# 1ST QUARTERLY REPORT OF THE SELECT COMMITTEE ON PUBLIC PARTICIPATION AND PETITIONS: **MPUMALANGA PROVINCIAL LEGISLATURE (APRIL - JUNE 2013)**

#### Introduction

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The report covers the petitions dealt with in the 1st quarter of 2013 by the Select Committee on Public Participation and Petitions. The Select Committee on Public Participation and Petitions has been established as per section 114 (2) and 115 of the Constitution of South Africa, Mpumalanga Petitions Act No. 06 of 2000 read together with section 131 of the Rules and Orders of the Mpumalanga Provincial Legislature.

The Committee is assigned with ensuring that the values and principles of participatory democracy are strengthened in the Province and the Republic of South Africa. It is through the above mentioned Acts that the Committee is able to:

- Receive and administer petitions on behalf of the Mpumalanga Legislature;
- Promote citizen participation and awareness about the mandate and duties of the Legislature as parliamentary institution;
- The Committee provides for mechanisms to ensure public involvement, accountability and service delivery in Government Departments and Chapter Nine Institutions as mandated by the Constitution.

The report will focus on Petitions received during the quarter and dealt with, petitions in progress and concluded petitions.

The current petitions vary from Land claims, RDP houses, Chieftainship disputes, clinics, schools and general service delivery issues.

It is for the aspect that this report is tabled for consideration before the house about the work of the Committee.

## 1. PETITIONS REPORT

# 1<sup>st</sup> QUARTERLY REPORT ON PETITIONS: APRIL - JUNE 2013

PETITION NAME	REF	DATE	DISTRICT/ AREA	SUMMARY OF PETITION	ACTION & PROGRESS
1.Request for outstanding results	000491/13	29/04/13	Kabokweni (Ehlanzeni)	The petitioner alleged that the Department of Education owes him mathematic results.	The petition was acknowledged and referred to Education for intervention and report back to the Legislature.
2.Complaint about Department of Labour	000492/13	29/04/13	Morgenzon (Gert Sibande)	It was a complaint about Department of Labour that allegedly did not properly compensate the petitioner who was working at Eskom and terminated due to ill health.	The petition was acknowledged and referred to the Department of Labour for intervention and report back to the Legislature. The matter is in progress.

PETITION NAME	REF	DATE	DISTRICT/AREA	SUMMARY OF PETITION	ACTION & PROGRESS
3.Complaint about Clinic and RDP house	000493/13	29/04/13	Watervalboven (Ehlanzeni)		The petition was acknowledged an referred to Departments of Human Settlements and Health for intervention and report back to the Legislature.  Human Settlements: the report is still awaited.  Health: It reported amongst other that:  *the clinic is an 8 hour clinic that provides Comprehensive package of PHC service for 5 days per week;  *the waiting time survey conducted in May reflects that patients wait the longest in the consulting rooms to be consulted by a nurse; due to shortage of sub category staff;  *posts for professional nurses and enrolled nurses have recently been advertised, profiling has been

3.Complaint about Clinic and RDP house	000493/13	29/04/1	Watervalboven (Ehlanzeni)	Complaint about elderly people queuing at the clinic from the morning until late without any assistance. The RDP house is leaking when it rains. Officials promised to fix the problem but to date nothing happened.	concluded.  Currently in the process of short listing panels.  Operational managers are encouraged to constantly strive towards reducing patient waiting times without compromising the delivery of quality health care services. The report was forwarded to the petitioner upon receipt.

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PETITION NAME	REF	DATE	DISTRICT/AREA	SUMMARY OF PETITION	ACTION & PROGRESS
4.Complaint about Clinic and Cemetery	000494/13	09/07/12	Emgwenya Location (Watervalboven)	Complaint that there is no clinic in the township and cleaning/maintenance of the cemetery.	The petition was acknowledged an referred to Departments of Health and COGTA for intervention and report back to the Legislature.
			(Ehlanzeni)		Health: the clinic was last operational in 1993. The building started having major structural challenges (large cracks in the walls) which led to relocation of staff to Town Clinic. Mobile service are provided once a month. The distance from Emgwenya to the nearest clinic is about 1.5 km. The possibility of establishing a health post in the interim needs to be explored with the ultimate aim of constructing a new clinic, based on the utilisation rate.

