

Annexure 'A')



THE PRESIDENCY: REPUBLIC OF SOUTH AFRICA

Private Bag X1000, Pretoria, 0001

Union Buildings, Government Lane, PRETORIA Tel: 012 300 5218, Fax: 086 681 0987

Our Ref: IDMS 241674

File No.: EN 9/28/1/3-File#1-vol 1

Date: 31 December 2009

Mr John Mokoena
Bathlakoane Ba Manzimnyama
PO Box 292
Faerie Glen
0081

Dear Mr Mokoena

ACKNOWLEDGEMENT OF YOUR LETTER: LAND CLAIM

This is to inform you that the President has received your letter dated 13 August 2009, regarding the abovementioned.

The matter is taken seriously and has been referred to Victor Nkwalase (013 766 6048/ kvnkwalase@mpg.gov.za) at the Provincial Department of Agriculture, Rural Development and Land Administration. For further queries please do not hesitate to call the Presidency on 012 300 5218.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Melissa Williams', written over a stylized line graphic.

Melissa Williams
Public Liaison

File Ref: 9/30/1

BATHLAKEANE BA MANZIMNYAMA

Postal Address: PO Box 292, Faerie Glen, Pretoria, 0081 Physical Address: 790 Mdluli Street, Lynnville, Emalahleni, 1039.
Telephone: 078 705 8544, 072 886 0496, 084 210 2401, 012 991 5323, 012 358 9135

13 August 2009

The President: HE Jacob Gedleyihlekisa Zuma
Private Bag X 1000
PRETORIA
0001

LAND CLAIM: MANZIMNYAMA (GOEDEHOOP COLLIERY, MIDDELBURG, MPUMALANGA)

Sir

1. Purpose

The purpose of this letter is to request the State President (u Mongameli Wezwe) to:

- a. Condone for Bathlakoane ba Manzimnyama to lodge a land claim seeing that the date for lodging of land claims has lapsed.
- b. Request the State President to review land reform by opening the land claims process again.

2. Background and History

My name is John Mokoena, I am representing a community called BATHLAKEANE BA MANZIMNYAMA. BATHLAKEANE is a community of Bakoena that comes from Lesotho. During the Anglo Boer war our grandfather and his three brothers left Lesotho and moved to the then Transvaal and settled in an area called MANZIMNYAMA. This name came about when my grandfathers came across a river; this river appeared black because the water was running over a seam of coal, hence the name Manzimnyama. On arrival the only community that was residing in MANZIMNYAMA were the people of the Khoisan. When they saw our grandfathers settling in the area they relocated. The only people who were residing there after the departure of the Khoisan were my grand fathers until the arrival of white farmers who then took the land away from them. I have been instructed by the three remaining elders of BATHLAKEANE BA MANZIMNYAMA to lodge a land claim.

3. Discussion

- We did not lodge the claim earlier because we were scattered as a family, we eventually re united and gathered all the history regarding our heritage,
- Last year in June a committee consisting of myself and the three remaining elders representing the three houses of Bathlakoane ba Manzimnyama was elected,
- The committee met again in 16 June 2009 and I was instructed to initiate the process of lodging an application to have our land restored to our clan,

- The land in question is a portion of a land where Goedehoop Colliery is mining in the Middelburg (Mpumalanga) magisterial district, the land is currently owned by Anglo Coal,
- We have engaged the mine not to remove the remains of our grandfather whose tombstone is still standing in his Kraal, we have been promised by the mine that the grave will not be removed ,
- This grave is proof of our once existence in the area, our grandfather was wealthy with many herd of cattle, his cattle were systematically reduced by white farmers who were threatened by the size of his cattle that was growing. They reduced his land to prevent his cattle from grazing and growing. The land or portion of the land was then sold by the white farmers to Anglo American to mine coal in the area.
- He was forced to sell some of his cattle and he eventually passed away. He was buried on his farm, the remaining members of the family were forced out of the farm and are now scattered around Emalahleni and former Kwa Ndebele.
- The clan has reunited and we would like to preserve our heritage for our future generations by returning to our roots.

4. African National Congress Manifesto 2009

The following excerpt is from the ANC Manifesto:

- Review the appropriateness of the existing land redistribution programme, introduce measures aimed at speeding up the pace of land reform and redistribution and promote land ownership by South Africans.

We believe that the window period that lapsed for lodging land claims was too short:

- In our case we were still searching for elders who had crucial information, by the time we got them the period for lodging claims had lapsed.

I believe that each government administration (5 years) must have a window period of lodging land claims for the next four generations until the land reform process is complete. It took four generations for the indigenous people to be dispossessed their land. One government administration is not enough to restore land to their rightful owners.

5. Conclusion

Currently Bathlakoane ba Manzimnyama are a lost clan:

- We do not have places of worship and of practicing our rituals. We are spiritually lost
- Our dignity and identity is lost. We can only point to our source/origin but we cannot access the land
- We are destitute. We do not have wealth

Mr President we request your intervention:

- We request condonation so that we can lodge our land claim as soon as possible (this year)
- We would like resettlement or redistribution/ Compensation.

The mine is continuing mining our land.

Kind Regards

John Mokoena

(A signed letter can be made available on request)

078 705 8544, 084 210 2401, 072 886 0496

ANNEXURE 'C'



rural development
& land reform

Department:
Rural Development & Land Reform
REPUBLIC OF SOUTH AFRICA

REGIONAL LAND CLAIMS COMMISSION: MPUMALANGA PROVINCES
30 SAMORA MACHEL DRIVE
PRIVATE BAG X 11330
NELPRUIT, 1200
TEL +27 (0) 13 756 6000
FAX +27 (0)13 752 3859

Enquiry : Mr N.L. Mufamadi
Tel : 013 756 6000
Your ref : IDMS: 2769358

Mr. John Mokoena
Cell : 078 705 8544

P.O.Box 292
Farie Glen
Pretoria
0081

**RE: PRESIDENTIAL HOTLINE ENQUIRY IDMS : 241674
COMPLAINT ABOUT SERVICE DELIVERY-LAND CLAIM.**

Your letter to the President dated 13 August 2009 is acknowledged. The office of the Regional Land Claims Commissioner received a copy of this letter from the communications officer at the Provincial Department of Agriculture, Rural Development and Land Reform on the 11 March 2010.

Your letter indicated clearly that you would like to lodge a land claim on Goedeheoop farm in Middelburg. The closing date for the lodgment of land claims was December 1998. The Commission on Restitution of Land Rights is not mandated by the Restitution of Land Rights Act No. 22 of 1994 to accept claims that are lodged later than 31st December 1998.

However the Department of Rural Development and Land Reform has a land redistribution programme called LRAD which seeks to address land needs of the majority of our people who did not qualify in terms of the Restitution of Land Rights Act to gain access to land.

We further advise that you contact the Provincial Rural Development and Land Reform Office in Mpumalanga at the number 013 755 3499 for further information regarding this matter.

I trust the above is in order

Best Regards

Mr. A.B MPHELA
CHIEF LAND CLAIMS COMMISSIONER
DATE: