office of the problems faced by them resulting from the quarry activities that had affected their comfort and safety of their homes. Many complaints were about the loud noise generated by the explosions as well as flying debris and stones hitting their houses. Unfortunately, the reports lodged were not taken seriously by the agency concerned. This matter should not be taken lightly as it may cause unexpected accidents and serious injuries or even destruction of properties and death to the residents nearby.
 - iii. The concerned party should view this matter seriously and ensure that the safety of the residents nearby be given the utmost priority. Therefore, monitoring measures need to be promptly implemented if such complaints were reported to them. Besides, the Land Office should also ensure that the conditions set for the quarry operators are fully observed without compromise. Failure in adhering to the laws calls for legal enforcement.
4. Issues against the Local Authorities (LAs)
- i. The observation by PCB also found that the main issue often raised regarding the LAs was the non-enforcement of laws against entertainment centres and cyber cafes which breached the conditions stipulated. Such cases were often raised by the public especially when they have often provide information to the LAs of the offences committed by the owners of the entertainment centres such as operating business after the time permitted, carrying out side activities such as drug trafficking. Unfortunately, the LAs ignored the information provided by the public and this may lead to various negative perceptions towards LAs such as corruption, intransparency and inefficiency which could affect the image and credibility of the LAs.
 - ii. If such monitoring or enforcement failed to be implemented effectively, the public would assume that the LAs were weak, incapable and irresponsible. This has to be curbed promptly and the LAs should take a

more aggressive approach to ensure that all the conditions and regulations set are fully adhered. Tougher actions that would bring the offenders to justice are more effective than repeated issuance of compounds.

- iii. Other issues were land slides and flash floods caused by nearby development projects which failed to adhere to the conditions of the license approved. LAs should be sensitive to the problems raised and measures to minimise the destruction caused by development activities should be resolved prior to LAs giving approval for developers to start any projects.
- iv. Matters regarding development not complying to certain zoning were also among the important issues. In such cases, there were complaints against the LAs permitting developers to build factories close to the residential areas. The LAs should ensure that the zoning determined for certain areas did not mix with other contrasting activities and conditions for development needed to be tightened.
- v. The issue of garbage collection was also important and needed to be given emphasis by the LAs. The many complaints received stated that LAs often failed to collect garbage as scheduled. Appointed contractors such as Alam Flora or Southern Waste Management Sdn. Bhd. should always be monitored effectively by the LAs to ensure that garbage collection and cleaning works were implemented according to agreed schedules. A mechanism such as the deduction of payments should be implemented so that they would be more conscientious and responsible.
- vi. Moreover, issues regarding the approval of renovation of buildings/houses also needed to be looked into thoroughly by the LAs. In this case, there were LAs that failed to monitor from the start the renovation works were approved. Ultimately, there were renovations that should not be carried out by the applicants. As a result of the renovation works, it caused inconvenience to their neighbours. Therefore, LAs should from the very beginning send their officers to the site to monitor the renovation works according to the approved specifications.

- vii. There were also complaints against the LAs claimed to have given permit/approval to gazetted areas in housing development projects to be converted into commercial projects. In this case, the areas reserved should be used for the benefit of the public such as the construction of mosques, community halls, schools, playgrounds and so on for the use of the local residents. Therefore, the LAs should ensure that any sites or gazetted areas reserved for the use of public should be prohibited from being encroached.

CHAPTER 4



ENHANCEMENT PROGRAMMES TO IMPROVE THE MANAGEMENT OF PUBLIC COMPLAINTS AND THE PUBLIC DELIVERY SYSTEM

1. Public Complaints Bureau

- 1.1. For 2005, PCB continued its efforts from previous years to further improve its existing management system. Among them is to enhance the Public Complaints Management System by adding new functions which did not exist in the earlier system. This is important because it not only simplifies and expedites the processing of complaints as well as enabling the speedy and easy retrieval of complaints data.
- 1.2. The working visit by the Rt. Honourable Prime Minister to PCB on 17.10.2005 has triggered him to instruct PCB to conduct a Public Opinion Poll to provide the public the opportunity to give views and recommendations regarding the Government's administration. Preparations were made and this Public Opinion Poll will be officially launched in early 2006.
- 1.3. The establishment of PCB Complaints Detection Unit
 - 1.3.1. PCB Complaints Detection Unit (CDU) was formed on 15.8.2005 and began operating on 18.8.2005. Among the main tasks of CDU are as follows:
 - i. to plan and implement pro-active actions to prevent any complaints being raised in the media;
 - ii. to monitor and investigate complaints/news published in the newspapers as well as getting clarifications from the agencies/departments involved; and
 - iii. to carry out scheduled monitoring on departments which provide counter and telephone services.
 - 1.3.2. Since the formation of this Unit, the activities carried out are as follows:

