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# **PRASA**

## **BUNDLE F**

AFFIDAVIT & ANNEXURES  
OF

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KWEYAMA

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HOLELE

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MULLER



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**EXHIBIT SS 10**

**TIRO  
HOLELE**



**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,  
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE**

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IN THE COMMISSION OF ENQUIRY INTO STATE CAPTURE:

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**AFFIDAVIT**

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I, the undersigned,

**TIRO HOLELE**

do hereby make oath and state as follows: -

**Introduction**

1. I am an adult an adult male who has been employed by Passenger Rail Agency of South Africa ("PRASA") since June 2007.
2. Since taking up my employment in June 2007, I have held various positions, which include: General Manager in the Office of the Group Chief Executive Officer ("GCEO") under Mr Tshepo Lucky Montana ("Mr Montana"), General Manager: Corporate Affairs, Group Chief Strategy Officer, Executive Manager: Third Party Projects at Intesite, a subsidiary of PRASA, Group Executive in the Office of the GCEO and my current position of Chief Executive Officer of Autopax, which is also a PRASA subsidiary company.
3. The averments made herein are within my personal knowledge and belief, unless stated otherwise or the context makes the contrary apparent, and they are to the best of my knowledge and belief both true and correct.

      
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4. I make this affidavit at the request of the Investigators and Legal Team of the Commission of Inquiry into State Capture.
5. I am aware that two other PRASA employees, Ms Onica Martha Ngoye (Group Executive: Legal, Risk and Compliance) and Mr Mfanimpela Moses Dingiswayo (General Manager: Group Legal Services) have both deposed to affidavits in which they deal with a number of PRASA related matters.
6. I herewith confirm the correctness of both Ms Ngoye's and Mr Dingiswayo's affidavits in respect of matters which relate to me and on which we worked together. In particular, I further confirm the correctness of averments made by both Ms Ngoye and Mr Dingiswayo regarding the conduct of the GCEO, Mr Montana, especially the ruthless and often unlawful manner with which he dealt with employees who disagreed with him, or those who attempted to ensure that PRASA matters were concluded lawfully and correctly through due process.
7. In addition, I wish to record that I too, on a number of occasions experienced episodes of verbal abuse and threats of being summarily removed and demoted directly by Mr Montana, when I disagreed with him, or attempted to highlight concerns regarding his conduct. This demotion related to the following:
- 7.1 During May 2013, Mr Montana accused me of leaking information to the Public Protector and working against the interests of PRASA. At that stage, the Public Protector was conducting an official investigation into the affairs of PRASA and we were all required to provide information to her Office.
- 7.2 On the basis of his allegations that I had "leaked" information to the Public Protector, Mr Montana demoted me and moved me to Intesite, without following any recognised process, or affording me any opportunity to object to the

            
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process, nor allow me to make any representations in response to his allegations.

7.3 I wish to add that the above demotion and my removal from PRASA was the culmination of a long series of attacks I had endured from Mr Montana, as a result of me challenging a number of his decisions and actions, where I believed them to be improper.

8. In reference to paragraph 14.21 of Mr Dingiswayo's affidavit, I wish to confirm that a meeting was set up between myself and Ms Shunmugan, relating to a dispute on payments to a service provider, known as Prodigy. However, to the best of my recollection the meeting was held during or about February / March 2017. I invited Mr Jacob Rakgoathe, the General Manager for Group Compliance to the join meeting. To our surprise, when we got into the boardroom of the meeting, Ms Shunmugan was not present, but we instead found Mr Roy Moodley waiting for us.
9. Mr Moodley informed us that Prodigy was owed significant amounts of money by PRASA and he demanded that we make the payment in full. I found it highly irregular that none of the Prodigy directors or office bearers were present at the meeting, but Mr Moodley insisted that he was acting on behalf of Prodigy and that he was at the meeting to collect outstanding monies on Prodigy's behalf.
10. The meeting was very tense, but both Mr Rakgoathe and I tried to explain that we could not accede to Mr Moodley's demands, as the matter was an issue of dispute that was being heard before the courts. Mr Moodley told us that he was part of the top 15 decision makers in the country and made reference to media reports of an impending Cabinet re-shuffle. He then threatened us that "big changes" were coming and that we needed to ensure that we were on the right side of these changes.

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11. I understood Mr Moodley's threat to mean that if we did not ensure that PRASA made the outstanding payments to Prodigy, there would be adverse consequences for us when the Cabinet re-shuffle occurred. Both Mr Rakgoathe and I, however, remained resolute that we could not approve any payments to Prodigy whilst the matter was before the courts.

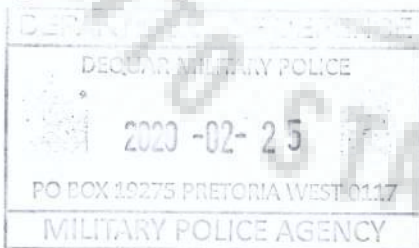
12. Indeed, later in March 2017 the then President, Mr Jacob Zuma, announced a Cabinet reshuffle and Minister Dipuo Peters was replaced by Minister Joe Maswanganyi as the Minister of Transport.

*[Handwritten signature]*

Deponent

I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of the deponent's knowledge both true and correct. This affidavit was signed and

sworn to before me in *Pretoria* the *25* day of *February* *TH* *February* 2020, and that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended by R1648 of 19 August 1977, and as further amended by R1428 of 11 July 1989, having been complied with.



*[Handwritten signature]*  
CPI  
0501230 TMC

COMMISSIONER OF OATHS

T.M.

*[Handwritten signature]*