PETITION NAME	REF	DATE	DISTRICT/AREA	SUMMARY OF PETITION	ACTION AND PROGRESS
5.Complaint from MHUBTA taxi association regarding bridges and condition of road	000495/13	30/04/13	Bushbuckridge (Ehlanzeni)	Complaint about Kutung, Xanthia and Masilela bridges and the road condition in that area. The matter was allegedly reported to the Municipality and the Department of Public Works, Roads and Transport without success.	The petition was acknowledged and referred to Department of PWRT for intervention and report back to the Legislature.  The report is still awaited.
6.Challenges facing Hospital H.A Groove	000496/13	30/04/13	Belfast (Nkangala)	services rendered on 24 hour basis, overtime, ablution facilities, competency of medical officer, alleged corruption, accommodation,	The petition was acknowledged and referred to Department Health for intervention and report back to the Legislature. <i>Health:</i> submitted a report which responded to all the matters and concluded that some of the issues could not be resolved immediately, but most are under processing and parties needed to keep each other abreast. The spirit of cooperation was evident during interaction by parties. The report was also forwarded to the

PETITION NAME	REF	DATE	DISTRICT/AREA	telephones.  SUMMARY OF PETITION	petitioner.  ACTION & PROGRESS
7. Complaint about Public Works Learnership Programmes	000497/13	30/04/13		the stipends for the two would be different. Brick laying trade was chosen on their behalf without their consent.	The petition was acknowledged and referred to Departments of Human Settlements and Health for intervention and report back to the Legislature.  **PWRT:** the budget for National Youth Service Learnership Programme was transferred to the Department of Education. The latter then appointed MRTT as a lead training provider for the above learnership programme. The DPWRT played a role of monitoring and reporting on jobs created through the NYSP. Regarding the NYS NQF level 2 of 2009/10 financial year, all beneficiaries who successfully completed their training were awarded their certificates in October 2011.

PETITION NAME	REF	DATE	DISTRICT/AREA	SUMMARY OF PETITION	ACTION AND PROGRESS
8.Complaint about exploitation work	000498/13	30/04/13	Blinkwater Farm	The petitioner complained about exploitation at the farm he was working at since 2008. He requested the Legislature to assist to obtain his compensation for November and December 2012. He is no longer working at that farm. Complaint about cattle on the farm.	The petition was acknowledged and referred to Department of Labour for intervention and report back.
9.Complaint about water and Jojo tank	000499/13	02/05/13		Complaint that there is no water at that house. The matter was reported to the municipality. The municipality provided a Jojo tank and took it again. They don't have water and drink water where the cattle drink water.	The petition was acknowledged and referred to Department of COGTA for intervention and report back to the Legislature.

PETITION NAME	REF	DATE	DISTRICT/AREA	SUMMARY OF PETITION	ACTION & PROGRESS
10.Complaint from Betang Pelo HBC	000500/13	06/05/13	Kwamhlanga (Nkangala)	Complaint about discontinuation of payment for Home base Care by the Department of Social Development.	The petition was acknowledged and referred to Department of Social Development for intervention and report back to the Legislature. The Department reported in a nutshell that the organization was funded R227, 800 on 18 July 2011. Funds were suspended because it was paying caregivers who were not on the list, including Ms Madiseng's husband (Co-founder of organization); it defied to provide food parcels only to qualifying beneficiaries and was unable to cooperate with the Departmental screening requirements. The department requested her to submit several documents like monthly; quarterly reports, updated list of care givers; minutes of meetings etc. the department found it difficult to proceed with funding since it seemed as if there was

PETITION NAME	REF	DATE	DISTRICT/AREA	SUMMARY OF PETITION	misappropriation of funds.  ACTION & PROGRESS
11.Complaint about a road Casteel to Sofaya and assistance for Motlomobe Cooperative	000501/13	06/05/13	Bushbuckridge Ward 32 (Ehlanzeni)		The petition was acknowledged and referred to Departments of Agriculture and COGTA for intervention and report back to the Legislature.  **Agriculture**: according to Ms Malele the project has full water rights allocation to irrigate up to 200 hectares but upon verification proof of existence of the water rights could not be produced. The 6 active members are only using small portion of the farm due to unavailability of irrigation infrastructure and electricity. The department will assist the cooperative in applying for the water rights from the Department of Water Affairs. The district will consider the possibility of including the project in its 2014/2015 infrastructure projects list for possible funding of the irrigation

PETITION NAME	REF	DATE	DISTRICT/AREA	SUMMARY OF PETITION	infrastructure.  ACTION AND PROGRESS
12.Complaint about service delivery issues	000502/13	06/05/13	Vukuzakhe/ (Gert Sibande)	Complaint about rent for pensioners etc., foster grants, contractors that damaged houses and left it unattended.	The petition was acknowledged and referred to Departments of COGTA and Social Development for intervention and report back to the Legislature.  Reports still awaited.
13.Request for foster grant, care kits and RDP house	000503/13	06/05/13	Bushbuckridge (Ehlanzeni)		The petition was acknowledged and referred to Departments of Human Settlements and Social Development for intervention and report back to the Legislature.  Social Development: the HBC is known to the department since 2002. It was funded until the department restructured services on HIV/AIDS and stopped funding HBC organisations. The organisation renders services to six villages.  Foster care grant: the organisation has a data base of 214 orphaned children. Out of 214

					children 94 are receiving foster care grant and 83 are no longer eligible as they are over the age of 18.some of the 83 children are no longer schooling and some at University but the organisation still count them; most of the said beneficiaries are above 21 years and no longer eligible to be at the centre. The remaining 37 are awaiting placement.  Report from Human Settlements still awaited.
14.Complaint about ID Application: Hlongo	000504/13	06/05/13	Hluvukani (Ehlanzeni)	Complaint about several applications for an ID and results reflecting that he is a foreigner.	The petition was acknowledged and referred to Department Home Affairs for intervention and report back to the Legislature.
15.Complaint about  Non assistance for late registration of birth: Ndlovu	000505/13	06/05/13	Hluvukani (Ehlanzeni)	Complaint that the petitioner applied several times for late registration of birth. She was told by officials of the department that her parents are too young and that they not	The petition was acknowledged and referred to Department Home Affairs for intervention and report back to the Legislature.

				the biological parents.	
16.Grievance from Msholozi Community	000506/13	06/05/13	Kwamhlanga (Nkangala)	Complaints about electricity, water, roads and storm water, ward committee. They allegedly communicated to the councillor about the issues without success.	The petition was acknowledged and referred to Department COGTA for intervention and report back to the Legislature.
17.Complaint about sanitation and water at Arthurseat Village	000507/13	09/05/13	Bushbuckridge (Ehlanzeni)	Complaint that Arthurseat village does not have sanitation and a problem with a licking water pipeline. Roads are not in a good condition.	referred to Department COGTA for
18.Complaint about funding for Greenvally Home Based Care	000508/13	09/05/13	Acornhoek (Ehlanzeni)	Complaint that since 2007 the HBC did not receive any funding from the Department.	The petition was acknowledged and referred to Department Social Development for intervention and report back to the Legislature.
19.Complaint about learnership certificates	000509/13	09/05/13	Acornhoek (Ehlanzeni)	Complaint about being in a learnership programme for five years without receiving the certificates.	The petition was acknowledged and referred to Department Social Development for intervention and report back to the Legislature.

PETITION NAME	REF	DATE	DISTRICT/AREA	SUMMARY OF PETITION	ACTION & PROGRESS
20.Complaint about bad roads and bridge, ill treatment at Tintswalo hospital	000510/13	09/05/13	Acornhoek (Ehlanzeni)	Complaint about bridge and roads which are not in a good condition and ill treatment at Tintswalo hospital.	The petition was acknowledged and referred to Departments of Health and PWRT for intervention and
21.Complaint about death and no intervention on reported case	000511/13	09/05/13	Limpopo	The petition was received from Bushbuckridge but the incident happened in Limpopo about a person who died but there was no intervention from SAPS on the reported case.	The petition was re-referred to the Speaker of Limpopo for further interaction and closed by the Committee since the matter falls outside the jurisdiction of the Committee. The petitioner was advised accordingly and contacts were provided for that Legislature.
22.Complaint about Inyaka dam	000512/13	09/05/13	(Ehlanzeni)	Department of Water	The petition was acknowledged and referred to Department COGTA for intervention and report back to the Legislature.

