

**1. Mr Respicius Dzanjalimodzi v. Office of the President and Cabinet  
Inquiry No. 4 of 2015**

2<sup>nd</sup> June, 2015

**Facts:**

Mr. Dzanjalimodzi, the Complainant filed a complaint against the Office of the President and Cabinet, the Respondent, alleging that he was treated unfairly because they denied him to buy a car under a motor vehicle purchase scheme for Principal Secretaries. The matter was referred to the Respondent on 15<sup>th</sup> March 2005 notifying them that due to the issues raised and the urgency of the matter, it would be resolved through a public inquiry.

The Complaint was entitled to the purchasing of a government vehicle which was allocated to him while he was serving as Principal Secretary (PS) in the Ministry of Finance. There was a Government circular that was issued allowing Principal Secretaries to buy the cars assigned to them. The Complainant stated that for Government vehicle to be sold to Principal Secretaries, it should be boarded off after every 5 years to allow the PS to buy it. The Complainant retired from civil service in 2000 and was later engaged on a 3 year contract as Secretary to the Treasury from 2000 to 2003. As a Controlling Officer he would have bought the car that time but he did not apply to buy it as the Secretary to the President and Cabinet asked him to serve as Director of Public Procurement.

He applied to buy for the car in 2003 but he did not get any response but received a letter requesting him to surrender the official vehicle which he did. Government issued a circular suspending the motor

vehicle scheme but it did not apply to him. He found it very difficult to appreciate why they were failing to respond to his clear request.

The Respondent sought an adjournment to discuss the matter. However the request did not affect the Complainant's request. There were a few facts which were overlooked when dealing with the matter. The Respondent was the view that the matter could be resolved administratively.

**Ombudsman's findings as follows:**

The administrative deficiency that was observed in this matter was that of failing to consider relevant factors. The Complainant was entitled to purchase the motor vehicle as a Principal Secretary. The Respondent fulfilled its contractual obligations to the Complainant by providing him his motor vehicle. The Respondent was guilty of maladministration

**Remedy**

The matter was resolved amicably between the Representative of the Complainant (deceased) and the Respondent.