**REPORT ON THE STATUS OF RAMA COMMUNAL PROPERTY ASSOCIATION, IN GAUTENG PROVINCE, 19 MARCH 2018**

1. **BACKGROUND** 
   1. The Provincial Shared Services Centre Gauteng (PSSCG) of the Department of Rural Development and Land Reform had previously reported to the Parliamentary Portfolio Committee on Rural Development and Land Reform (PPC) on the status of the Rama Communal Property Association (CPA/02/0435/A).
   2. In summary, it was indicated that two major processes were to ensue, the first being that upon submission of a close-out report from the panellist who was appointed for regularisation but was unable to do so, a submission would be compiled to the Acting Director-General of the Department requesting that the CPA be placed under administration. The second process was that an attorney from the Land Rights Management Facility was to be mandated to get an urgent interdict to prevent the future sale of stands on the land originally awarded to Rama CPA in settlement of the Restitution of Land Rights Claim.
2. **DISCUSSION**
   1. The close-out report was subsequently received from Ledwaba Mazwai attorneys (the attorneys appointed through the Land Rights Management Facility to regularise the CPA). The report indicated the following findings:
      1. The land that had been awarded to the CPA in settlement of the restitution claim had been purchased by Rama Horizons Development (Pty) Ltd with a mortgage bond of R20 000 000.00 (Twenty Million Rand). The properties were subsequently consolidated and registered a long-term lease.
      2. The property was then sold to Rama HD Investments (Pty) Ltd for a meagre R500 000.00
      3. The Rama CPA therefore does not own any land as all the land has been sold and transferred allegedly without the consent of the CPA members.
      4. The current chairperson of the executive committee is an active director of both Rama Horizons Development (Pty) Ltd and Rama HD Investments (Pty) Ltd.
   2. Based on the contents of the close-out report which detailed a prima-facie case of maladministration and corruption, a submission was compiled requesting the Acting Director-General to place Rama CPA under administration. The submission was approved in December 2017.
   3. Immediately upon receipt of the signed submission to the PSSCG, the submission was forwarded to the Legal and Legislation Development Unit of the Department to proceed with the Administration process. The Legal and Legislation Development Unit subsequently instructed the Office of the State Attorney to proceed with the administration application and this legal process in pending.
   4. In relation to the interdict to prevent future sale of stands on the land awarded to Rama CPA in settlement of their Restitution claim, an attorney, Ms Nalini Maharaj was mandated through the Land Rights Management Facility to obtain an urgent interdict to prevent sale of stands pending the finalisation of the administration process. Ms Maharaj has since reported that she had made the application however, the application was not ordered by the court as the court did not feel that the matter was urgent.
   5. Ms Maharaj has since attempted to engage the attorney of record representing those currently alleging to be the executive committee of the CPA. She has advised that when leaving the meeting with the afore-mentioned attorney, her vehicle was pushed off the road and she was shot at by people she suspects are linked to those in control of the CPA assets. According to her, her vehicle was written off in the incident and a case has been opened with the South African Police Services. The details of the case have been requested from Ms Maharaj, but have not yet been received.
   6. Despite the Director of Land Tenure and Administration having engaged the City of Tshwane Metropolitan Municipality (under which the Rama CPA land falls) in order to sensitise them on the circumstances surrounding the CPA and requesting that any funding or development approval be halted on the land, on 15 February 2018, Gauteng Premier, Mr David Makhura launched a R10 Billion housing development on what appears to be the same land as reported in the media.

**3. CONCLUSION**

3.1 The administration process is likely to be a lengthy legal process, however it will unearth any irregularity relating to the CPA.

3.2 Since the land that was awarded to the CPA had already been transferred to another private legal entity, the placing of Rama CPA under administration will would not freeze developments on the land that was awarded to the CPA in settlement of the Restitution claim; it was for this reason that the attorney was appointed for the urgent interdict to prevent future sale of stands on the land awarded to the CPA. However since the court has not considered the matter urgent, and since developments are continuing on the land, another mechanism at a higher political level may be required to halt the developments, especially in light of the launch of the development by Premier Makhura.

3.3 The Portfolio Committee will be updated in relation to developments with the administration process and the interdict.

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