PETITION NAME	REF	DATE	DISTRICT/AREA	SUMMARY OF PETITION	ACTION AND PROGRESS
23. Complaint about discontinued disability grant	000513/13	09/05/13	Sakhile (Gert Sibande)	The petitioner alleged that his grant was discontinued without notification.	The petition was acknowledged and referred to Department of Social Development for intervention and report back to the Legislature.  Social Development: reported that the application for disability grant was finalized on 22 May 2013 and the beneficiary was granted temporary disability grant for a period of 12 months. He received a lump sum of R4980. 00 in June 2013 and will continue until February 2014. He was contacted and he confirmed that he received
24. Complaint about Arthurseat road to Hebron, ID, bridges and VIP toilets	000514/13	09/05/13	(Ehlanzeni)	Complaint about upgrade of gravel road from Arthurseat to Hebron.	referred to Departments of PWRT, COGTA and Home Affairs for

				bridges due to poor school attendance during rainy seasons. Complaint about contractors of VIP toilets allegedly disappearing without completing the work.	
5. Complaint about Buffelshoek road	000515/13	09/05/13	Bushbuckridge (Ehlanzeni)	trial the amount of 43	The petition was acknowledged and referred to Department PWRT for intervention and report back to the Legislature.

PETITION NAME	REF	DATE	DISTRICT/AREA	SUMMARY OF PETITION	ACTION AND PROGRESS
26.Request for streetlights and bridge	000516/13	09/05/13	Rooiboklaagte Bushbuckridge (Ehlanzeni)	Request for streetlights between Moholoholo high school and Rooiboklaagte and a bridge.	The petition was acknowledged and referred to Department of PWRT for intervention and report back to the Legislature.
27. Unlawful eviction at Geluksplaas	000517/13	09/05/13	Bethal (Gert Sibande)	Complaint about an eviction at Geluksplaas. The petitions alleged that the farm Geluksplaas 264 belongs to them as the Nkosi family.	The petition was acknowledged and referred to Department of Rural Development and Land Reform for intervention and report back to the Legislature.
28.Complaint about land dispute between Kgarudi and Mathibela Chieftaincy	000518/13	22/05/13	Hazyview (Ehlanzeni)	dispute between Kgarudi	The petition was acknowledged and referred to Department of COGTA for intervention and report back to the Legislature.
29.Complaint about road condition	000519/13	22/05/13	(Gert Sibande)	between De Emigrate road	The petition was acknowledged and referred to Department of PWRT for intervention and report back to the Legislature.

30. Request for grant application	000520/13	22/05/13	Acornhoek (Ehlanzeni)	Request for grant application for Motlokwa Mamphela Farmers. They allegedly have a ten hector project. Since they applied for a grant from the Government they have to date not received any feedback.	The petition was acknowledged and referred to Department of Agriculture, Rural Development and Land Administration for intervention and report back to the Legislature.
31. Request for water supply	000521/13	22/05/13	Bushbuckridge (Ehlanzeni)	Request for water supply in Dwarsloop in an area called Baromeng. The petitioner indicated that the area is neglected.	referred to Department of PWRT for intervention and report back to the
32. Request for Tractors	000522/13	22/05/13	Ferni (Gert Sibande)	Request for tractors at Kwa- NdlelaTraditional Council	The petition was acknowledged and referred to Department of Agriculture, Rural Development and Land Administration for intervention and report back to the Legislature.
33. Request for RDP	000523/13	10/06/13	Acornhoek (Ehlanzeni)	Request for RDP house	The petition was acknowledged and referred to Department of Human Settlements for intervention and report back to the Legislature.

