

**COMMISSION OF INQUIRY INTO STATE CAPTURE**

**HELD AT**

**PARKTOWN, JOHANNESBURG**

10

**30 SEPTEMBER 2019**

**DAY 173**

20

HEARING RESUMES

**CHAIRPERSON:** Good morning Ms Wentzel, good morning everybody.

**ADV SUSAN WENTZEL:** Morning Chair.

**CHAIRPERSON:** And before I forget you need to talk to me during the break about this list.

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** It might be necessary that we stop early today. I hope it will not be necessary. I am just going to continue to monitor my situation. I am not so well so – but – I am much better than yesterday.

10 **ADV SUSAN WENTZEL:** I am sorry Chair.

**CHAIRPERSON:** Ja no that is fine. As I feel now I think we should be able to go quite some distance. So I will just monitor my situation. Good morning Colonel Naidoo.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Good morning Chair.

**CHAIRPERSON:** Thank you. Ms Wentzel are you ready for us to continue?

**ADV SUSAN WENTZEL:** Yes I am.

**CHAIRPERSON:** Okay. I think where we were when we adjourned on Friday was where Colonel Naidoo had begun or had just said that there  
20 was a suggestion from somebody at the braai in General Lazarus house that they should go somewhere. I think that is where we are. Am I right?

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** Yes okay take it from there. Maybe recap in terms of who had made that suggestion?

**ADV SUSAN WENTZEL:** Yes and Chair if I might just go one step back also just to clarify something?

**CHAIRPERSON:** Yes that is fine. Yes.

**ADV SUSAN WENTZEL:** Colonel Naidoo on Friday afternoon you testified what transpired on the evening of the 20 October 2011 at General Larzarus' house and you said after there had been a discussion with regard to the destruction of evidence for travel records – pertaining to travel records. You said that Colonel FM09 asked General Lazarus if he should spin a story. What did you understand by  
10 that?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Sorry Ms Wentzel there seems to be a problem with the sound. Can you just give me a moment or so?

**CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair if I may before I go further with regards to my testimony on Friday.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** There is just one incident that I need to clarify or bring to your attention.

20 **CHAIRPERSON:** Yes

**COLONEL DHANAJAYA GANGULU NAIDOO:** When I spoke of admitting the Hawks regarding putting in false claims I confided in two of colleagues.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Namely Colonel Barnard

and FM40. Chair when – I am going back now to the – the meeting at General Lazarus' house when FM – when FM10 said that his contact at the Hawks told him that I admitted to putting in false claims and I am now on the side of the Hawks. Chair at that stage outside of myself and the two Hawks investigators there were only two other individuals who knew of – of my admissions to the Hawks. So it was not possible for anyone else to know about this at that stage. And the only other person that I believe spoke to FM – FM10 was FM40 Chair.

**CHAIRPERSON:** Yes.

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** So it could not be – it could not be anyone from the Hawks. It was not possible.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** So I just wanted to clarify that.

**CHAIRPERSON:** Well the – the four people who knew about the admission you had made to the Hawks were Colonel Barnard and the person that was with Colonel Barnard when you told them. And then it was the two members of the Hawks, is that right?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is indeed correct  
20 Chair.

**CHAIRPERSON:** So those are the four people who knew about it.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Outside of myself yes.

**CHAIRPERSON:** Outside of yourself.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes.

**CHAIRPERSON:** Okay so you say that it could not have been any of

the two from the Hawks who would have spoken to anybody in Crime Intelligence about your admissions?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair it would not make sense for them to do that. They were the investigators and I was liaising with them with regards to information. I do not think they would have approached any of suspects and told them – give them that information. So it does not make sense.

**CHAIRPERSON:** Unless of course they did not themselves directly speak to somebody in Crime Intelligence to tell them that but they  
10 shared the information of your admission with one or more other people within the Hawks whom they trusted who might have broken that trust.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That could – that could have happened Chair but I – like I mentioned from my side.

**CHAIRPERSON:** Ja

**COLONEL DHANAJAYA GANGULU NAIDOO:** There was only those four individuals that I knew of at that stage.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Who know of – knew of this information.

20 **CHAIRPERSON:** Yes. And in terms of Colonel Barnard and the person who was with Colonel Barnard are you in a position to indicate your level of trust whether anyone of them may have told General Lazarus or somebody else within Crime Intelligence about it?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair but that evening Colonel Barnard had already informed General Lazarus regarding my

admissions.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Because that is what General Lazarus told me.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** So it only leave the other individual which is FM40 that probably spoke to – to FM10.

**CHAIRPERSON:** Oh okay, okay. Alright thank you. Before we proceed I just want to – to remind that the – to remind you Colonel  
10 Naidoo that the oath that you took on Friday continues to apply until you have finished your evidence. Is that alright?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes Chair perfect.

**CHAIRPERSON:** Okay thank you. Ms Wentzel.

**ADV SUSAN WENTZEL:** Colonel Naidoo could you now deal with how you understood the statement from Colonel FM09 to General Lazarus that whether he should spin a story. What did you understand by that?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I have knowledge  
20 of – of when he said that spin a story what I believed that meant to be was using journalists either to plant information within the media that would be in favour of Crime Intelligence.

**CHAIRPERSON:** So is that a term that you knew to be used quite often within Crime Intelligence to mean that a story must be told to journalists who would then be expected to publish such story?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Not generally Chair but at that stage that is what I understood it be because I have other – I

have knowledge of other incidents where journalists were either paid or were in touch with Crime Intelligence members.

**CHAIRPERSON**: Yes so is the position that your understanding of what spinning a story was intended to mean simply based on your understanding of the term and not because of how you understood the term to be used in Crime Intelligence generally?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Yes Chair.

**CHAIRPERSON**: Okay.

**ADV SUSAN WENTZEL**: Chair if – as a standalone statement it might  
10 not mean much right now but as I continue with my – with my testimony.

**CHAIRPERSON**: Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO**: It might give more insight or more understanding of what that statement meant at that particular time.

**CHAIRPERSON**: Yes okay thank you.

**ADV SUSAN WENTZEL**: Colonel Naidoo what did you do after you left General Lazarus' house that evening?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Like to testified to previously ...

20 **CHAIRPERSON**: Well maybe he must first just refresh our memory in terms of who made the suggestion that they go somewhere.

**COLONEL DHANAJAYA GANGULU NAIDOO**: Yes Chair it was FM09 suggested that we go for drinks as it – he said he was extremely stressed. Chair I was also stressed but I was also weary this might just be another opportunity for me to be interrogated or debriefed but

having said that I also did not want to create any suspicion as well so I agreed to go.

**CHAIRPERSON:** Okay. Did he say where you – you should – where the drinks would be – where you would go to have drinks?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I will get to that in a moment Chair.

**CHAIRPERSON:** Yes okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** So as we left General Lazarus' house like I just said there was the suggestion we go for  
10 drinks which I agreed to. We went to and I am speaking now this – this is myself, it is FM09 and FM08. We proceeded to the Holiday – I think it is the Holiday Inn in – it is in the precinct of OR Tambo International Airport. The one that is along the R24 if I remember correctly.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** It is a pub in the hotel Chair I cannot remember the name I think it is a Keg. So we got in and we proceeded to get some drinks Chair.

**CHAIRPERSON:** You mentioned who was with you and I just want to check. Was it 3 people including you?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Yes Chair it was FM08.

**CHAIRPERSON:** And then FM09 and yourself?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is indeed Chair.

**CHAIRPERSON:** Okay alright yes continue. You got to the pub.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes. Chair while – while we were waiting for our drinks FM09 showed me a message on his



phone. It was BBM message. Chair I took a glance at it. I cannot say for sure well I did not see what was actually on the message because it – the lighting was not too good. But after – after he glanced the phone towards me obviously I could not read what was on the phone he said that we and what I understood this to be as in we – as in Crime Intelligence or I as an individual should stay away from General Dramat and General Sibiya.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair at that stage ...

10 **CHAIRPERSON:** That was FM08?

**COLONEL DHANAJAYA GANGULU NAIDOO:** FM09.

**CHAIRPERSON:** 09 okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** FM 09 yes Chair. I sort of discarded what he told me because it did not make sense because I knew who General Dramat and General Sibiya was. At that stage just for the record General Dramat was the Head of the Hawks, National Head of the Hawks and General Sibiya was the Head of Hawks Gauteng Province.

20 **CHAIRPERSON:** Yes General Dramat was National Head of the Hawks?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** At that stage I had not met any one of these individuals except from know who they were and what positions they held. So I sorted discarded what he told me

because I have never met these individuals.

**CHAIRPERSON:** You did not understand what the context was for him to say you should stay away from these two individuals.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Not at all Chair.

**CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** And we continued. We had – I think I had two drinks. I am not sure how many drinks FM09 had. We were probably there an hour or so Chair but it was – it was quite a – it was an amicable situation. There was no more questions  
10 put to me by FM09 nor FM08.

**CHAIRPERSON:** 08 Hm. And what was your response to the suggestion? You – did you just hear it and did not react to it?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I did not Chair because like I am saying it did not make sense to me because I had not met any of these individuals so I just sort of discarded what he told me or rather did not pay much attention to it.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** At that stage.

**CHAIRPERSON:** Yes.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** We were probably there about an hour or so and I – I think we called it a night. We decided to go home. FM09 and FM08 dropped me off at my home. The next morning Chair which is now the 21<sup>st</sup> October 2011. Chair I just would like to mention as well at that stage I was using – I was making use of four or five cell phones that I had with me at the time. One was my

official phone from Crime Intelligence. The other three or four that I had were pay as you go cell phones.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** But that – by that stage I had – I had disconnected my home phone as well. The cell phones that I was making use of the time I took off the batteries, I took off the SIM cards simply because of all the – the incidents that had transpired in the previous few hours or the day before. The one phone – the one cell phone which was a pay as you go phone nobody had the number. None  
10 of my colleagues had that number.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I did not even know the number myself.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I eventually made contact with Colonel Roelofse. Chair he had given me his cell phone number on that – on my first meeting in September or my other – the second meeting I refer to the 18<sup>th</sup> and the 19<sup>th</sup>. On one of those two occasions he had given me his cell phone number. He said I should  
20 keep it in case I need to contact him for anything and I remember that I indeed had his number. So I contacted Colonel Roelofse using this spare...

**CHAIRPERSON:** This is now still the 20<sup>th</sup> or is it the 21<sup>st</sup> of October.

**COLONEL DHANAJAYA GANGULU NAIDOO:** This is the morning of the 21<sup>st</sup> Chair.

**CHAIRPERSON:** Oh morning of the 21 October 2011?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

**CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I contacted Colonel Roelofse. I am not sure whether I phoned him or sent him a message from this phone. I told him that I need to see him urgently. I cannot remember I think he said he will – he will come to – to meet with me and I told him to meet with me at my house. I explained more or less where it was. Chair at that stage I was driving a bakkie – a state  
10 vehicle so I decided to wait outside on the roadside in the bakkie waiting for Colonel Roelofse. I am not sure where he was and how long he was going to take to get to meet with me. So I was waiting for him on the roadside sitting in the bakkie. While I was waiting for Colonel Roelofse I noticed a blue Audi approaching my house. Like I mentioned earlier Chair there is a field across my house so I have view of both the roads leading to my house so it is quite a fair view of what is going on around me.

**CHAIRPERSON:** Your bakkie was it parked not far from the gate to your house or was it parked quite some distance away from your  
20 house?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair it was parked near the gate but on the road not in front of the gate.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** In the driveway it was parked on the road.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I did this purely so I could have a fair view of – of what is happening in front of me and the side of me and at the back of me.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Just to see vehicles approaching or anything like that.

**CHAIRPERSON:** Around about what time of the morning was it when you were – when you – you were waiting there for Colonel Roelofse?

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair it would have been probably around nine – nine or ten. I must add as well that I did not go to work that – that morning or that day which is the 21<sup>st</sup>.

**CHAIRPERSON:** And I know that ...

**COLONEL DHANAJAYA GANGULU NAIDOO:** I did not – I did not report to work that day Chair.

**CHAIRPERSON:** Okay I know that you mentioned I think that either the 18<sup>th</sup> or 19<sup>th</sup> was a Friday, am I correct? One of those two? Or did I misunderstand you cannot remember?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair the 20<sup>th</sup> when I dropped off General – I picked up General Lazarus and I dropped him off at his office and that is when I told him I want to go home to rest. That was the 20<sup>th</sup>.

