

1. Mr. Giff Paul Mbewe v Malawi Defence Force Inquiry No.: 02 of 2015

2nd June 2015

Facts:

Mr. P. Mbewe, the Complainant filed a complaint against the Malawi Defence Force (M.D.F), the Respondent, alleging that they did not pay death gratuity of his late father, Mr. Paul Mbewe. The matter was referred to the Respondent for comments but to no avail. A public inquiry was therefore held to resolve the matter.

The Complainant stated that his father was on sick leave when he died and that he followed up with the Respondent on several occasions for his father's death gratuity but he had not been assisted. He had no supporting documents to assist him in his claim as he stated that he was very young when his father died and would not know where any supporting documentation would be kept.

The Respondent told the inquiry that the reason the deceased did not receive death gratuity was because he was declared to be absent without Official Leave (AWOL) by a Board of Inquiry on 5th March, 1992.

Ombudsman's findings were as follows:

The administrative deficiency observed in this case was that of inordinate delay in investigating and concluding his matter but the findings were that the Complainant was no longer an employee of the Respondent as he was found to be AWOL by a Board of Inquiry and thus forfeited any pension or gratuity owed to him.

Remedy:

The matter was dismissed