



**COMMISSION ON RESTITUTION OF LAND RIGHTS**  
**IKHOMISHANA YOKUBUYISELA**  
**KWAMALUNGELO OMHLABA**  
**KHOMISHINI E MABAPI LE PUSISO YA**  
**DITSHWANELO TSA MAFATSHE**  
**KOMMISSIE OP HERSTEL VAN GRONDREGTE**

REGIONAL LAND CLAIMS COMMISSION: GAUTENG AND NORTH WEST PROVINCES  
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**BY FAX: 0865152593 / 0123267468**

Dear Mr. Matloga

**RE: BAKGATLA BA MOSETLHA TRADITIONAL COUNCIL CLAIMS NO. Z0277**

Your letter dated 01<sup>st</sup> October 2010 and received 08<sup>th</sup> October 2010 concerning the above matter refers.

Kindly note that the office of the Regional Land Claims Commission for Gauteng and North West Provinces is giving attention to Bakgatla Ba Moseitlha land claim. As it was highlighted previously that there are challenges in the whole claim especially on the properties that have villages, the office has taken a stance to deal with those challenges and ensure that progress prevail in as far as this land claim in concerned.

After doing further research regarding the status of each farm before transfer it was found that some of the properties are not affected by challenges as highlighted above. The issue of Transactie, De Putten and Vogelstruispan has so far been resolved because Bakgatla Ba Moseitlha has agreed to release the farms to the former buyers. Because, Bakgatla were also dispossessed of their rights at the above farms, the office has decided to alter the option on those from restoration of land to financial compensation. Such compensation will be calculated by using the CPI Index as at the time of dispossession.

The following farms Portion 0 (Remaining Extent) of Zwartboom 9 JR, Portion 1 of Haakdoornbult 49 JR, Portion 4 (A portion of portion 2) of Buffelsdrift 51 JR, Portion 0 (Remaining Extent) of De Grens 168 JQ, Portion 1 (Remaining Extent), 2 (Remaining

Extent), 3 (Remaining Extent), 4 (A portion of portion 2), 5 (A portion of portion 1), 6 (A portion of portion 1), 7 (A portion of portion 3), 8 (A portion of portion 1), 9 (A portion of portion 1) and 10 (A portion of portion 2) of Flink Zyn Drift 169 JQ, Portion 1 (Remaining Extent), Portion 2 (Remaining Extent), Portion 3 (Remaining Extent), Portion 4 (Remaining Extent), Portion 5 (A portion of portion 4), and 7 (A portion of portion 1), Portion 9 (A portion of portion 7) of Rhenosterfontein 172 JQ, Portion 1 (Remaining Extent), Portion 2 and Portion 5 (A portion of portion 1) of Wildebeeskuil 173 JQ, Portion 5 (A portion of portion 1) of Kalkbank 234 JQ have villages and will therefore be referred to North West Department of Rural Development and Land Reform Shared Service Centre (SSC) for tenure upgrading process.

Furthermore, after checking on duplicate land claims, it was found that North West office has settled the claim on Portion 8 of Rhenosterdrift 172 JQ which was also approved on behalf of Bakgatla Ba Moseitha. The claim on portion 8 of Rhenosterdrift 172 JQ was claimed by certain Mr. Mathews Malesela Malebane on behalf of Modiane community. Such claim was researched, validated and subsequently gazetted by North West RLCC office and approved by Chief Land Claims Commissioner on behalf of that community on **the 23<sup>rd</sup> October 2006**. Secondly, the farm Portion 3 and Portion 5 of Klipdraai 166 JQ was also settled by North West office. The claim on these two portions of Klipdraai 166 JQ was lodged by certain Mr. Mathews Lesetja Selowa on behalf of Lenatong community. Such claim was researched, validated and subsequently gazetted by North West land claims. The claim was approved by Chief Land Claims Commissioner on behalf of that community on the **20<sup>th</sup> October 2006**. Because the three farm portions were previously approved on behalf of other communities and again on behalf of Bakgatla Ba Moseitha, they will automatically be removed from the Bakgatla claim.

The research unit is going to instruct the legal unit in the office to transfer the farms Portion 0 of Lochness 478 KR, Portion 0 of Tower 480 KR, Portion 0 (Remaining Extent) of Worcester 481 KR, Portion 0 (Remaining Extent) of Tambotielaaagte 164 JQ, Portion 0 of Waterval 561 KQ, Portion 0 and Portion 2 of Klippoortjie 564 KQ which have already been confirmed vested in the name of the Republic of South Africa in favour of the Bakgatla Ba Moseitha claimants. The following farms Portion 1 of Vooruitzicht 7 JR, Portion 2, Portion 3, Portion 5, Portion 6 and Portion 7 (A portion of portion 2) of Leeuwkraal 50 JR, Portion 0 (Remaining Extent) of Hartebeeslaagte 66 JQ, Portion 2, Portion 4 (A portion of portion 3) of Klipdraai 166 JQ have not yet been confirmed vested and the instruction to transfer to the claimants' community will be effected once they get vested. It should be noted that all the above farms do not have villages hence there are no potential disputes after transfer to claimants.

Lastly, the Regional Land Claims Commissioner has approved that the office should do further research on the 20 properties which were previously referred for non-compliance. After providing further information on some of the farms such as Zandfontein, Driefontein & Langkuil, the office has decided to conduct detailed research on all the farms which were disqualified. You will therefore be timeously informed about progress on the research of those farms.

The office is currently in the process of making a submission to the Minister requesting the following: change of option (to financial compensation) for the farms Transactie, De Putten and Vogelstruispan, referral of farms with villages to North West Provincial Land Reform Office to do tenure upgrading process, removal of Portion 8 of

Rhenosterfontein 172 JQ, Portion 3 & 5 of Klipdraai 166 JQ because they were approved on behalf of other communities previously.

I hope this clarifies the matter.

Yours faithfully



**MR LUCAS MONOKOANE**  
**REGIONAL LAND CLAIMS COMMISSION**  
**GAUTENG AND NORTH WEST PROVINCES**

DATE: 11/10/2010