- i. conducted 22 visits and pro-active monitoring at the complaints sites. Photographs were taken and recommendations were made for actions to be taken by the respective departments/agencies;
- ii. most complaints were directed to the Local Authorities which are responsible to maintain public amenities and to enforce the relevant laws and regulations but were not fulfilled; and
- iii. whereas visits were made to Federal Departments and to monitor the services provided :
 - a. the National Registration Departments (NRD) at Bandar Tun Razak, Hulu Langat and Petaling Jaya (the new MyKad processing and collection counters);
 - b. the service counter of the Passport and Security Division of the Immigration Department Headquarters, Putrajaya; and
 - c. the revenue counter at the Federal Territory Land and Mines office in Kuala Lumpur.

1.3.3. Newspaper Clippings

- i. With regards to newspaper clippings, 16 on-site investigations were carried out for the period of August till December 2005 pertaining to complaints published in the local papers. The complaints that were investigated involved 9 Government departments/agencies, among them the Town Councils of Nilai, Shah Alam, Ampang Jaya, Subang Jaya, Kajang and Kuala Lumpur City Hall (KLCH).
- ii. Federal department that received complaints, namely the State Education Department of the Federal Territory of Kuala Lumpur and the Road Transport Department, Putrajaya, Hulu Selangor Public Works Department, 2 corporatised bodies namely Pos Malaysia located at the Kuala Lumpur Hospital and the National Higher Education Fund (NHEF). Out of these 16 complaints, 10 were valid (62.5%) and 6 were baseless.

- iii. Complaints investigated covered matters such as overflowing sewerage, dissatisfactory road repairs and non-concreted drains which resulting to landslides and clogged drains.
- iv. 3 complaints involved counter service staff who were alleged to be unfriendly including not smiling, being rude as well as reprimanding customers. Out of the 3 complaints investigated, it was found that only one case was valid whereby the clerk found to be rude was advised and reminded not to repeat it in future.

1.3.4. The CDU has forwarded 296 newspaper clippings of complaints made to the departments/agencies concerned for further clarifications and comments. Out of this total, CDU received 146 replies that are 49.3% from the departments/agencies involved. Of this total, 84 complaints were valid. CDU has yet to receive and is still awaiting feedback with regards to the remaining 150 (50.7%) from the relevant departments/agencies. Please refer to **Table VII**.

Table VII

Status of Complaints Published In The Newspapers

Number of Complaints Published in Newspapers	Letters Forwarded To Agencies	Number Of Reports From Agencies	Number Of Reports Not Received From Agencies
296	296	146 (49.3%)	150 (50.7%)

2. Ministry/Department/Government Agency

2.1. Ministry of Higher Education

- i. The Implementation Of The Inquiry And Complaints Management System
 - this system was developed to facilitate the target group/public to make enquiries and complaints related to divisions/departments/agencies of the Ministry of Higher Education.

- through this system, the public is able to deal directly with the divisions/departments/agencies without any bureaucracy and get immediate feedback regarding their queries or complaints.

ii. UPU On Line

This application had facilitated post STPM/SPM applicants to submit their applications for entry into Public Higher Education Institutes.

iii. E-Form

E-Form is an online application to facilitate the entry into Polytechnics and Community Colleges for those interested to further their education to the various Polytechnics and Community Colleges.

2.2. Public Works Ministry

i. Public Complaints Toll Free Line Project and SMS

This project aims to facilitate the public or users to report to the Public Works Ministry and Department pertaining problems encountered especially federal roads and all roads under the purview of the Public Works Department.

ii. Registration of Contractors through the Customer Service Counter of the Construction Industry Development Board (CIDB).

The processing time for registration of new contractors has been shortened from 60 days to one working day.

2.3. Road Transport Department (RTD)

i. As of 15.12.2005, RTD has simplified the application procedures to get copies of the Motor Vehicle Licence (MVL) and copies of lost or damaged of driving licences whereby the applicants are no longer required to submit police reports with the original receipts nor Statutory Declarations as previously required. This improvement initiative has eliminated the need to deal with many agencies by the public.