**CHAIRPERSON:** And you cannot remember what day of the week it was?

**COLONEL DHANAJAYA GANGULU NAIDOO:** The – the ...

**CHAIRPERSON:** The 20<sup>th</sup>?

**COLONEL DHANAJAYA GANGULU NAIDOO:** The 20<sup>th</sup> was a Thursday Chair.

**CHAIRPERSON:** It was a Thursday?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes it be –

**CHAIRPERSON:** Oh.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I remember because the 21<sup>st</sup> October very clearly because it was a Friday that is the day we were admitted into the witness protection programme.

10 **CHAIRPERSON:** Oh okay. Okay. So while you were waiting either in the bakkie or outside the bakkie on the road you said you saw – you saw some vehicle.

**CHAIRPERSON:** Chair I was seated in the bakkie but the bakkie was parked on the roadside and I noticed this – this vehicle approaching my house. It was a blue Audi. As it got near I noticed it was FM10. He parked alongside me. He did not get off neither did I get off of my vehicle. We were speaking through the windows of each vehicle.

**CHAIRPERSON:** Was he alone?

**COLONEL DHANAJAYA GANGULU NAIDOO:** He was alone Chair.

20 **CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** He told me that he was instructed by General Lazarus to pick me up and take me to his office for a meeting. This is to General Lazarus' office.

**CHAIRPERSON:** What time – what time were you supposed to have started work that day?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair we normally start at half past seven but like I said on that Friday I did not report to work.

**CHAIRPERSON:** Yes okay. Alright.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair this was probably around nine or ten in the morning. I could be wrong but it was definitely before twelve.

**CHAIRPERSON:** Yes okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I actually got quite a shock when I saw him first approaching because I was actually waiting  
10 for Colonel Roelofse to come and meet with me. So this put me in quite a dilemma because if Colonel Roelofse showed up at the time that he was there then I would have had a problem.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** So he – I tried to get out of it Chair. I gave him some excuse. I think I told him that I needed to take my wife to the doctor or I needed to take her somewhere.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** He did not back down. He insisted that I come. I could see that he was – he was not going to  
20 let go so I eventually decided that I will go but I told him this is now FM10 I told him I will – I will follow him in my vehicle because he wanted me to come with him in his car.

**CHAIRPERSON:** Yes. I wonder why he would have wanted that. Do you have any idea? You had your own official car with you?

**COLONEL DHANAJAYA GANGULU NAIDOO:** At that stage yes Chair.

It was not my own official car. My – the car that I was driving at that stage was in the garage. I was using – this was one of the pool cars of General Lazarus that I was using at the time.

**CHAIRPERSON:** Oh okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** While my own car was in the garage.

**CHAIRPERSON:** Okay. Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Eventually we – I decided – well I was not going to go with him.

10 **CHAIRPERSON:** I am sorry you – I think you said that you know why or you knew why he wanted you to rather go with him in the car that he was driving rather than follow in your own car.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I cannot say for sure.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Why he insisted that I come with him.

**CHAIRPERSON:** Yes.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** But eventually I – I said – I did not [indistinct] to him.

**CHAIRPERSON:** You would follow him?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Yes okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** General Lazarus' office is in Centurion I will not mention where because it is a covert premises.



**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** When we got to the office obviously FM10 was there already he had parked his car. I parked the vehicle that I was driving in a basement of the – of the office. As I walked up to the reception of – of General Lazarus' office I noticed Colonel Barnard was present was speaking to another Colonel Furstenberg. FM obviously FM...

**CHAIRPERSON:** What is the name of the other Colonel?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Colonel Furstenberg.

10 **CHAIRPERSON:** Oh how do you write that?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It is I think it is ...

**CHAIRPERSON:** I am looking in your statement.

**COLONEL DHANAJAYA GANGULU NAIDOO:** It is F-u-r-s-t-e-n – on page 065 Chair on 282.

**CHAIRPERSON:** Okay.

**ADV SUSAN WENTZEL:** Chair you will see it at the bottom of that page.

**CHAIRPERSON:** At the bottom of the page?

**ADV SUSAN WENTZEL:** Yes.

20 **CHAIRPERSON:** Oh yes. F-u-r-s-t-e-n-b-u-r-g. Furstenburg.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Yes continue.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Like I mentioned Colonel Barnard was there. FM09 this is Colonel FM09.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** And FM – sorry Chair.  
FM07 was also present.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair when I like I said when I got to the basement and noticed all these individuals like I have just mentioned present I realised that this was going to be another – another interrogation session. I asked FM40 where or rather FM40 – Chair sorry. I asked FM40 what is going on. He said he does not know he was instructed to come to the office to have a – for a meeting.

10 **CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** At that stage I – if I remember correctly I think I said to FM40 can Burries not shut his mouth.

**CHAIRPERSON:** Was that a reference to Colonel Barnard?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Yes okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** This I mentioned to FM40.

**CHAIRPERSON:** Yes.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair if I remember correctly General Lazarus at that stage was not at his office he was gone for a meeting or I think he had a meeting with the Inspector General of Intelligence. This I picked up from the conversation that I had with either FM40 or FM7.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair at that stage I realised that I had to get out of this situation because once General Lazarus comes back then this – it is going to be a real problem for me. Chair at that state I – like I said I realised I needed to get out of that situation. I – I deliberately became emotional. When I say that I said to FM40 and FM07 that I had been interviewed by the Hawks and now by my own colleagues and I intentionally became emotional.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** At that stage I – if I  
10 remember correctly I used some vulgar language as well.

**CHAIRPERSON:** Did you say that you did this deliberately as part of your plan to get out of the situation?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair it was – it was part deliberate – it was part genuine.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** But I was generally emotional – you know the last few days was quite stressful for me.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** And it was like I said – it  
20 was – it was genuine but also deliberate and I started to walk back to my bakkie which was parked in a basement.

**CHAIRPERSON:** Yes. So that was before you could even enter the room where the meeting was supposed to take place?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair this was all happening in – on the outside of the building. Everybody was standing

on the outside of General Lazarus' building. It was not on the inside.

**CHAIRPERSON**: Oh and General Lazarus had not arrived yet.

**COLONEL DHANAJAYA GANGULU NAIDOO**: Not yet Chair.

**CHAIRPERSON**: Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO**: So I proceeded to walk back to my bakkie. FM07 followed me and said that you know I should hold on because they just want to clear up the – or clarify the whole situation. I did not listen to him. I walked through the – through the basement door and as I walked past the door I kicked the door. I  
10 jumped into my vehicle and I started to drive at high speed back to my house which was in Kempton Park. So it is probably a half an hour drive from where I was.

**CHAIRPERSON**: Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO**: Chair I got home.

**CHAIRPERSON**: Did anybody try to follow you?

**COLONEL DHANAJAYA GANGULU NAIDOO**: I will get to that now  
Chair.

**CHAIRPERSON**: Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO**: Oh from the office itself  
20 no. I cannot recall anybody following me.

**CHAIRPERSON**: Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO**: But when I got home  
Chair which was about half an hour or forty minutes later – a few minutes after I got home I heard a vehicle coming down the – down the road near to my house at high speed. I asked my wife to check

because when the – that vehicle eventually stopped in front of my driveway and the intercom buzzed.

My wife answered. It was FM09. He wanted to know where I was. My wife told him that I was - I came back very upset and I was asleep and he eventually left. Chair by this stage I was really concerned not only of my own safety but that of my family as well.

**ADV SUSAN WENTZEL:** And what did you then do?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Can I just have a few minutes Chair? Sorry.

10 **CHAIRPERSON:** Yes. Okay, alright. You must just tell me if you need us to take a short adjournment of five minutes or so if you need to just get yourself in a position where you are able to continue to give evidence.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I am fine. I am fine. I can continue.

**CHAIRPERSON:** Okay, alright. Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** After FM09 left I immediately contacted - contacted Colonel Roelofse and - and it so happened he did not turn up for our initial meeting because I later  
20 found out from this - from him he was delayed and he could not make that meeting where I was waiting for him outside in the bakkie but this I found out later but after FM09 left I immediately contacted - contacted Colonel Roelofse and I told him that I need to meet him very, very urgently.

We made arrangements Chair to meet at a Roman's Pizza.

This was in Edenvale in Van Riebeeck Street or Van Riebeeck Road if I remember correctly. This was about five or seven kilometres from my house.

**CHAIRPERSON:** And this was roundabout what time when you ...?

**COLONEL DHANAJAYA GANGULU NAIDOO:** This was still - still probably ...

**CHAIRPERSON:** Before 12?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Be - before 12.

**CHAIRPERSON:** Yes.

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** Probably before 12  
Chair, *ja*.

**CHAIRPERSON:** *Ja*, okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair then I was faced with another dilemma to getting to this meeting because at that stage the bakkie that I came back with was - the way my house is - is situated the bakkie is clearly (jump in audio) wife's car was parked next to the bakkie.

20 So I - I were - I was just afraid if I use my own vehicle which - which is the bakkie the State vehicle that somebody might - might be surveilling my house and I could not use the bakkie and I could not phone anybody because at that stage all of my friends were my actual colleagues from Crime Intelligence.

So I could not phone anybody help - for help. At that stage my wife was fully aware Chair of what was going on. I am referring now to the - to my meeting with the Hawks - the initial meeting the second

meeting of the 18<sup>th</sup> and the 19<sup>th</sup> and what transpired the night before ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** And what happened the morning of the 21<sup>st</sup> and I explained to her that I needed to get to this meeting to meet Colonel Roelofse and my situation. I am not sure if I suggested to her to take me there or she offered to take me there.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair what happened next was like I said my wife's vehicle was parked next - next to the  
10 bakkie. The one side of the vehicle - I am referring to my wife's car -  
was partially visible on one side from the road side. On the other side  
was the - the left hand side of the vehicle was not visible from the road  
side.

So I told my wife that we needed to get - I - before I got in -  
into the vehicle I explained to her where we needed to - to go to. So  
she had a - an idea of where we are going to go. Chair if I had walked  
out normally to the car there was still a chance that somebody might  
see me.

**CHAIRPERSON:** Yes.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** So I crawled on the  
paving Chair. I crawled ...

**CHAIRPERSON:** You crawled?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I crawled on the paving  
so that I was not visible from - to - to the - to the road ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** If anybody was watching.

**CHAIRPERSON:** Ja.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I crawled on the paving towards the side of the vehicle which was not visible from - from the road side.

**CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I opened the left side passenger - back passenger door. I crawled into the car Chair and I hid myself behind the front two seats.

10 **CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Just so that nobody could see me.

**CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair while of - while all of this was happening my wife was - she was watching through the kitchen window and once I was in the vehicle she came into the car.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I told my wife whatever she does do not ever look back and speak to me. She must  
20 just look in her rear-view mirror.

**CHAIRPERSON:** Please just repeat that.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I - I told my wife that if she speaks to me when she jumped into the car do not ever look back. She must not turn her head back.

**CHAIRPERSON:** Oh, okay. Yes.



**COLONEL DHANAJAYA GANGULU NAIDOO:** She must just look into her - into her rear-view mirror. So I ...

**CHAIRPERSON:** *Ja.*

**COLONEL DHANAJAYA GANGULU NAIDOO:** She jumped into the car and I told her to reverse and she must be careful. Check the - the surrounding areas if there is any vehicles parked around. She did this and it was clear. So I told her to continue. I explained to her more or less where we need to get to.

Chair it was - like I said it was about five or seven  
10 kilometres. As we were continuing getting to this point where we needed to be. I told her to continue checking her rear-view mirrors if anybody was following us. I told her to look out for the vehicles - which vehicles to look out for - specific ones.

My colleagues at that stage I knew what vehicles they were driving. So I told her to look out for these vehicles. She continued Chair. We eventually got to where I needed to be to meet Colonel Roelofse but all the while on this journey to - to get to where we needed to be at I - I was continuously speaking to her.

Just checking to see if she was okay. Chair I must also say  
20 at this point my wife is a civilian. This was quite extreme for her to do something like this. So I was quite concerned for her ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** As well - for her safety ...

**CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** But like I said I had no

other choice. That was the only person I could have trusted at that stage.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** So I continuously was speaking to her - conversing with her. Telling her to check her - her mirrors, any cars that were following. As we got closer to the point where I needed to meet Colonel Roelofse I again told her to check one last time if she sees any suspicious vehicles.

10 She told me that she could not see any vehicles. At that stage where I needed to be the robot was actually red and I quickly jumped off. I told her to go - before I jumped off Chair I told my wife to go straight home and wait for my call. Chair when I jumped out of the vehicle I ran into a bookshop across the Roman's Pizza where I was going to meet Colonel Roelofse.

This was merely to - oh - oh I am jumping the gun a bit. I - I ran into the bookshop. I pretended to - to be buying a book. So I was looking at a book but while I was doing that I was just checking the exit and seeing if anybody was following me. I waited in the - in the bookshop for about probably five minutes.

20 Also not to arouse any suspicion from - from the shop owner. I could not be there too long. When I felt that it was all clear I proceeded to the Roman's Pizza. I am not sure who got there first. Whether I was there first or Colonel Roelofse was already there but what I can say is that I met with him and I explained to him Chair exactly all of the events from the night or the previous - the previous

night and - and the morning of the - the 20<sup>th</sup>. Pardon me Chair.

**CHAIRPERSON:** The 21<sup>st</sup>.

**COLONEL DHANAJAYA GANGULU NAIDOO:** The 21<sup>st</sup>.

**CHAIRPERSON:** Huh-uh.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Before - sorry. Also Chair, before - before I could tell him all of these things he asked me if I - if I minded if Colonel Viljoen joined us for the meeting and I - I told him I did not mind. So Colonel Viljoen also joined us for that meeting. I ...

10 **CHAIRPERSON:** Was Colonel Viljoen the one that was with Colonel Roelofse or - when they interviewed you on the 18<sup>th</sup> and the 19<sup>th</sup>?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed. That is correct Chair.

**CHAIRPERSON:** Okay, alright.

**COLONEL DHANAJAYA GANGULU NAIDOO:** He - he joined us for the meeting and I explained to both of them what exactly had transpired the night before and the morning of the 21<sup>st</sup>. Chair at that stage I am not sure if he mentioned witness protection. By - by this stage - I must  
20 also add when I got to this meeting Chair I was physically upset.

I think my hands were shaking by the time I got to - to Colonel Roelofse.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** He also - he could see that I was - I was not in - in a - in a good space.

**CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** At that stage Chair I am not sure if he mentioned witness protection but after - we probably lasted about half an hour Chair - that meeting. He asked me if I could meet him in Pretoria in the evening. I think I told him I am not sure but I will try.

Chair I went back home or rather when the meeting was over they left first and I phoned my wife.

**CHAIRPERSON:** Before you proceed. You said you were not sure  
10 whether he mentioned witness protection at that meeting?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Is that because although witness protection was discussed at some stage you are not sure whether it was discussed at that meeting?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That - that evening Chair I was together with my family. We were actually placed in the witness protection but like I am saying I am not sure if Colonel Roelofse at that moment or in that meeting of the morning of the 21<sup>st</sup> mentioned witness protection to me.

20 **CHAIRPERSON:** Okay, alright.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I cannot be certain.

**CHAIRPERSON:** Okay. So you called your wife after Colonels Roelofse and Viljoen had left?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair. After they left I called my wife and I asked her to come fetch me but I

told her not to - to come to - to the same place where she dropped me off. I told her to park around the block of where she initially dropped me off. Chair when she arrived I - I did the same as I came to the meeting.

I jumped into the back of the car and hid myself be - behind the two seats and we went straight home. Also Chair continuously speaking to my wife telling her to check her whereabouts. See if any vehicles were following us. Chair the - the period that - after I got home is a bit hazy for me. I am not sure - I - I was really not in a good  
10 space after I got home.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I think I laid down for a while. Probably had a nap for an hour or two. I cannot remember. That is a bit hazy for me but what I can recall that afternoon of the 21<sup>st</sup> Colonel Roelofse contacted me and asked me if I could meet him at his officers. This - this is now the Hawk's Offices in Silverton.

Chair, I - I think I told Colonel Roelofse I will - I will try my best to get to that meeting. Chair we also had - were also expecting some visitors that evening. So my wife could not drive me. So I  
20 decided to take a chance and drive myself there. I waited for it to get a bit dark - for the sun to set.

I put on a cap and I lay a bit low in the car and drove to Pretoria. Also myself kept checking if there was anybody that was following me while I was driving to Pretoria. When I got to the Hawk's Offices Colonel Roelofse was there. Also present was General Hankel.

I think that Colonel Roelofse had already briefed Colonel Hankel of my situation and the incidents that - that happened prior - the day before in the morning of the 21<sup>st</sup>.

General Hankel said to me from what he has heard so far he genuinely sees that there is a threat on my life and that I should go into the Witness Protection Program.

**CHAIRPERSON**: That was General Hankel?

**COLONEL DHANAJAYA GANGULU NAIDOO**: That is correct Chair.

**CHAIRPERSON**: Yes.

10 **COLONEL DHANAJAYA GANGULU NAIDOO**: Arrangements were subsequently made for the task force. They - they escorted me from the Hawk's Offices back to my house in Kempton Park. Chair but before - before - I am jumping the gun a bits. Before we left I phoned my wife and told that she needs to politely get rid of the visitors that we had ...

**CHAIRPERSON**: Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO**: And that she needs to pack a bag for each one of us - an overnight bag and she needed to do that very, very quickly.

20 **CHAIRPERSON**: Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO**: Chair I was escorted via the task team back to my house. I am not sure at that stage - I cannot recall who - who brought my car - my wife's car back. I think it was one of the task ...

**CHAIRPERSON**: Has you used your ...?

**COLONEL DHANAJAYA GANGULU NAIDOO:** One of the members of the task.

**CHAIRPERSON:** Had you used your wife's car to go to the Hawk's Offices?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Okay. Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** At that stage it was probably one of the members of the task team that escorted or rather drove my wife's car back to my house but I myself was escorted by a  
10 team from the task team - task team. I think it was four of five of them. When we got there my wife was very - she had already packed bags for each one of us.

My wife's sister who lives not far from us Chair - like I testified to on Friday this is the same residence that was broken into. She came to - to basically just - we basically just hand over everything to my wife's sister. The keys of the house and our - some of our personal things. This also might be quite hazy for me.

I cannot remember all the detail but in essence this is what happened.

20 **CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** We were taken back - this is my family. Myself, my wife and my two kids. We were escorted back to the Hawk's Offices in Silverton. This was probably around nine - 9 o' clock in the evening Chair. I cannot remember exactly.

**CHAIRPERSON:** When - when you went back to the ...

**COLONEL DHANAJAYA GANGULU NAIDOO:** Went back - we were ...

**CHAIRPERSON:** Hawk's Offices?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is indeed correct Chair. We - we were taken back to the Hawk's Offices. Our cellphones - all our communication was taken away from us. The only thing that we - I retained was a laptop. We were subsequently handed over to members of the witness protection and I was temporary transferred from Crime Intelligence into the Witness Protection Program that was 21 October 2011.

10 **CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** And that is as far as I can take it.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Regarding this Chair.

**CHAIRPERSON:** Yes.

**ADV SUSAN WENTZEL:** Colonel Naidoo what happened that Sunday 23 October 2011?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair by this stage I was - well my family and I were already placed into the Witness Protection Program. I generally buy the newspaper on a Sunday. So I asked one of my protectors to get the newspaper for me. It was a Sunday Times. This is now 23 October 2011 Chair.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** On the front page of the Sunday Times was an article regarding General Dramat. It was



something to do with renditions. I cannot recall the - the exact content of the article ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** But that is what - that was basically what it was. It was - it was regarding General Dramat and renditions.

**CHAIRPERSON:** Yes.

**ADV SUSAN WENTZEL:** And what did you think when you read that article?

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair all of the stand-alone incidents that I spoke of the previous as - as per my testimony previously as spinning a story and the incident that happened at the Holiday Inn when we - when FM09 told me to stay away from General Dramat and General Sibiya. So this article - when I read the article it made sense to me and solidified my belief that journalists were being used by Crime Intelligence to plant stories in the media because Chair all of these things happened within a few days.

The - the first incidents of spinning a story came at General Lazarus' house from FM09. That was on the 20<sup>th</sup> and the same  
20 evening he spoke of staying away from General Dramat and General Sibiya and on the 21<sup>st</sup> - the 23<sup>rd</sup> which was Sunday the 23<sup>rd</sup>. It was just a matter of a few days Chair ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Which like I said I strongly believed that this article was planted in the paper using

journalists.

**CHAIRPERSON:** Yes.

**ADV SUSAN WENTZEL:** Colonel Naidoo are you aware of any other instances where Crime Intelligence have used journalists to further their agenda?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes Chair. I - I have knowledge of three instances where journalists were either paid or used by Crime Intelligence. One is - Chair this was early or rather late 2009/2010. I cannot be sure. General Mdluli told me that he is  
10 meeting with the journalists.

Basically the essence of the conversation that I had was this journalist had information on Crime Intelligence that would have been detrimental had it been published.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** He needed - I think it was 20 or R25 000,00. It was - basically he had to pay this journalist off.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** He did not give me the  
20 name of the journalist nor the - the publication that the journalist worked for. I eventually got to General Lazarus. I explained to him the conversation that I had with General Mdluli and that he needed the cash. I filled in an advance form for the amount of - it was either 20 or 25 000.

I cannot be sure. When I got to General Lazarus for his

signature for approval he said that I should not take the advance. I do not know what was his reason. He did not give me any reasons but he just said that I should not take the advance on my name. FM08 was at his office at that moment.

He asked - this is now General Lazarus - asked FM08 to take the advance on - on his name which he did. He subsequently secured the cash and gave it - handed it over to me the cash and I subsequently handed it over to General Mdluli. I am not sure where he was. He was either at his office or I met him at OR Tambo International Airport.

10 I cannot be sure but I did - what I am sure is that I did eventually handed him - handed General Mdluli the - the cash that I had received from FM08. Chair I am not sure how this - this particular advance was reconciled and I did not hear of - of this incident again neither from FM08 or General Mdluli. That was the first instance.

The second instance is I was in General Lazarus' office. I cannot remember the time period Chair.

**CHAIRPERSON:** Do you know whether it would have still been around the end of 2011?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair, I - I cannot be - I  
20 cannot be ...

**CHAIRPERSON:** You cannot remember.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I cannot be certain Chair  
...

**CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** And I do not want to

speculate as well.

**CHAIRPERSON:** *Ja.*

**COLONEL DHANAJAYA GANGULU NAIDOO:** General Lazarus was in his office. FM09 was also present. They were having a conversation. I am not sure what it was about but they seemed to be unsettled. FM09 then said to General Lazarus in my presence while I was there - this is now General Lazarus' office Chair.

He said that Marshall is waiting or rather Marshall needs an answer as a journalist is waiting.

10 **CHAIRPERSON:** And who

**COLONEL DHANAJAYA GANGULU NAIDOO:** So what I - I was ...

**CHAIRPERSON:** And who was Marshall?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair previously FM - FM09 had told me that Marshall is actually ex Crime Intelligence Head General Mulangi Mphego.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** He said that Marshall is waiting or rather Marshall is - this is not the exact words Chair from - from ...

20 **CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** But the essence of that conversation was that Marshall needs an answer because the journalists are waiting ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Or journalist is waiting.

**CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is what I picked up from that conversation and General Lazarus said pay.

**CHAIRPERSON:** Hm.

**ADV SUSAN WENTZEL:**

**COLONEL DHANAJAYA GANGULU NAIDOO:** That was the second instance.

**CHAIRPERSON:** Did you get to know how much was to be paid ...

**COLONEL DHANAJAYA GANGULU NAIDOO:** Hm.

10 **CHAIRPERSON:** On that occasion?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair. There was no - there was no figure mentioned.

**CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** He just said pay.

**CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair the third instance of - of journalists either being paid or having some connection with Crime Intelligence I know of a female journalist by the name of Ranjeni Munusamy. She is - I think she is a current Sunday Times  
20 journalist.

**CHAIRPERSON:** Huh-uh.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair if - this - in this instance I have more detail because I was personally involved. If I can just have ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** A few moments to explain.

**CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair during 2008 I was called by Assistant Commissioner Mphego. Chair I am just using the ranks that they used at that stage. This was 2008.

**CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I was called by Assistant Commissioner Mphego to his office. This is - and I must make mention  
10 at that stage Commissioner Mphego was the Head of Crime Intelligence. He was the Divisional Commissioner.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** He called me to his office. He said he has this contact. Her name is Jenny. He gave me her cellphone number and that she is having problems with her vehicle and that I must make contact with her and see how we can help her. Chair I left - I left his office and I subsequently went to General Lazarus' office and I explained to him that what was required of me.

20 At that stage I am not sure who this person was. I did not meet her previously. I do not know who she was. She was just mentioned as Jenny. At that stage I cannot recall if General Lazarus explained to me who this person was but I can confirm that it was indeed Ranjeni Munusamy that I met.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I met her on three occasions - probably two or three occasions.

**CHAIRPERSON:** Was that after - the first meeting you had with her was it after you had called her on the number that Mr Mphego had given to you?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair, I - I contacted her to make arrangements to meet with her to collect a vehicle so that we can have it repaired.

**CHAIRPERSON:** Yes, but I just want to confirm whether ...

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** I ...

**CHAIRPERSON:** Used the number that Mr Mphego had given to you?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

**CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I am not sure when making the arrangements to pick up her vehicle. I am not sure if I introduced myself to her or not or when I met her first and explained to her who I was but subsequently or - or rather before - before contacting  
20 her I asked General Lazarus how we going to fix this vehicle.

Who are we going - who are we going to send it to. He told me that I should pick up the vehicle from this individual and take it to New World Motors. Chair New World Motors is a supplier or service provider to Company X regarding - they do repairs to vehicles, servicing etcetera, tyres and all of that stuff.

**CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Vehicle related matters.

**CHAIRPERSON:** When you refer to Company X are you referring to the same company to which Colonel Roelofse also referred as Company X?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is indeed correct Chair.

**CHAIRPERSON:** Yes, but let us just go back a little bit. You had a discussion with Mr Mphego and he told you about this person that he said had a problem with her car but you say then thereafter you went to  
10 General Lazarus. Did you find that General - General Lazarus was aware of the issue?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I cannot - I am not too sure ...

**CHAIRPERSON:** You cannot say?

**COLONEL DHANAJAYA GANGULU NAIDOO:** But he was not - he was not surprised that I mentioned this individual. Like I said at that stage I am not sure if he - he mentioned or - or told me who she was. I am not sure ...

**CHAIRPERSON:** Yes.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** But he was not surprised.

**CHAIRPERSON:** Was it clear from what Mr Mphego told you what you were supposed to do? What he expected you to do?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair he did not give me a specific instruction ...

**CHAIRPERSON:** Yes.



**COLONEL DHANAJAYA GANGULU NAIDOO:** But he said this person was having problems with her vehicle and that I must make contact with her and see how we can help her or sort out the problems.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** This is now not the conversation I had with him ...

**CHAIRPERSON:** Yes, but ...

**COLONEL DHANAJAYA GANGULU NAIDOO:** But that is what I can recall Chair.

10 **CHAIRPERSON:** The essence of it?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes Chair.

**CHAIRPERSON:** Would - would that kind of request in the very terms in which it was be - would it have been normal to receive that kind of request in those kinds of vague terms from people high up in the - in Crime Intelligence? I am asking that because you do not seem to have asked who is this person. Why should we help her or anything like that?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair also you remember the environment of Crime Intelligence it is not your normal environment,  
20 normal police system.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** So it was not anything out of the ordinary for me at that stage.

**CHAIRPERSON:** Okay, okay. Yes, okay and then you went to General Lazarus but he seemed to – did he give you more details of what you

were supposed to do?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Not General Lazarus as such.

**CHAIRPERSON:** Oh.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Because he did not, Commissioner Mpego also was very vague at that stage, she did not give me any specific, what specifically that I had to but except to – there was something wrong with the vehicle and we needed to attend to it.

10 **CHAIRPERSON:** Okay, alright. And what happened after your discussion with General Lazarus?

**COLONEL DHANAJAYA GANGULU NAIDOO:** He told me that we should, or rather I should take the vehicle to New World Motors like I explained it New World Motors does servicing of repairs, vehicle related matters, it is a supplier to Company X, or service provider to Company X.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I eventually met with –  
Chair I am not sure how you pronounce her name, her surname it is  
20 Moonsamy or Munusamy I am not too sure but it is something to that effect.

**CHAIRPERSON:** Yes, yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I met her ...[intervenes]

**CHAIRPERSON:** The same person that Mr Mpego had asked ...[intervenes]

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Yes, okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I met her at – we made arrangements to meet at an Engen Garage, I am not going to say where because it is very close to our house.

**CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I met Munusamy on three occasions, two or three occasions, I would phone her, well okay I am jumping the gun a bit Chair, let me just say how we met the first time. I  
10 made arrangements, I contacted her, I made arrangements to meet her. We met at an Engen Garage, which is not far from our house. It is either I explained to her who I was over the phone, or when I met her, that was – that would have been obvious because she would not have given me her car, so she knew who I was at that stage when I met her, physically met her.

**CHAIRPERSON:** And you cannot remember whether this – or this was in 2008 you said?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Probably 2008 Chair.

**CHAIRPERSON:** Yes, okay, alright.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Probably thereabout.

**CHAIRPERSON:** You cannot remember the month and so on?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair if the documents are shown to me, because there was an invoice put in for this car for payment I can confirm that.

**CHAIRPERSON:** Yes, okay, okay alright, yes continue. And what was

the discussion you had with her on the first occasion that you met?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair if I can remember correctly there wasn't much talk, I introduced myself and I told her that I was sent by Commission Mpego and that we needed to sort this car out. She handed over the keys and I subsequently took the car to New World Motors. Chair like I said I met this individual on three occasions. I cannot remember the logistics of getting there and all of that, it is not very clear how I got there and how she got to where she needed to be but what I can confirm is that I did take the vehicle from her.

10 **CHAIRPERSON:** So you took her vehicle and you took it to – did you say New World Motors?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair on the instruction of General Lazarus.

**CHAIRPERSON:** Yes and did she go with you in the car when you took the car to New World Motors?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair, no.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I took the car off her

20 **CHAIRPERSON:** Ja, do you know how she was going to travel from there, from where you met to – back to whatever she wanted to go, was there somebody else in another car or what?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair like I said I am not sure about the logistics of the whole thing. It is not very clear to me, I cannot recall.

**CHAIRPERSON:** Okay. But you took her car to New World Motors?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** And was the idea that whatever was wrong with it was going to be fixed at New World Motors?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Did you get to understand what was wrong with the car?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I am not sure, I am not too sure but what I can confirm is that the tyres on that specific vehicle was replaced with new tyres.

10 **CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** It was serviced, I think the radio was faulty, I am not sure if it was fixed or replaced and also I think the seat, one of the seats in the car needed some attention.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** But what I can confirm is all of this – okay I am jumping the gun again a bit.

**CHAIRPERSON:** When you brought the car to New World Motors the information you gave them was it on the basis that you would be the one who would pick it up once it – they had repaired it, or were the  
20 arrangements such that she could come and pick it up once it was ready?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No, no Chair I would pick up the vehicle once it was ready and take it back to her – to Ms Munusamy.

**CHAIRPERSON:** And the information that you gave them about the

vehicle did it include anything to say the vehicle was hers, giving them her name or was it brought there on the basis that it was a car from Crime Intelligence?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair there was no, none of her information was given to the service provider by myself.

**CHAIRPERSON:** Including her name?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair.

**CHAIRPERSON:** So it was simply written on the basis of your name?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

10 **CHAIRPERSON:** Okay, alright, yes. Continue.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair the ...[intervenes]

**ADV SUSAN WENTZEL:** Colonel Naidoo what happened after the tyres were replaced?

**COLONEL DHANAJAYA GANGULU NAIDOO:** This was actually Chair if I can remember correctly obviously I would have to tell the service provider, New World Motors, what repairs needed to be carried out, he needed to know, so I am not sure it would have probably come from Ms Munusamy, I cannot recall, but there had to be some instruction as to what needed to be done on the vehicle, I cannot recall that part.

20 **CHAIRPERSON:** Yes, would ...[intervenes]

**COLONEL DHANAJAYA GANGULU NAIDOO:** But what I can say is like ...[intervenes]

**CHAIRPERSON:** I take it that whatever you told them would have been written down on their records.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Mmm, okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair the vehicle, I think it was one or two weeks and the vehicle was repaired, probably after a week I got a call from the owner of New World Motors, Mr Joe Marks, he told me the vehicle is ready and that I should fetch it. I took it back to Ms Munusamy and ...[intervenes]

**CHAIRPERSON:** Well when you brought the vehicle to New World Motors what did you tell New World Motors as to who would be responsible for the payment for the repair of the motor vehicle?

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair there was none of that discussion that took place, New World Motors was a service provider or supplier to Company X, so ...[intervenes]

**CHAIRPERSON:** So would the understanding between you and New World Motors when you brought the vehicle would it have been that they would invoice Company X?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Okay, continue.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I subsequently picked up the vehicle and handed it back to Ms Munusamy, it was  
20 probably a week or two later that I got a call from Commissioner Mpego, he enquired from me as to why we did not run flat tyres on that specific vehicle, referring to Ms Munusamy's vehicle.

**CHAIRPERSON:** What tyres?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Run flat tyres.

**CHAIRPERSON:** Oh yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I picked up the vehicle, made arrangements again to pick up the vehicle from Ms Munusamy, took it back to New World Motors, I had those specific tyres fitted on and took it back to her.

**CHAIRPERSON:** So that was the same day thing?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I am not sure, I am not sure if it was done on the same day, it is probably a day or two, I cannot recall.

**CHAIRPERSON:** Okay, alright.

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** But what I can confirm was the tyres were replaced, with those specific ...[intervenes]

**CHAIRPERSON:** Do you remember what type of car it was?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair it was a silver BMW convertible, I am not sure, yes it was a silver BMW.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Convertible.

**CHAIRPERSON:** Yes, okay. Yes continue – so you took it back to her so that was your third meeting with her?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Second meeting Chair.

20 **CHAIRPERSON:** Well wasn't the second meeting when you took it back for the first time?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Oh, yes, yes.

**CHAIRPERSON:** Or when you took it ...[intervenes]

**COLONEL DHANAJAYA GANGULU NAIDOO:** Oh yes, yes, you are correct.



**CHAIRPERSON:** So it was the third meeting.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed correct.

**CHAIRPERSON:** Okay. Was there any discussion of any consequence between yourself and her when you returned the car for the first time and when you returned the car for the second time?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair are you referring to insofar as any payment for the car?

**CHAIRPERSON:** Whatever that you – was really of importance that could be important that you can tell us?

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** Not that I can recall Chair.

**CHAIRPERSON:** It was just handing over the car?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes Chair.

**CHAIRPERSON:** Okay, continue.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Like I said I am not sure if I met her two or three times in this manner but what I can recall this will be now either the third or the fourth term, I met her at her house Chair, I remember this clearly because it was a Sunday. Commissioner Mpego called me and he said that this – well he mentioned her by – not  
20 by name but he said this contact had a problem with her vehicle it wasn't starting, so I had to go to her house ...[intervenes]

**CHAIRPERSON:** I am sorry, this is now a different occasion from the three meetings that you have told us or is it one of the three meetings?

**COLONEL DHANAJAYA GANGULU NAIDOO:** This is a different meeting Chair.

**CHAIRPERSON:** Okay, after which came after the first three?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

**CHAIRPERSON:** Okay maybe let us take the tea adjournment now and then when we come back you can then continue.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Okay thank you Chair.

**CHAIRPERSON:** Ms Wentzel is that alright?

**ADV SUSAN WENTZEL:** Yes, that is good Chair.

**CHAIRPERSON:** Alright, we will take the tea adjournment, it is quarter past eleven, we will resume at half past eleven.

10 We adjourn.

**REGISTRAR:** All rise.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**CHAIRPERSON:** Okay let us continue Ms Wentzel and Colonel Naidoo.