PETITION NAME	REF	DATE	DISTRICT/AREA	SUMMARY OF PETITION	ACTION AND PROGRESS
34. Complaint about Employment of Traditional Councillors and Road	000524/13	10/06/13	Acornhoek (Ehlanzeni)	Complaint about inauguration of Traditional councillors, payment of stipend of R16 000; term of office five years and tarring of road from Greenvalley to Salique.	referred to Departments of PWRT and COGTA for intervention and
35. Complaint about Victimization of children	000525/13	10/06/13	Acornhoek (Ehlanzeni)	Complaint against Bushbuckridge Residence Association which is victimizing children accusing them of satanism. Accusing the children of causing accidents in BBR.	The petition was acknowledged and referred to Department of Safety and Security for intervention and report back to the Legislature.
36. Complaint about Identity issues	000526/13	10/06/13	(Ehlanzeni)	documents without	The petition was acknowledged and referred to Department of Home Affairs for intervention and report back to the Legislature.

NAME OF PETITION	REF	DATE	DISTRICT/AREA	SUMMARY OF PETITION	ACTION AND PROGRESS
37.Complaint about Utilization of community hall	000527/13	10/06/13	Govan Mbeki Municipality (Gert Sibande)	Complaint about alleged refusal from the Govan Mbeki municipality to use the community hall and to march.	The petition was acknowledged and referred to Department of COGTA for intervention and report back to
38. Submission on Revenue Bill	000529/13	10/06/13	Bethal (Gert Sibande)	It was a submission on Division of Revenue Bill.	The submission was acknowledged and submitted to the relevant Committee.
39. Request for toilets	000530/13	10/06/13	Acornhoek (Ehlanzeni)	Request for toilets at ward 30 Acornhoek. It was alleged that material for the toilet project has been delivered in the year 2011but nothing has been done to date.	The petition was acknowledged and referred to Department of COGTA for intervention and report back to the Legislature.
40. Request for progress on Khokhobela brickmaking	000531/13	10/06/13	(Fhlanzeni)	Request for progress made regarding Khokhobela brick making	The petition was acknowledged and referred to Department of COGTA for intervention and report back to

PETITION NAME	REF	DATE	DISTRICT/AREA	project.  SUMMARY OF PETITION	the Legislature.  ACTION & PROGRESS
41. Request for rights of farm dwellers	000532/13	10/06/13	Wakkerstroom (Gert Sibande)	Requested to know what the rights of farm dwellers are.	The petition was acknowledged and
42. Request for annual reports, newsletters and magazine of Legislature	000533/13	10/06/13	Mahikeng	Request for the Legislature's newsletters, magazines and annual reports	The request was forwarded to the requester since these are public documents.
43. Land Claim eNkalane (AP Mbhokane)	000534/13	10/06/13	Elukwimonatini (Gert Sibande)		The petition was acknowledged and referred to Department of Agriculture, Rural Development and Land Administration for intervention and report back to the Legislature.  Agriculture: in a nutshell it reported that:  The claims were lodged by, AP Mbokane (complainant), Maheyi Simon Nkambule, MS Bembe,FS Nkosi and HS Ncongwane on behalf of Mkhingoma Community. The

					complainant is part of the Mkhingoma claimants but not part of the executive committee; he feels that as a claimant and elder that he should be part of the executive committee.
44.Request for a clinic	000535/13	10/06/13	Acornhoek (Ehlanzeni)	Request for a clinic at Mokhululine and suggestion boxes. The old aged cannot manage to walk for 5km to go to the next clinic.	referred to Department of Health for intervention and report back to
45. Request for RDP and water	000536/13	10/06/13	Bushbuckridge (Ehlanzeni)	Request for RDP houses and water at Hluvukani	The petition was acknowledged and referred to Departments of Human Settlements and COGTA for intervention and report back to the Legislature.
46. Request for electricity	000537/13	10/06/13	Entokozweni (Ehlanzeni)	Complaint about the municipality who appointed a contractor to electrify the specified houses in that area. The contracted allegedly skipped those houses. At the meeting with the	The petition was acknowledged and referred to Department of COGTA for intervention and report back to the Legislature.