- ii. RTD has also developed the Vocational Drivers Profile System in its main data base for the purpose of creating a vocational drivers profiles reference information center. Transport companies or associations can request drivers' information prior to their employment to ensure that the driver employed does not possess any bad records.
- iii. RTD has also introduced several projects specifically to improve its services. Among them are:
 - a) E-Registration Project

This Project is to expedite the vehicle registration process. Information of vehicle buyers, insurance, ownership claim and others are entered by the vehicle dealers and registration by the dealers/buyers can be made at the E-Registration counter.
 - b) E-Insurance Project

E-Insurance Project aims to facilitate the checking of insurance information of vehicles before the issuance Motor Vehicle Licence (MVL). This is beneficial as it expedites the authentication process of the vehicle insurance information and to eliminate vehicle insurance fraud for MVL purposes;
 - c) E-Ownership Project

This Project aims to facilitate the checking process for information on entry and cancellation of ownership as well as to expedite the authentication of vehicle ownership information process;
 - d) E-Health Project

This Project aims to prevent fraudulent medical reports for vocational licences; and
 - e) E-Payment

This Project aims to facilitate payment process at RTD offices by allowing the use of credit cards, debit cards and prepaid cards. It reduces cash transactions by counter staff and able to prevent the misappropriation of revenue. This project is still at the drafting stage of agreement by Central Bank of Malaysia.

2.4. National Registration Department (NRD)

- i. The NRD has provided an interactive website which allows users to obtain information and to check their application status.
- ii. The NRD has also increased the number of counters and extended its working hours and also operating on Saturdays to overcome the sudden increase in MyKad applications to meet the dead line for changing the KPT to MyKad by 31.12.2005.

2.5. Immigration Department of Malaysia (IDM)

- i. IDM has introduced a tourist visa application portal for tourists from India and the People's Republic of China (PRC). Applications can only be made through agents in India and PRC.

2.6. *Public Service Department (PSD)*

- i. **There are two (2) counters introduced, that are:**
 - a) **Centralised counter**
 - **the counter is located at the lobby level of Block C2 on the last Friday of every month. This is to facilitate clients especially for those requiring advice/solutions to their problems involving two or more PSD divisions.**
 - b) **Branch Counter**
 - **this counter operates in Kuala Lumpur to deal with pensions and study loans repayment and compensation. The counter is also open every Saturday from 8.00a.m until 12 noon.**

- c) Modernisation of Pension Administrative System Project
 - aims to create an integrated pension administrative system to increase its efficiency in the processing system, payment and pension accounts system.

2.7. Kelantan State Government Administration

- i. The Land Office of Pasir Puteh under the Kelantan State Government Administration has established a Public Complaints Special Committee on land matters. As a result, this Committee discovered several cases of misconduct/negligence of officers/staff at the Land Division.

2.8. Terengganu State Government Administration

- i. The Terengganu State Government Administration has introduced the E-Complaints System in January 2005 to enable the public to lodge their complaints to the Government departments or agencies under a coordinated centralised system. Currently, there are 150 departments directly involved in the E-Complaints feedback system.

PCB ACTIVITIES AND PROGRAMMES

1. PCB has carried out various activities throughout 2005 such as Senior Officers Meetings and participated in exhibitions along with other Government departments. In addition, the PCB received the visit of the Rt. Hon. Prime Minister, Senior Deputy Secretary-General of the Prime Minister's Department, foreign delegations and local agencies. PCB also organised several briefings and talks on PCB's roles and functions for Government departments/agencies. The list of PCB's activities for 2005 is as in **Appendix V**.
2. PCB's programmes for 2005 are as follows:

2.1. THE MESRA RAKYAT PROGRAMME (MESRA)

2.1.1. This programme is a dialogue session between the public and the various State/District Government departments /agencies involving community leaders, residents' associations, fishermen, smallholders, retailers, and voluntary bodies with heads of departments. The aim of this programme is to provide a channel for the public to air their grievances or lodge complaints when dealing with these departments. This programme is in line with the Public Service Administrative Development Circular Letter No. 1/2002.

2.1.2. For 2005, PCB has successfully carried out 5 MESRA Programmes. These programmes involved a total of 2,099 people with 151 complaints received. The locations, total number of issues raised and resolved participants and the heads of departments involved in the programme as in **Table VIII**.