**ADV SUSAN WENTZEL:** Colonel Naidoo can you hear us?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes.

**ADV SUSAN WENTZEL:** Colonel Naidoo you were dealing with the third occasion that you went...

**CHAIRPERSON:** I think the fourth occasion.

20 **ADV SUSAN WENTZEL:** Yes the fourth occasion.

**CHAIRPERSON:** Yes.

**ADV SUSAN WENTZEL:** But I think the third occasion that you went to collect Ms Montsame's car from her.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Like I mentioned earlier this now is either the third or the fourth occasion.

**ADV SUSAN WENTZEL:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That I fetched the car.

**ADV SUSAN WENTZEL:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** This was on a ...

**CHAIRPERSON:** Well maybe it is the fourth occasion you met with Ms Montsame but I do not know whether it would be the third or whatever occasion you fetched the car but as I understood your evidence it certainly would be the fourth occasion on which you met her.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

10 **CHAIRPERSON:** Okay, alright. Just refresh our memory again how did this come about?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair this was on a Sunday Commissioner Mphego phoned me he said the contact referring to then the – I cannot recall the exact conversation but in essence it was the car was not starting and he asked me to make arrangements to get it sorted out. I contacted Mr Joe Marks of New World Motors the supplier to Company X. We got the vehicle towed – well he towed the vehicle back to his workshop and I am not sure exactly what was wrong with the vehicle Chair but it was not starting. That was the whole  
20 purpose of – of getting it towed away.

**CHAIRPERSON:** Yes. And are you able to recall how far apart these incidents were that last time you took the car to Ms Montsame after the issue of flat tyres and this occasion when you met her for the fourth time?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair the first two or

three occasions as I mentioned was probably within a period of a few weeks.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** The last – the last occasion when I say the last – the fourth – the third or fourth one was probably a week or a few weeks later. I cannot really recall.

**CHAIRPERSON:** Okay alright. As – ja okay alright. Continue. So you went to the house?

**COLONEL DHANAJAYA GANGULU NAIDOO:** This was on – this was  
10 the only occasion that I have been to her house Chair. Like I said the previous occasions I would meet her at a garage near her house. This was on one occasion and the last one that I went to her house. Her vehicle was eventually towed away. Like I said I am not sure exactly what was wrong but it was eventually fixed.

**CHAIRPERSON:** Did you find her in the house?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes Chair.

**CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I remember going inside her house I think to fetch the key.

20 **CHAIRPERSON:** Hm. Yes so the car was – you made arrangements for the car to be towed to Nowells.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Pardon me Chair I did not hear the last one.

**CHAIRPERSON:** Did you make arrangements for the car – for her car to be taken to or towed to Nowells?

**COLONEL DHANAJAYA GANGULU NAIDOO:** New World Motors Chair.

**CHAIRPERSON:** New World – oh New World Motors.

**COLONEL DHANAJAYA GANGULU NAIDOO:** New World Motors yes.

**CHAIRPERSON:** Yes okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes.

**CHAIRPERSON:** Yes. You – that – you made arrangements for it to be towed to New World Motors?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Okay.

- 10 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair that was when I returned a vehicle after it had been repaired or fixed that was the last time I met Ms Montsame well at least as far as the car goes. I met her once subsequent to that which I will explain later. But coming back to the vehicle itself Chair the amount of R40 000,00 was paid from the Secret Services Account for the repairs to this vehicle. Initially I was going to put in a claim for – for the repairs and General Lazarus said that I should not. Instead Colonel Barnard put in a claim. This was now for all of the – all of the – for the tyres.

**CHAIRPERSON:** For all the work done by...

- 20 **COLONEL DHANAJAYA GANGULU NAIDOO:** All the work including the run flat tyres.

**CHAIRPERSON:** New World Motors.

**COLONEL DHANAJAYA GANGULU NAIDOO:** The initial repairs that is indeed correct Chair.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** The vehicle – the –  
pardon me. The claim was put in by Colonel Barnard. I – from what I  
can recall it was R40 000.00 but I can confirm when I see the – or if I  
am shown the documents.

**CHAIRPERSON:** Such a claim would have been put in by Colonel  
Barnard on – on what basis? What would have been written in the  
claim to legitimise it or to make it look like it was legitimate?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair like I said this is  
not your normal police system it is very broad. It would have – it – this  
10 was a private vehicle so it would not have been posted against any  
Crime Intelligence vehicle SR vehicle if you can call it. It would have  
been probably motivation would have been probably for a contact  
person or something to that – to that extent.

**CHAIRPERSON:** Did you ever see the actual claim?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I cannot recall Chair I  
cannot recall.

**CHAIRPERSON:** Whether you saw it?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I cannot recall.

**CHAIRPERSON:** So you – you not sure what would have been written  
20 on the claim documents?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair.

**CHAIRPERSON:** Okay alright. But you say the amount was as far as  
you can recall around R40 000.00?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I remember the amount I think because like I – like I mentioned earlier I was the person who was putting the claim in initially. So I would have seen the documents and subsequently Colonel Barnard put in a claim. So I probably would have seen the documents.

**CHAIRPERSON:** Was there any particular reason why General Lazarus said you should not be the one putting in the claim?

**COLONEL DHANAJAYA GANGULU NAIDOO:** He did not say Chair. He did not say.

10 **CHAIRPERSON:** Yes. Okay alright.

**ADV SUSAN WENTZEL:** Thank you Colonel Naidoo. Colonel Naidoo after you were placed in witness protection did you provide the Hawks with any affidavits?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is indeed correct. On the 25 October 2011 I deposed to an affidavit to Colonel Lieutenant Colonel Piet Viljoen from the Hawks. That was my first affidavit – one of many. I think in total I deposed to eleven – eleven in all over a period of time.

20 **ADV SUSAN WENTZEL:** And if you have regard to Annexure DGN13 there is an affidavit at page 124 which runs to 140. Is that this what you call the “Blanket Affidavit” that you deposed to?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

**CHAIRPERSON:** I am sorry. That is the affidavit starting at page 124?

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** Yes that – so that was the affidavit deposed to by you

on the 24 October 2011, is that right?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

25<sup>th</sup> Chair, 25<sup>th</sup>.

**CHAIRPERSON:** 25?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes.

**CHAIRPERSON:** Yes that appears at page 140

**COLONEL DHANAJAYA GANGULU NAIDOO:** 40.

**CHAIRPERSON:** I see that no name is given on page 124 which is the first page of the affidavit as to who the person is who is deposing to the affidavit. That was done deliberately is that right?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Yes but it is your affidavit?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed.

**CHAIRPERSON:** Okay alright. Thank you.

**ADV SUSAN WENTZEL:** Colonel Naidoo how long have you been in witness protection?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair the next month the 21<sup>st</sup> October will be 8 years.

**ADV SUSAN WENTZEL:** And in those 8 years have you been called to testify in any criminal proceedings against any of the people you have implicated?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No.

**CHAIRPERSON:** Have you been told why that is so? Namely why such a long time has lapsed without being – without you being called to testify in any criminal proceedings relating to the people you have –



you implicated in your statements to the Hawks?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I have had numerous consultations over a period of time with Colonel Roelofse and at times he had expressed his frustrations regarding certain documentations that were not forthcoming.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** But outside of that I cannot say.

**CHAIRPERSON:** Yes. Did he say that the delay was caused by the  
10 fact that there were seven documents that required to be declassified but were not being declassified?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed.

**CHAIRPERSON:** Yes okay.

**ADV SUSAN WENTZEL:** Colonel Naidoo did you testify at disciplinary proceedings against General Lazarus

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair. In 2013 I appeared on behalf of the SAPS as a witness in these proceedings.

**CHAIRPERSON:** Well Ms Wentzel I kind did have some understanding  
20 why you started with the circumstances surrounding Colonel Naidoo's being placed on the witness protection program and not starting with the incidents which happened before that happened.

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** I – I think that is where you should go before the disciplinary hearing because I think the disciplinary hearing would have

happened long after those incidents have happened.

**ADV SUSAN WENTZEL:** Yes it is true Chair the only reason to do this is to put in context before we hear the incidences as to why it was that Colonel Naidoo decided to come clean as it were and I think if – if the public could understand...

**CHAIRPERSON:** But he – but he comes clean after knowing certain incidents, certain events.

**ADV SUSAN WENTZEL:** Yes. No Chair I am in your hands.

**CHAIRPERSON:** Yes. So...

10 **ADV SUSAN WENTZEL:** I am perfectly happy to deal with that at a different stage.

**CHAIRPERSON:** It is much more logical if we...

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** Actually it might have been better even to start with those events – those incidents.

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** And following logically up to the time he went onto the witness protection. But I kind of condoned you starting with the circumstances surrounding...

20 **ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** The witness protection but we should start with the events.

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** Ja.

**ADV SUSAN WENTZEL:** We will do that now Chair. Before Colonel

Naidoo we start with the events could you tell the Chair what your history has been in the South African Police Services?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I – I joined the police in 2002 as a clerk and placed within the division Crime Intelligence. That same year November I was transferred to KZN Crime Intelligence gathering. I was placed in the Provincial office also as a clerk. I think it was 2004 I applied for a transfer back to Crime Intelligence National Head Office. There I was placed in one of the operational teams. This was in 2004. Crime Intelligence Gathering the  
10 National Head Office.

**ADV SUSAN WENTZEL:** And who did you work under?

**COLONEL DHANAJAYA GANGULU NAIDOO:** At that stage it was Colonel Malaza, V S Malaza.

**ADV SUSAN WENTZEL:** And what were your duties?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It was – it was – it was administrative duties but in a covert environment because this was like I mentioned it was an operational team. All the members working at this office were undercover intelligence operatives. A decision was taken by the commander that none of the operatives should go to – to  
20 our Head Office. I am referring to the Crime Intelligence Head Office. So I was delegated – I was the person delegated to take care of all of these administrative duties at the Crime Intelligence Head Office. In 2006 I was promoted still within Crime Intelligence I was promoted to the rank of Warrant Officer. Here I was undercover intelligence operative. This was probably for about a year and a half. For a brief

period I was under the direct command of Colonel Manie Victor. In 2010 or rather before that in – in around 2007 I was transferred to the Secret Service Account. I reported to Colonel Barnard who in turn reported to General Lazarus. In 2010 I was promoted to the rank of Lieutenant Colonel. That was within the 250 cover posts within Crime Intelligence and I occupied or I was placed within the facility management and I occupied that post until the 21 October 2011 until I was placed – temporarily transferred into the witness protection program. That is very briefly my employment history.

- 10 **CHAIRPERSON**: What is your status at Crime Intelligence as we speak as you understand it? You went into the witness protection program at a time when you were – you were employed at Crime Intelligence. What is – do you – are you still employed by them or is the position that having been in the witness program for so long you are no longer employed by them?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Chair just to give you some insight as far as I know. I am still a member of Crime Intelligence. I still hold that rank. My transfer was temporary into the witness protection program.

- 20 **CHAIRPERSON**: Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO**: I still receive a salary from the police.

**CHAIRPERSON**: Okay. Okay alright thank you.

**ADV SUSAN WENTZEL**: And Colonel Naidoo could you explain to the Chair how you understood the Secret Service Account worked and what

the procedure was to obtain funding from the Secret Service Account?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair in essence the very, very in the short summary it is a covert fund Chair. It is a fund that funds are received from National Treasury and it is allocated to the police well more especially Crime Intelligence. It is utilised by Crime Intelligence to pay for goods and services, purchases of assets, equipment, and vehicles etcetera required for – for undercover operations.

**CHAIRPERSON:** So is it basically for most if not all the operational  
10 needs of Crime Intelligence?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Okay alright.

