

**NOTICE 443 OF 2012****GENERAL NOTICE IN TERMS OF SECTION 11A (3) OF THE RESTITUTION OF LAND RIGHTS ACT, NO. 22 OF 1994 (AS AMENDED).**

**WHEREAS** a land claim was lodged by Mr. Kgotlula Jacob Foka, which claim was published in terms of Section 11(1) of the Restitution of Land Rights Act, No. 22 of 1994 (as amended), hereinafter referred to as "The Act",  
and

**WHEREAS** during the further investigation of the land claim, the Acting Regional Land Claims Commissioner, has reason to believe that the criteria set out in Section 11(1)(b) of the Act, has not been met.

**WHEREAS** a notice was published in terms of Section 11A(2) of the act under Notice No. 830 in Government Gazette No. 34767 of the 25<sup>th</sup> of November 2011, that at the expiry of 30 days, the notice of claim previously published under the terms of section 11(1) of the Act in Government Gazette Notice No. 1323 of 2007, contained in Government Gazette Notice 30392 of the 26<sup>th</sup> of October 2007, will be withdrawn unless cause to the contrary is shown to the satisfaction of the Acting Regional Land Claims Commissioner.

**AND WHEREAS** no objection was received since the publication of Section 11A(2) of the 25<sup>th</sup> of November 2011,

**AND WHEREAS** the period of 30 days from the date of that notice has expired without any cause for the contrary being shown,

**NOTICE** is hereby given in terms of Section 11A(3) of the Act, that Government Gazette Notice 30392 of the 26<sup>th</sup> of October 2007, is withdrawn.

The details of the Government Gazette Notice No. 1323 of the 26<sup>th</sup> of October 2007, includes the following:

<b>Reference No:</b>	<b>N6/2/2/C/433/0/0/7</b>
<b>Claimant :</b>	<b>Former tenants of Farm Doornhoek No. 1514</b>
<b>Property Description :</b>	<b>Doornhoek No. 1514.</b>
<b>Total extent:</b>	<b>139.5227 Ha</b>
<b>Title deed Number:</b>	<b>T 7981/1994</b>
<b>Date Submitted:</b>	<b>13 February 1996</b>

The reasons why the Acting Regional Land Claims Commissioner believes that the criteria in Section 11(1) of the Act have not been met, is that:

- (a) The Farms Vlakkeveld No. 878 and Koekemoer's Gift, have already been de-gazetted after the claimants informed the Land Claims Commission that they did not originally claim them.
- (b) New research shows that the alleged dispossession did not occur as a result of any discriminatory law or practice, but as a result of a contractual dispute.

- (c) After considering the contents of the report, the former Regional Land Claims Commissioner for the Free State and Northern Cape, informed the claimant community in a letter dated the 13<sup>th</sup> of March 2011, that their claim was non-compliant with the Restitution Act, and afforded the claimants an opportunity to bring further information to the attention of the Commission, if they so wished.

**The Acting Regional Land Claims Commissioner  
Free State and Northern Cape**

  

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**Mr. Sunjay Singh**  
**Acting Regional Land Claims Commissioner**  
**Free State and Northern Cape.**