Table VIII

No.	Dates	Location	No. Of Attendees		No. Issues raised	No. Issues solved
			The Public	Heads of Departments		
1.	23.4.2005	Temerloh, Pahang	287	40	20	20
2.	27.6.2005	Manjung, Perak	673	60	40	38
3.	28.6.2005	Muar, Johor	376	46	37	36
4.	7.7.2005	Kota Tinggi, Johor	423	25	31	30
5.	2.10.2005	Hulu Terengganu, Terengganu	340	42	23	19
		Total	2,099	213	151	143

2.1.3. PCB constantly monitors the status of issues raised during the programmes to ensure that appropriate measures are taken accordingly. All the complaints received during these MESRA Programmes were registered in the PCB's computerised system and follow-up actions taken until resolved. Out of the 151 complaints received, 143 were successfully resolved in 2005.



Registration session during the MESRA Programme held in Hulu Terengganu, Terengganu



Speech by Director- General of PCB during a MESRA Programme in Temerloh, Pahang

2.2. MOBILE COMPLAINTS COUNTER (MCC) AND INTEGRATED MOBILE COMPLAINTS COUNTER (IMCC)

2.2.1. MOBILE COMPLAINTS COUNTER (MCC)

2.2.1.1. The MCC Programme is PCB's programme where a counter is opened daily to the public to lodge their complaints. It was first introduced in 1985 known as *Circuit* in accordance to the Public Service Development Administrative Circular No. 4 of 1992. This programme has been implemented throughout the country including Sabah and Sarawak. The main focus of this programme is at the rural areas/remote locations.

2.2.1.2. For 2005, PCB has implemented 60 MCCs. There were 659 clients with a total of 271 complaints received. The number of clients and complaints received through the MMC programmes for the Headquarters and branches as in **Table IX**.

Table IX

No.	Branch	No. Of MCC	No. Of Clients	No. Of Complaints
1.	Headquarters	1	0	0
2.	Northern	15	169	99
3.	Central	10	125	60
4.	Southern	18	259	55
5.	Eastern	16	106	57
	Total	60	659	271

2.2.1.3. This programme is found to be popular among the people in view of the number of customers who came to lodge their complaints has increased steadily. The frequency of conducting the MCC programme regularly has helped the public to resolve many of their problems.

2.2.1.4. The MCC Programme held by PCB has received full support and cooperation of local agencies where the programmes were carried out. This support contributed to the success of this programme. In Sabah, the MMC Programme is carried out with the cooperation of the Sabah State Public Complaints Bureau whereas in Sarawak, PCB received cooperation from the Sarawak Chief Minister's Office. The MCC Programme carried out in the districts of Sarawak is also assisted by the Resident's Office of the

relevant districts. To date, the programme has always been well received by the public.

2.2.2. INTEGRATED MOBILE COMPLAINTS COUNTER (IMMC)

2.2.2.1. This programme emerged as a result of improvements made to the Mobile Complaints Counter (MCC) with the aim to continue and extend this programme throughout the nation.

2.2.2.2 IMCC is carried out by PCB's officers and local departments/agencies having a face-to-face session with the local public to provide an opportunity for them to lodge complaints or to air their dissatisfaction with the any Government administrative actions including Government agencies which have been privatised.

2.2.2.3. In 2005, a total of 12 IMMC has been implemented by the PCB Headquarters and its branches. The total number of complainants and complaints received during the IMMC Programmes are as shown in **Table X**.

Table X

No.	Branch	No. Of IMMC	No. Of Clients	No. Of Complaints
1.	Headquarters	2	263	0
2.	Northern	4	234	162
3.	Central	2	78	66
4.	Southern	2	262	109
5.	Eastern	2	5	0
	Total	12	842	337



IMMC Programme in Pontian, Johor



IMCC Programme in Taiping, Perak

2.3. MEET THE CLIENTS' DAY (MCD)

2.3.1. The Administrative Development Panel (PANEL) has agreed that the MCD Programme implemented by several Federal agencies and by some State agencies should also be extended to be used as an avenue to resolve public complaints and with the hope to improve the quality of the public relations of the various Governments departments/agencies.

2.3.2. This decision has been conveyed to all Federal Heads of Departments and the State Government administrations vide the letter No. UPTM 159/366/20 (41) dated 8.10.2001. Besides informing the PANEL's decision, the letter also outlined the responsibilities of PCB to monitor the implementation of the MCD Programmes at both the Federal and State Government administration level.

2.3.3. PCB has received monthly reports from various agencies that carried out the MCD programmes. All reports received were compiled and forwarded to the Chief Secretary to the Government on monthly basis.