**ADV SUSAN WENTZEL:** And Colonel Naidoo how – what procedures were in place in order to obtain funding whether it be to purchase equipment or for an undercover operation or to pay an informer. What procedure would have to be followed?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I think I am not going to go too much into the detail because it is a covert environment so I do not want to go too much into the detail but I will just use a very  
20 simply example.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Because it is a general thing. I am going to use myself as an example. If I needed money for – for petrol for my vehicle which is a state vehicle I would have to get an advance form. Fill in an advance form, get it signed by my

commander, take it to the cash office – advance office as they call it, that will just – that will then be captured on their system as an outstanding advance against my name. Those funds would then subsequently be handed over to me which I have to sign for as receiving those funds. Monies would then be utilised for that specific purpose in this case being petrol. At the end of – and obviously receipts will have to be kept for purchases of petrol. At the end of the month I would have to compile a claim. Chair it is just very simple. If there was an overspend meaning if there was more than R2 000.00  
10 spent in this particular month once it has been captured on the system that money will be reimbursed to me. If there is underspent it will reflect an amount owing against my name which I will have to pay back. So that is just using one example.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** But by and large this is how the system worked and this is now the one leg I speak of where cash was used. I go to the other leg where a Company X was in place. This was to pay for goods and services rendered to Crime Intelligence without – without exposing who the real recipients of these assets  
20 were. So that is by and large how Crime Intelligence works. That is at least how I understand it to be.

**CHAIRPERSON:** Yes I just want to emphasise that you were right to be cautious about how you – about revealing how certain things work and in this regard I do ask you to be quite alert because you are familiar with the environment and with what is not supposed be generally

revealed. From time to time both Ms Wentzel and I might ask you questions that might require you to reveal something that should not be revealed publicly but when we do that we would not be aware necessarily that it is something that is not required to be revealed but you would know and you must just feel free to alert us to say that that is something that you would prefer not to reveal. Alright?

**ADV SUSAN WENTZEL:** Thank you Chair.

**CHAIRPERSON:** Colonel Naidoo did you hear me?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair sorry I think there  
10 is a problem with the –

**CHAIRPERSON:** With the sound.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes there is a problem.  
Can – I am not sure...

**CHAIRPERSON:** Do you know whether it is from your side?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I cannot hear you very  
clearly Chair.

**CHAIRPERSON:** You cannot hear me?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No. At this moment I can  
but the previous two minutes was a bit vague.

20 **CHAIRPERSON:** Let me try and repeat what I said and see whether  
you will hear me.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Okay.

**CHAIRPERSON:** And if the problem arises again we might just need to  
adjourn for the technicians to attend to it.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Thank you Chair.

**CHAIRPERSON:** I was saying that in response to the question that Ms Wentzel put to you about how the Secret Service Account operates you did mention that because it relates to covert operations you did not want to reveal much but you used your own example.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** So I was saying Ms Wentzel and I may from time to time ask you questions that you might think require you to reveal something that should not be revealed publicly and when that happens it would not be deliberate on our part but it might just be because we  
10 are not used to that Crime Intelligence environment. But because you are used to it feel free to indicate that the answer that you would be required to give would reveal information that should not be revealed publicly. You understand?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I will do so Chair.

**CHAIRPERSON:** Okay alright. Thank you. Let us continue.

**ADV SUSAN WENTZEL:** Thank you. Colonel Naidoo how did you become acquainted with General Lazarus?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair General Lazarus we actually played volleyball together in the same league I think it was  
20 in the '90's. This was in Tongaat that is the town that we lived in there at that stage.

**CHAIRPERSON:** That is in KZN?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** General Lazarus is – we



are also related by family Chair. His wife in my mother's cousin.

**CHAIRPERSON:** Yes.

**ADV SUSAN WENTZEL:** And how did you come to be employed at Crime Intelligence?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Around about 2002 Chair I was temporarily in Gauteng. I was living with my sister at that stage. I was unemployed. General Lazarus was aware of my situation and I am not sure how it came about but he – he actually drew up a CV for me and I was subsequently placed or employed within Crime  
10 Intelligence in 2002 I think it was June 21<sup>st</sup> there about.

**ADV SUSAN WENTZEL:** And in what position were you employed?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I was a clerk.

**CHAIRPERSON:** And who was the head of Crime Intelligence at that time if you able to remember?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It was Assistant Commissioner Raymond Lala.

**CHAIRPERSON:** Yes okay continue.

**ADV SUSAN WENTZEL:** What happened after that – after your appointment to Crime Intelligence?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Well Ms Wentzel which period you speaking of?

**ADV SUSAN WENTZEL:** I am speaking of ...

**CHAIRPERSON:** 2002 after you had been appointed to Crime Intelligence.

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** She is asked what happened after you started at Crime Intelligence?

**COLONEL DHANAJAYA GANGULU NAIDOO:** In terms of my employment history?

**ADV SUSAN WENTZEL:** I can understand why your confusion Colonel Lazarus...

**CHAIRPERSON:** You might wish to direct.

**ADV SUSAN WENTZEL:** Yes during 2006/2007

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes

10 **ADV SUSAN WENTZEL:** Were you involved with renovations to General Lazarus' home?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is indeed correct.

**ADV SUSAN WENTZEL:** And...

**CHAIRPERSON:** What was that question again?

**ADV SUSAN WENTZEL:** Was he involved in renovations to General Lazarus' home?

**CHAIRPERSON:** Okay alright.

**ADV SUSAN WENTZEL:** Could you...

20 **CHAIRPERSON:** Where are we on – what page are we on his statement now?

**ADV SUSAN WENTZEL:** Page 5 Chair.

**CHAIRPERSON:** Okay. Yes continue. He has given an affirmative answer. He was involved in renovations in General Lazarus' house. How did that come about Colonel Naidoo?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair at that stage

General Lazarus lives I think it is about four or five kilometres away from my house and I generally used to pick him up in the morning and drop him off at his office. This was generally what happened.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Around about 2006/2007 he began renovations at his home. I was appointed a project manager and I said appointed project manager I say that in inverted commas because I could not have been the project manager I was employed by CI.

10 **CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I was – I was basically there to oversee the renovations at his private home.

**CHAIRPERSON:** Who – who did he have carry out the renovations in his house?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair he had private builders that were undertaking or carrying out the – the renovations. I was just basically there to see – to oversee the project because on numerous times the builders would run short of – of building material and equipment. I had to make sure that they had all of these things all  
20 the time.

**CHAIRPERSON:** I did not hear who you said was carrying out the renovations. Do you want to repeat that?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair it was private – it was private individuals. I do not know.

**CHAIRPERSON:** Private Contractor?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes. Yes.

**CHAIRPERSON:** Oh okay alright. Yes.

**ADV SUSAN WENTZEL:** And...

**CHAIRPERSON:** So you were asked – excuse me. He asked you to be “a project manager” for the renovations?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair it was not a direct instruction. It just happened over time and I can say this happened over a period of at least over a year when the renovations were eventually finished – completed.

10 **CHAIRPERSON:** Yes. But I understood you to be saying he appointed you to be the “project manager”. Is the position that he did ask you to be the “project manager” or is the position that he kept – he kept on asking you to be involved in one or another with the renovations until you thought for all intends and purposes you were the “project manager”?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed Chair. It was not a direct instruction that you are now the project manager. This happened over time because eventually like I will testify to later it was almost on a daily basis that I – like I said he – he travelled with me.

20 Often I had to drop him off at his own office and come back to the site because the builders would need one or other equipment, building supplies that they would run short of. So this happened quite often Chair over the period of the year.

**CHAIRPERSON:** Okay. Continue ...

**ADV SUSAN WENTZEL:** And ...

**CHAIRPERSON:** Ms Wentzel.

**ADV SUSAN WENTZEL:** At that stage who did you report to for your Crime Intelligence work?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair if I remember correctly I was - in 2006 I was promoted to the rank of Warrant Officer like I testified to as an undercover intelligence operative. I think it was Colonel Manie Victor that we reported to. Chair at that stage overseeing the - the project at - or the renovations to General Lazarus' home it was affecting my ability to do my own job at  
10 Colonel Manie Victor's home - office. Sorry. Pardon me.

So the arrangements were made or I expressed my concern to General Lazarus that I am getting pressure at my own office because I do not have the time to conduct normal police work that I should - should be doing. So he said that he will speak to General Els. I must make mention that General Els was a National Head of Crime Intelligence gathering at that stage.

He would have been the person that Colonel Manie Victor reported to. Arrangements or discussions between General Lazarus and General Els - well at least this is what General Lazarus informed  
20 me that he will speak to General Els for me to be transferred to the Secret Service Account and that is when I was transferred to - to the Secret Service Account and I reported to Colonel Barnard.

Colonel Barnard reported to General Lazarus who was basically his boss. So this was actually - this arrangements was - new arrangements was made to facilitate me start overseeing the - the

project at his - the renovations to General Lazarus' house without really being pressured at work with normal duties that I should be performing.

So there was no pressure for me at work. So that basically in essence gave me the time to continue to oversee the - the project at General Lazarus' home.

**ADV SUSAN WENTZEL:** And at that stage who was the Chief Financial Officer for the Secret Service Account?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It was General Lazarus.

**ADV SUSAN WENTZEL:** And what was Colonel Barnard's function to  
10 whom he reported?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Colonel Barnard was - was the Head of the Procurement Section which was a leg that fell within the Secret Service Account.

**ADV SUSAN WENTZEL:** And in that position whilst you were not supervising the construction at General Lazarus' house what would your duties have been?

**COLONEL DHANAJAYA GANGULU NAIDOO:** At that stage - well at least on paper I - I was supposed to be managing the vehicle fleet of Crime Intelligence.

**ADV SUSAN WENTZEL:** Now how did you come to know  
20 General Mdluli?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair General Mdluli was appointed if I can remember correctly in 2009. I think it was 1 July. When he was first appointment - appointed - pardon me. He - he had to - there was a lot of assets that he needed to in place for him to get

going as the Divisional Commissioner. Namely cars, cellphones a few other items.

**CHAIRPERSON:** This ...

**COLONEL DHANAJAYA GANGULU NAIDOO:** Before ...

**CHAIRPERSON:** I am sorry. Before you talk about General Mdluli in 2009. Have you exhausted what you need to tell me about in regard to the renovations at General Lazarus' house? Was there anything important in regard to your role there other than that the - you were using time that was meant for you to work at Crime Intelligence to  
10 actually oversee his private project in - in his house. Is there - who - who was paying - who was going to pay for those renovations and so on?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair it was him. General Lazarus undertook the - the financial - if there was anything to be paid he would give me money in terms of cash or cheques to pay for the various items that needed to be purchased.

**CHAIRPERSON:** Where - where did he get that money from? Was that money from his pocket? Was that money from the Secret Service Account? What was the position?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair at that stage this was in 2006. I cannot say for certain that he used funds from the Secret Service Account.

**CHAIRPERSON:** Yes. So he - he gave you money and you did not know where - whether it was his money or not but you had no reason to think it might not be his money?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair on ...

**CHAIRPERSON:** At that stage.

**COLONEL DHANAJAYA GANGULU NAIDOO:** On numerous occasions he gave me cash which he had in his bag that he carried to work.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I cannot say for certain that it was his own money ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Or it was money from the  
10 Secret Service Account.

**CHAIRPERSON:** Okay. Thank you.

**ADV SUSAN WENTZEL:** Thank you Chair.

**CHAIRPERSON:** Huh-uh.

**ADV SUSAN WENTZEL:** Could you now turn Colonel Naidoo to explain how you first came to know General Mdluli?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Like I mentioned earlier General Mdluli was promoted - appointed sorry - in 2009, 1 July. General Lazarus was the CFO at that stage of the Secret Service Account. General Mdluli liaised often with General Lazarus in order to  
20 get assets etcetera that he needed to get going in his post.

Seeing that I was - I had a close relationship with General Lazarus. I would be the one or the person that General Lazarus would ask for me to help in the facilitation of - of getting these to General Mdluli.

**CHAIRPERSON:** When General Mdluli was appointed to Crime



Intelligence he was appointed to the position of Head of Crime Intelligence. He did not occupy a lower position in Crime Intelligence before that?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair General Mdluli was not in Crime Intelligence when he was appointed. So I - I am not sure. He was in the police. I - I speak under correction ...

**CHAIRPERSON:** Yes, okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** But he was not - he was not in the structure of Crime Intelligence ...

10 **CHAIRPERSON:** Okay, alright.

**COLONEL DHANAJAYA GANGULU NAIDOO:** At that stage.

**CHAIRPERSON:** Yes. I think he was in SAPS.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed yes.

**CHAIRPERSON:** *Ja*, okay. Continue Ms Wentzel.

**ADV SUSAN WENTZEL:** And Colonel Naidoo who occupied the position General Mdluli took up before he was there?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I ...

**ADV SUSAN WENTZEL:** Before he was appointed?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** It was Assistant Commissioner Mphego.