				councillor they were told that there is a problem with the design which does not include those houses.	
47. Request for roads	000538/13	10/06/13	Acomhoek (Ehlanzeni)	Requested roads at Acornhoek Ward 17 Technical Village	The Position was acknowledged and
48. Request for service delivery and road from Greenvally to Salique		10/06/13	Acornhoek (Ehlanzeni)	Complaint about municipal services and road from Greenvally to Salique.	The petition was acknowledged and referred to Department of COGTA for intervention and report back to the Legislature.
19. Request for water at Tintswalo hospital, a school and road	000540/13	10/06/13	Bushbuckridge (Ehlanzeni)	Complaint that they were promised bulk water from Inyaka dam to reach Tinstawalo hospital but to date there is no water. Request for roads and schools.	The petition was acknowledged and referred to Departments of COGTA, PWRT and Education for intervention and report back to the Legislature.
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PETITION NAME	REF	DATE	DISTRICT/AREA	SUMMARY OF PETITION	ACTION AND PROGRESS
50. Application for Construction Company	000451/13	28/02/13	Nkomazi (Ehlanzeni)	Request for assistance on recycling company. Challenge in high cost of transporting the scrap. Needs are: a truck, bale machine, machine to burn the cans, three phase electricity installation. Construction of PHP houses.	The Department responded that the financial requirements are too huge Without proper business plan he will cannot be able to access any funding. The department will link
1. Re-opening of 000478/13					
pension file	000478/13	20/03/13	(Ehlanzeni)	re-open a file which was already dealt with by the Committee in the year 2009 regarding his	The Department of Education previously submitted its report which indicated that the complainant was compensated by the Government Employee Pension Fund accordingly and that no

money was owed to him.
The file was closed by the previous Committee on 09 September 2009.A legal advice was sought in the committee meeting held on 17 April 2013 and the file was closed again since it was dealt with and that no further steps could be taken.

### 2. NEW PETITIONS

The Committee dealt with forty nine [49] new petitions in the quarter under review.

## 3. PETITIONS IN PROGRESS

> The Committee dealt with two hundred and forty five [245] petitions in progress; which dates back from previous financial years in the quarter under review of which some at the verge of being concluded.

## 4. PETITIONS CONCLUDED

The Committee concluded two (2) petitions in the quarter under review.

## 5. Challenges

In execution of the mandate, there are various challenges which are amongst others:

- 1. Insufficient cooperation from some Government Departments and Municipalities on submission of reports on due dates given which; delays the process of finalizing the petitions;
- 2. Some petitions are vague, follow-ups need to be done with the petitioners which takes longer than estimated;
- 3. Some petitioners cannot be reached on the telephone numbers and addresses they provided; the acknowledgement and progress letters were returned from the post office due to either invalid post number or non existence of the
- 4. Some petitioners are not cooperative in assisting with full information and details for purposes of investigation which, delays the progress and finalization thereof;
- 5. Other petitions are being delayed to be finalized due to shifting of timeframes from departments on implementation;
- 6. The petitions unit is overworked and understaffed since there is only one official dealing with the petitions for the entire Mpumalanga Province;

#### 1. **RECOMMENDATION[S]**

- > That a letter be signed by the Hon. Speaker to the Hon. MECs of Departments on the importance of responding to petitions on or before due dates given;
- > That petitioners submit correct contact and postage details or alternative numbers;
- > That the Department of Human Settlements must provide beneficiaries who are registering for housing units with proof of registration for better oversight;
- Strengthen the awareness campaign on petitions;
- > Utilize Parliamentary Liaison Officers for petitions sent to Departments;
- > That the petitions unit be beefed up with sufficient human resources.

### 6. CONCLUSION

The Committee successfully dealt with the petitions despite the challenges faced with during the period under review. The Committee will continue to strive to put more effort in dealing with all petitions received as speedily as possible. This will ensure that the people of the Province of Mpumalanga remain and continue to have confidence and trust in their public representatives and the Legislature.

The Chairperson, Hon. RC Mkasi would like to thank Honourable Members of the Select Committee on Public Participation and Petitions for their selfless support, dedication and commitment during the first quarter of 2013/2014.

Furthermore, to thank the support staff for the professional assistance they always provide to this Committee.

HON. RC MKASI

**CHAIRPERSON: SELECT COMMITTEE ON** 

**PUBLIC PARTICIPATION AND PETITIONS** 

22/11/2019

DATE