2.3.4. As of 31.12.2005, a total of 531 agencies comprising 449 Federal agencies and 82 State Government administrative agencies have carried out MCD where a total of 35,093 clients attended.

2.3.5. In view of Saturday now being a public holiday for the civil servants, PCB's MCD were held on the fourth Monday of each month and if that day happens to be a public holiday, then it will not be held. Prior to this, PCB's MCD was held on every fourth Saturday of the month. In 2005, PCB had held 8 MCDs and received 11 complaints.

2.3.6. In general, the MCD Programme has successfully achieved its objective to make the programme as an effective channel to resolve public complaints. The implementation of this programme on a wider scale, it can help to inculcate a client friendly public service culture and further enhance the image of the Public Service.

2.4. COMPLAINTS MONITORING PROGRAMME BY GOVERNMENT AGENCIES AND THE APPOINTMENT OF PUBLIC COMPLAINTS RELATIONS OFFICERS (PCRO)

2.5.1. Under this programme, all Government departments are required to inform PCB of the following matters:

i. complaints received and managed by the respective agencies in accordance with the requirements of PSADCL No.1 of 2002; and

ii. the appointment of PCROs in all departments are required to forward the name of the officers who will manage complaints at their respective agencies in accordance with the PSDC No. 4 of 1992

2.5.2. For 2005, the total number of complaints received and reported by the Ministries/State Governments to PCB and the appointments of PCROs are as in **Table XI** below:

Table XI

AGENCIES	TOTAL MONITORED	TOTAL NUMBER OF DEPARTMENTS REPORTING	NO. OF COMPLAINTS	NO. OF PCROs
Ministries	376	25	815	365
States	446	18	239	238
TOTAL	822	43	1,054	603

2.5.3. All Ministries and State Governments have appointed PCROs. However, there are agencies that have not informed regarding the appointment of their PCROs.

2.5.4. Most agencies do not have a special unit to handle complaints. The complaints received are handled by the various divisions separately. The Public Relations Officers also act as the Public Complaints Relations Officers as well as carrying out other duties. Hence, they gave less attention to monitoring the complaints received.

2.5.5. For departments that have their own complaints management system, they gave minimum feedback to PCB because the complaints received by them had to be re-categorised since they have categorised their complaints according to their respective activities and not according to the categories set by PCB.

2.6. BRIEFING ON THE INTEGRATED ELECTRONIC COMPLAINT NETWORK SYSTEM (IECNS)

2.6.1. From PCB's experience in encountering various problems in monitoring complaints received from Federal and State agencies, monitoring MCD programmes and the appointments of PCROs, PCB then has designed and developed IECNS in mid-2004.

2.6.2. IECNS is an electronic-based management complaint system which aims to assist Federal and State agencies which do not have any systematic and effective complaint management system. This system is user friendly, easy to operate as well as cost effective.

2.6.3. In 2005, a briefing on IECNS was carried out at 13 Ministries/agencies. The list of the briefings conducted at the various Ministries/Agencies in 2005 is as shown in **Table XII** below:

Table XII

NO.	DATE	MINISTRY / STATE / AGENCY
1	3.2.2005	Ministry of Human Resource
2	4.2.2005	Schools Division, Ministry of Education
3	24.2.2005	Perak State Secretary Office
4	1.3.2005	Health Department of Kelantan
5	13.3.2005	Kedah State Secretary Office
6	14.3.2005	Perlis State Secretary Office
7	17.3.2005	Kelantan State Secretary Office
8	30.4.2005	Prime Minister's Department
9	20.5.2005	Ministry of Transport
10	28.7.2005	Ministry of Tourism
11	17.11.2005	Ministry of Education
12	14.12.2005	Selangor Education Department
13	22.12.2005	Road Transport Departments



IECNS Briefing at the Ministry of Human Resource

2.7. THE SIGNIFICANCE OF PCB's PROGRAMMES

2.7.1. Based on the PCB's observation, the MESRA Programme has achieved its objective to provide an effective channel for public complaints to be resolved. Many simple problems and issues of the public can be resolved immediately whereas the complex issues can be referred to the respective heads of departments' action.

2.7.2. The IMCC is found to benefit the public especially those in the rural areas who do not have access to other complaint channels provider. The opportunity to meet the Government officers and also the People Representatives were fully utilised by the public to air their problems and views.

2.7.3. The MCD programme has been accepted as a Government initiative to achieve an excellent customer service in the Public Service. The continuous implementation of this programme will make dealings easier between the departments with their clients. Departments are encouraged to conduct this programme in various ways to ensure that MCD's aim can be fully benefited by the clients of the department concerned.