**ADV SUSAN WENTZEL:** And after the appointment of General Mdluli what happened with regard to General Lazarus' position?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Not so - so much in terms of his position but if I can recall correctly. It was not long after that I am speaking of July 2009. If I can recall correctly General Mdluli

informed General Lazarus that he was going to be transferred out of the Secret Service Account.

Not out of the - not out of Crime Intelligence but another component within Crime Intelligence.

**ADV SUSAN WENTZEL:** And what was General Lazarus' reaction to that?

**COLONEL DHANAJAYA GANGULU NAIDOO:** He resisted the - the transfer. This is at least what I picked up from the conversations that I had with him and this is my - and this is what I feel. It is not fact. I  
10 feel the resistance came because if he was indeed transferred out of the Secret Service Account the person coming in to take charge would have access to all of the documents, the systems in place at Crime - at the Secret Service Account and I think that person would have been exposed to all of the corruption that is taking place at that unit.

**ADV SUSAN WENTZEL:** Colonel Naidoo was General Lazarus in fact transferred?

**COLONEL DHANAJAYA GANGULU NAIDOO:** He was never transferred from that position.

**ADV SUSAN WENTZEL:** And what transpired do you believe to ensure  
20 that he was not transferred?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I am going to read point 22 from page 006 and I will explain.

**CHAIRPERSON:** That is paragraph 22 of your affidavit before this Commission at page 6?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed.

**CHAIRPERSON:** Yes. Huh-uh.

**COLONEL DHANAJAYA GANGULU NAIDOO:** The heading is “The Involvement of General Bheki Cele” and its point 22.

10 “At the time that General Mdluli was appointed General Bheki Cele was the National Commissioner of the SAPS and it was rumoured that whilst he had been a member of the Executive Committee of Transport in KwaZulu-Natal he had been involved in the awarding of large tenders to a local businessman Mr Panganathan also known as Timmy Marimuthu. Mr Marimuthu was a former police officer who I am informed was convicted of drug dealing. However as far as I am aware he never served any custodial sentence for his - for - for this conviction and as a result of the tenders he obtained through Mr Bheki Cele he became very wealthy or extreme wealthy.”

20 That is as per my statement Chair and if I can just explain what I have read out. These - what is in my statement is what I picked up from - from having conversations with various of my colleagues at Crime Intelligence. I cannot say for sure that it happened on a specific day and who I spoke to.

This was just what I picked up from general conversation over a number of - over a period of time from a number of my colleagues.

**CHAIRPERSON:** Yes. So you - so you have - you have no knowledge

whether what you heard with regard to General Bheki Cele was true or not?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair. I cannot say what is in my statement is actually true. This is what I heard. If it is indeed true. I - I cannot say for sure.

**CHAIRPERSON:** Yes.

**ADV SUSAN WENTZEL:** Colonel Naidoo was General Lazarus aware of the alleged association between General Cele and Mr Marimuthu?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes he was. Like I said  
10 Chair earlier. General Lazarus was informed by General Mdluli that he was going to be transferred out of the Secret Service Account. Obviously there was resistance. He was aware of this - this relationship between Mr Marimuthu and Bheki Cele.

He subsequently made - made arrangements for a meeting to be held between himself and Bheki Cele as Mr Marimuthu would be the - the go to guy. So to speak or the person who would facilitate this - this meeting.

**ADV SUSAN WENTZEL:** And why do you believe that he wanted to have a meeting with General Cele?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** The initial meeting I cannot recall exactly but there were several meetings held with General - between General Cele and General Lazarus as he would inform me that he is going to meet General Bheki Cele.

**ADV SUSAN WENTZEL:** And were you ever present at any of these meetings?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I was present - not actually at the meeting. I cannot recall the exact year. It probably would have been 2009 or rather not 2009. Early 2009/2010. It was at Mr Marimuthu's house in Umhlanga Rocks in Durban. We were there already.

When I say we it was myself, General Lazarus and Mr Marimuthu. They were waiting - (clearing throat) pardon me Chair. We ...

**CHAIRPERSON:** What was the purpose of your visit to Mr Marimuthu in  
10 Umhlanga?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair the - General Lazarus was waiting for General Bheki Cele. They were having a meeting. We were probably there around - about two hours or so. If I can remember correctly we have not even had some tea or some beverages.

I am not too sure and closer to the time that General Bheki Cele arrived General Lazarus told me that it was not easy to organise a meeting with - with Bheki Cele and he made a call. This was in my presence Chair. He made a call to another CI member  
20 which is FM08 to organise cash which I assumed was to be paid over to General Cele when he eventually arrived for the meeting.

**CHAIRPERSON:** Ms Wentzel you can see that in paragraph 24 there is no reference to FM08.

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** He has just said that person was FM08.

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** Would you make sure that that is replaced with a page that has got that?

**ADV SUSAN WENTZEL:** Yes. I will.

**CHAIRPERSON:** And check whether there are any other gaps in the affidavit.

**ADV SUSAN WENTZEL:** Yes. We did discover gaps and it is being attended to now Chair and that will be replaced.

**CHAIRPERSON:** Okay. Were you - was General Lazarus within your  
10 hearing when he spoke to FM - FM08 on that occasion on the phone?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair, I - I do not recall hearing the - the whole conversation but I do know that he - he phoned FM08 to organise cash. I - I - if I recall correctly he told me that he is going to phone FM08 but subsequent to that - subsequent to his ...

**CHAIRPERSON:** Before - before subsequent to that. How did you know that the call was about organising cash? Did he tell you that?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I assumed that it was to organise cash based on what he said a minute earlier. It was not easy to (mechanical interference).

20 **CHAIRPERSON:** Yes, but simply because it was not easy to - simply because he said it was not easy to organise a meeting with General Bheki Cele should not necessarily have anything to do with his call being a call to organise cash. So what made you - what makes you associate the call with cash?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I cannot really say Chair

but the next paragraph of my statement will - will add some insight as to why I think it was so.

**CHAIRPERSON:** Yes, okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair at - like I mentioned at the - I was also present while this phone call took place. General Lazarus was not aware that I had cash with me. It was R40 000,00 which I had taken from our Head Office. When I say "our" it is CI Head Office in Pretoria.

I cannot remember exactly what the - what the advance was  
10 for. At this - at this stage I cannot really. I informed General Lazarus that I had the cash and I subsequently handed him the money.

**CHAIRPERSON:** Yes there is - there is a gap there. He did not tell you that he was making a call to get cash from FM08. He said that organising a meeting with General Bheki Cele was not easy.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Then he made a call to FM08?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed.

**CHAIRPERSON:** He was not - you did not hear their conversation on the phone?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair.

**CHAIRPERSON:** And you assumed that the call was about cash?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is indeed - indeed correct Chair ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** As to what I heard

previously what he - what he had said to me.

**CHAIRPERSON:** Yes and you must tell me if I am wrong now. As I understand it you cannot say why you assumed the call to have been about cash. Am I right?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It was an assumption Chair. I cannot say for sure.

**CHAIRPERSON:** And you cannot tell me why you made that assumption?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair.

10 **CHAIRPERSON:** Is that right?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed.

**CHAIRPERSON:** And then the next thing you say in paragraph 25:

“At the time General Lazarus was unaware that I had R40 000,00 in cash with me which I had taken from Head Office for some other purpose which I cannot recall.”

You then say:

“I then informed General Lazarus about the cash and handed him the money.”

20 There is a gap in the story there. How does it come about that you - you give him cash when there has been no discussion about cash? He has not told you about he - he needs money.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes Chair there - I am with you - there is - there is a gap but this is what I recall from - from that particular incident Chair.



**CHAIRPERSON:** Yes, but I would have expected you to recall much more than just that because it seems to me the context if there was discussion of cash may well have been bribery or corruption and I would have thought that you would have remembered how the issue of cash came about.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair unfortunately at this stage I cannot recall. What is in my statement as - is - I recall what as is in my statement. I - I cannot recall any other further - further details than - than what is in the statement.

10 **CHAIRPERSON:** Yes. Do you recall why you had that R40 000,00 cash with you? What purpose you wanted to use it for?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I am not sure Chair.

**CHAIRPERSON:** I cannot recall?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I had many - I had many advances on my name for numerous ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** For numerous purposes.

**CHAIRPERSON:** Yes.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** At the time of - of being - of my being admitted into witness protection in October 2011 I had almost 140 to R150 000,00 of outstanding advances against my name.

**CHAIRPERSON:** Yes. Okay. Anyway - (coughing) excuse me. You told General Lazarus that you had R40 000,00 on you and you handed it him - handed it to him. Is that right?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Did he say why he wanted - he wanted that money?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair from what he said - from what he said earlier it was not easy to organise a meeting with Bheki Cele and me subsequently handing him the cash. This was my belief that that money was intended to pay General Bheki Cele.

**CHAIRPERSON:** But this was all - your assumptions. He did not say that himself?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair. He did not. It is - it is an assumption.

10 **CHAIRPERSON:** *Ja.* You will just have to be careful and in - in your evidence because while one can accept a few assumptions you know. It is going to be difficult if - there are going to be too many assumptions. So try and remember to the best of your ability. I know that we are talking many, many years later.

I appreciate that but it is important that we - that I get as much in terms of facts as - as possible as - as you recall them. You understand that?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed Chair. I - I will ...

**CHAIRPERSON:** You will do your best?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** I will try my best as we go along now ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** But also I will try and gather my thoughts ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** And if - and if need be I will put in a supplementary statement.

**CHAIRPERSON:** Yes, okay. Alright. No that is fine. Ms Wentzel let us continue.

**ADV SUSAN WENTZEL:** After you had given General Lazarus the 40 000 cash that you had on you what happened?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair this was - like I mentioned - this was in Mr Marimuthu's home in Durban - Umhlanga Rocks. We were in one part of the house. When General -  
10 General Bheki Cele arrived which I did not see him arriving but obviously General Lazarus told me he is going into a meeting with General Bheki Cele and he does not want me to be part of that meeting.

So I remained in that part of the house. The meeting with General Bheki Cele was held in another section of the house. Mr Marimuthu's house is quite vast.

**CHAIRPERSON:** Do you - do you know whether you would still be able to take somebody to Mr Marimuthu's house?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Pardon Chair. Physically?

20 **CHAIRPERSON:** Do you know whether you would be able to take somebody to Mr Marimuthu's house?

**COLONEL DHANAJAYA GANGULU NAIDOO:** To - to physically go there?

**CHAIRPERSON:** *Ja.*

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes. I will. I will. I

know where the house is.

**CHAIRPERSON**: You know where it is?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Yes.

**CHAIRPERSON**: Okay, alright. Thank you.

**ADV SUSAN WENTZEL**: Then after this meeting did General Lazarus return all or any of the money back to you?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Chair none of that money was returned to me and I - and an assumption again on my part that the money was handed over to General Bheki Cele.

10 **ADV SUSAN WENTZEL**: Now if we can just look at another thing. Is that ...

**CHAIRPERSON**: Why did you not ask General Lazarus what are you going to do with this money? I had another purpose for it. Why do you need this money? I have a - I have it on me for another purpose.

**COLONEL DHANAJAYA GANGULU NAIDOO**: Chair at that stage this was in - in 2000 - probably 2009/2010. Remember the time period the - the account was already being abused by then already Chair by - with large amounts of - of money was taken.

**CHAIRPERSON**: Yes.

20 **COLONEL DHANAJAYA GANGULU NAIDOO**: So I did not bother to - to ask him.

**CHAIRPERSON**: *Ja*. Getting another amount would - was not going to be a problem from the account?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Not at all Chair.

**CHAIRPERSON**: Yes. Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** There was often rolling -  
I think maybe just to give you some insight Chair on this ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** On this incident and I -  
and I speak for myself because this is what I did. On numerous  
occasions ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I took advances big  
amounts that I could not reconcile. So with General Lazarus'  
10 knowledge and his approval because most of the time he signed my  
advances.

**CHAIRPERSON:** *Ja.*

**COLONEL DHANAJAYA GANGULU NAIDOO:** I would take - say just to  
give you a simple example. If R10,00 was outstanding on my name and  
I could not pay back the R10,00. I would take another advance for  
R10,00 and pay off the previous advance that was outstanding. So it is  
basically what is known as rolling advances to pay off another advance  
...