2.7.4. The Complaints Monitoring Programme and the appointment of the Public Complaints Relations Officers aims to ensure that Government agencies would be able to manage complaints with a positive attitude and to use it as a yardstick to organisation's performance.

2.7.5. In conclusion, the programme implemented has successfully achieved its objective to provide an effective channel for

public complaints to be resolved. The on-going implementation of these programmes can inculcate a client friendly public service culture and further enhance the image of the Public Service. PCB endeavours to help departments in improving their quality of services through the complaints received.

3. PUBLIC COMPLAINTS BUREAU'S PARTICIPATION AT THE INTERNATIONAL LEVEL

- 3.1. At the international level, PCB participated in the Asian Ombudsman Association (AOA) Conference and attended seminars, courses organised by international bodies or agencies pertaining to the management public complaints or *ombudsman*.
- 3.2. AOA was established in 1996 with a membership of 18 Asian nations including Malaysia with its Headquarters in Islamabad, Pakistan. With the active participation of Malaysia in 2000, Malaysia was given the honour to be appointed to the AOA Board of Directors, even though Malaysia did not fully practise the Ombudsman system.
- 3.3. AOA is active in organising conferences once in every two years in which each member state will be given the honour to host the event on a rotation basis. In 2005, the AOA Conference was held in Hong Kong on 27 November till 3 December 2005. From the 9 till 11 February 2005, Austral Asia and Pacific Ombudsman Regional Conference was held in Auckland, New Zealand. A total of 17 conference papers were tabled at this conference which cover various areas including issues and challenges faced by the Ombudsman system.



The Director-General of PCB at the Austral Asia and Pacific Ombudsman Conference in New Zealand

3.4. Besides the active involvement at the international level, PCB has been a focal point for foreign delegation visits keen to have close up view on the public complaints management system in Malaysia. In 2005, PCB received five foreign delegations:

- i. 5.1.2005 - Delegation from Japan;
- ii. 6.4.2005 - Delegation from Vietnam;
- iii. 4.7.2005 - Delegation from Brunei;
- iv. 8.7.2005 - Delegation from Macau; and
- v. 6.12.2005 - Delegation from India.

4. PCB's Future Plans

4.1. Restructuring of PCB

4.1.1. The expansion in the role played by PCB and the increase in pro-active programmes which were entrusted to PCB required that PCB to restructure its organisation, vision, mission, human resource and its budget.

4.1.2. The restructuring exercise has to be implemented because presently PCB has only 87 posts throughout the country, of which only 80 had been filled. An addition to the posts and

the restructuring of the organisation has to be made to ensure that the responsibilities entrusted with PCB can be carried out effectively. The main criteria of the new organisation structure are as follows:

- i. a new Unit to be created to manage the new function of the Public Opinion System;
- ii. new state offices to be opened according to the requirements to ensure that service provided by PCB to manage public complaints and its pro-active programmes can be carried out more effectively.

4.2. Public Opinion Poll

4.2.1. The inspiration to create this Public Opinion Poll was mooted by the Rt. Hon. Prime Minister of Malaysia during his working visit to PCB on 17.10.2005.



Photograph In Conjunction With The Working Visit Of The Rt. Hon. Prime Minister To PCB

4.2.2. The Public Opinion Poll is a survey conducted by the Government to gather feedback from the public on matters concerning public interest such as the implementation of development projects/ administration/services provided by the various Government departments and agencies to be used as a guide for the purpose of studies and improvement measures.

4.2.3. The main features of the Public Opinion Poll are based on the criteria used by the World Association for Public Poll Research. The criteria are:

- i. Represented
- ii. Equal Opportunity

4.3. The PCB Advisory Board

4.3.1. The PCB Advisory Board was formed upon the directive of the Rt. Hon. Prime Minister to ensure that PCB increase its effectiveness.

4.3.2. The main features of the PCB's Advisory Board are:

- i. The objective and terms of reference of this Advisory Board is based on the its main role as advisor to PCB;
- ii. The membership of the PCB Advisory Board is in accordance with the directive of the Rt. Hon. Prime Minister and the Cabinet Ministers' advice in its Meeting on 19.10.2005 that it comprises representatives from the private sector, media, non-government organisations and the relevant Government agencies; and

The appointment of the Chairman and members of the PCB Advisory Board will be for a term of two years by the Hon. Minister responsible for PCB