**CHAIRPERSON:** Yes.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** And this was done on  
numerous occasions by myself.

**CHAIRPERSON:** Yes. So - okay alright. Thank you. Ms Wentzel.

**ADV SUSAN WENTZEL:** Colonel Naidoo to clarify you say that before  
General Cele arrived General Lazarus told you it is not easy to  
organise a meeting with Bheki Cele. Who was it that organised the

meeting?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That - that - an assumption again - would be Mr Marimuthu because the meeting was held at his house. So he would have had knowledge of - of a meeting in his house.

**ADV SUSAN WENTZEL:** Why then ...?

**CHAIRPERSON:** Yes but the question is who made this remark. Who said it was not or rather I am sorry. I think I am - I am ...

**ADV SUSAN WENTZEL:** Yes.

10 **CHAIRPERSON:** I may be confusing both you and Ms Wentzel. Okay. So I - so you - so I think the question was who organised the meeting with General Bheki Cele in Mr Marimuthu's house and your answer is you assume it was Mr Marimuthu?

**COLONEL DHANAJAYA GANGULU NAIDOO:** An assumption again. Yes indeed Chair.

**CHAIRPERSON:** Hm. Okay.

**ADV SUSAN WENTZEL:** With having made that assumption why did you assume that the money that you believe was requested or was needed was to pay General Cele and not Mr Marimuthu who organised  
20 the meeting?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair like I mentioned earlier. We were at Mr Marimuthu's house for quite some time. Probably one and a half hours or maybe two. There was no attempt on General Lazarus side to or no attempt to - to contact FM08 in that period while we waited for Mr Bheki Cele to arrive to organise cash.

So there was ample time for him to - to - I am speaking now about General Lazarus now - for him to phone FM08 to make arrangements for the cash. It was only closer to the time that General Bheki Cele arrived that this arrangement was made for cash. So an assumption again on my side.

That is why I believed that the money was given to General Cele and not to Mr Marimuthu.

**CHAIRPERSON:** You - would it be true to say that you do not know whether - when General Lazarus came out of the room where he had a meeting with General Cele you do not know whether he came back with the money or not?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair there was no money returned to me. So I assumed the money was paid over to General Cele.

**CHAIRPERSON:** Yes but he could have come back with the money in his own pocket?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It is - it is a possibility  
Chair, yes.

**CHAIRPERSON:** So - so you - you really do not know what happened to the money other than that you gave it to him and he never gave it back to you?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Yes, okay.

**ADV SUSAN WENTZEL:** Colonel Naidoo was General Lazarus transferred from his position as CFO of the Secret Service account?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No he was not.

**CHAIRPERSON:** Let me go back to the purpose of the meeting, did you know what the actual purpose of the meeting was, why General Lazarus wanted to meet with General Cele?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair, no reasons were given to me by General Lazarus, except to say that he was having a meeting with General Cele.

**CHAIRPERSON:** You – did you and General Lazarus go all the way from Gauteng to KZN to meet with General Cele without you finding out  
10 what is the purpose and why should I come with you?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair if I remember correctly it was not a specific meeting where we flew down from Gauteng to KZN to meet with General Cele, if I can remember correctly we were in KwaZulu Natal for a few days, I cannot remember exactly why we were there but it wasn't specifically to fly down for that meeting.

**CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** And one of the days while we were in KZN this meeting came up.

20 **CHAIRPERSON:** Yes, okay no that is alright.

**ADV SUSAN WENTZEL:** Thank you Chair. Colonel Naidoo could you now please tell the Chair about a private trip that was undertaken by General Mdluli and his wife to China.

**CHAIRPERSON:** Before that question Colonel Naidoo, somehow in your evidence there is an implied suggestion that the reason why



General Lazarus was not transferred as had been proposed by General Mdluli was because General – because he sought the support of General Cele to oppose the transfer. Is my reading of your evidence correct?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed.

**CHAIRPERSON:** Is it correct that you do not actually have any basis for that implication or insinuation other than that you know that General Lazarus approached General Cele and that there was a meeting, is that right or is there something more on which you base that on?

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair regarding this incident.

**CHAIRPERSON:** Yes, did General Lazarus at any stage say to you or within your hearing that he was going to approach General Bheki Cele in order to prevent General Mdluli from transferring him?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair this was, like I said this was not an initial meeting Chair.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** The initial meeting with General Cele was for that specific purpose that he is not transferred.  
20 This was subsequent, this was one of the several meetings that he had that I was privy to, or rather not privy to, but I was in the room or in the same vicinity. So it is not – this is ...[intervenes]

**CHAIRPERSON:** This one is not connected with the transfer.

**COLONEL DHANAJAYA GANGULU NAIDOO:** The incident that we speak of now is not connected to the transfer.

**CHAIRPERSON:** Oh, okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That was the initial contact that was made with Bheki Cele, for that specific purpose it was basically to get a – organise a meeting with General Bheki Cele, so this incident that I speak of is subsequent to that, it was one of several meetings prior to the – or subsequent to the first initial meeting.

**CHAIRPERSON:** Okay let me try and understand this. As you understand it General Lazarus had a number of meetings with General Cele, is that right?

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** Yes that is correct Chair.

**CHAIRPERSON:** How many of those did you attend?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It was this one that I testified to now Chair.

**CHAIRPERSON:** Yes, was it the only one?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

**CHAIRPERSON:** Yes, and you don't know what the purpose of this one was, is that right?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair.

**CHAIRPERSON:** And you were excluded from the actual meeting when  
20 General Lazarus had a discussion with General Cele in another room at Mr Marimuthu's house or another section of the room?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

**CHAIRPERSON:** And was Mr Marimuthu part of that discussion between General Cele and General Lazarus?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I assume that he would

have been Chair.

**CHAIRPERSON:** You don't know?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No.

**CHAIRPERSON:** Was the meeting in another room in which you were at Mr Marimuthu's house, or was it in the same room but in a different section, away from you?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It was in another room Chair, not in the same room that I was in.

**CHAIRPERSON:** Yes, okay, but for all intents and purposes other than  
10 that you gave General Lazarus some money, R40 000, which you assumed was going to be given to somebody, and I cannot remember whether you said Mr Marimuthu or General Cele ...[intervenes]

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is right.

**CHAIRPERSON:** Then there is no particular significance in that meeting?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair.

**CHAIRPERSON:** And actually if one does not know what the R45 000 was for there is actually no significance to that meeting at all?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair.

20 **CHAIRPERSON:** Yes. Now is there a meeting that you attended which involved General Lazarus and General Cele which related to General Lazarus possible transfer away from the Secret Service Account?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair.

**CHAIRPERSON:** No. Okay any of the meetings that General Lazarus may have had with General Cele you do not know if they are of any

significance do you?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair.

**CHAIRPERSON:** Yes, okay, Ms Wentzel?

**ADV SUSAN WENTZEL:** Yes Chair.

**CHAIRPERSON:** Just try and make sure that we go to those issues that are really of importance for our purposes.

**ADV SUSAN WENTZEL:** Yes I will Chair. Colonel Naidoo could you please now deal with the private trip that General Mdluli and his wife took to China.

- 10 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair if I remember correctly this was around October/November 2009, it was just a few months after General Mdluli was appointed as Crime Intelligence Divisional Commissioner. Prior to General Mdluli flying to China with his wife General Lazarus told me, I remember the conversation I had with him, he said to me that General Mdluli wants to take his wife to China and we must see how we can help him, and Chair if I can read from my statement his exact words to me, and I say this is General Lazarus's words, that Delani wants to take his *vrou* to China and we must see how we can help him. This simply means Delani referring to
- 20 General Mdluli, wants to take his *vrou*, which is his wife at that stage was – I do not know her full name, I think it is Vuziwane, to China and we must see how we can help him.

The reference to we there I assume was General Lazarus and Colonel Barnard.

General Lazarus then instructed me to make enquiries with

regards to the air tickets. I think I went to Menlyn Park, it was a Flight Centre where I made enquiries. Chair before I go there I think I am jumping the gun a bit, I would have spoken either to General Lazarus or General Mdluli because obviously to make bookings I would have to get their ID numbers and their destination of travel, so it was either one of them who had given me this information.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Once I had the information, like I said I went to Flight Centre, it was Menlo Park or the  
10 Mall there, I don't recall the name, I made provisional bookings for General Mdluli and his wife at that stage, Vuziwane Lily Mdluli. On the 3<sup>rd</sup> of November 2009 General Lazarus called me to his office, when I got there Chair he had an envelope with him. At that stage I cannot recall if he told me what was in the envelope or what the contents of the envelope was or at later stage but what I can recall of the incident is that he told me – he gave me the envelope which was on his desk, he said that I must take the envelope and keep it with me, because he is going into another meeting with another Colonel Hein if I remember correctly.

20 I did so, I took the envelope, I put it in my bag and I waited at the reception at his office, outside of his office. While I was waiting there Colonel Barnard also came to the reception. His meeting with Colonel Hein and when I say his meeting, General Lazarus's meeting with Colonel Hein was probably a few minutes, it did not take long, when Colonel Hein had finished with his meeting he left and General

Lazarus called Colonel Barnard and myself into his office.

General Lazarus informed me that there was R50 000 in the envelope, like I said earlier Chair I am not sure at that stage about the R50 000 or it was previously to Colonel Hein's meeting with him, but what I can say is that he indeed told me that there was R50 000 in the envelope, this he said they managed to get a loan from Mr Jan Venter.

Chair Mr Jan Venter is a dealer principal of Atlantis Motors, a company of which Crime Intelligence purchases their vehicles from.

**CHAIRPERSON:** Yes. This was a loan for what purpose and in whose  
10 favour?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair this was what General Lazarus told me, they had managed to secure a loan from Mr Jan Venter to purchase a ticket for General Mdluli's wife for his tentative trip to China.

**CHAIRPERSON:** Yes. Continue Ms Wentzel.

**ADV SUSAN WENTZEL:** What then transpired Colonel Naidoo?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair on that same day, and I speak of the 3<sup>rd</sup> of November.

**CHAIRPERSON:** I'm sorry, you took the envelope and there was R50  
20 000 in the envelope?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I assumed that there was R50 000 in the envelope, I did not open it and I did not count the money.

**CHAIRPERSON:** Yes, did you find out later that there was R50 000?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed I did.

**CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair on the same day, the 3<sup>rd</sup> of November after receiving, after speaking or rather with a short meeting with Colonel Barnard and myself and after handing over the R50 000 which was in the envelope, General Lazarus instructed me to take another – a further R50 000 advance from the cash office, advance office, on my name. This was to pay for General Mdluli's ticket.

**CHAIRPERSON:** How much was that, he instructed you to take how  
10 much?

**COLONEL DHANAJAYA GANGULU NAIDOO:** R50 000.

**CHAIRPERSON:** Ja, from the Secret Service Account?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Secret Service Account that is correct Chair.

**CHAIRPERSON:** Yes, okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I filled in the necessary documentation and I think it was General Lazarus who approved it, I am not certain, if the documents are shown to me I can confirm. It was either General Lazarus or Colonel Barnard who approved that advance.

20 **CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I secured the funds Chair and in total I had with me R100 000.

**CHAIRPERSON:** Yes for both General Mdluli and his wife?

**COLONEL DHANAJAYA GANGULU NAIDOO:** The R50 000 loan from Mr Jan Venter and the R50 000 that I took an advance on my name.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** General Lazarus then instructed me to go and pay for the two tickets, one for General Mdluli and the one for his wife, his then wife.

**CHAIRPERSON:** Yes. Ms Wentzel?

**ADV SUSAN WENTZEL:** And did you actually purchase the tickets?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes I did. I did. If I remember correctly the combined total for the two tickets was around R86 000, thereabout.

10 **ADV SUSAN WENTZEL:** Now Chair the copy of these tickets is very difficult to read because it is a scanned copy and as I indicated Chair we will try and get better copies for you.

**CHAIRPERSON:** Yes but on what page is it?

**ADV SUSAN WENTZEL:** It is page 74, and Colonel Naidoo can you confirm, it is almost impossible to see that these are the flight tickets that you purchased, the e-ticket receipts?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair it is not very clear, but I do see my signature at the bottom so I can confirm that these are the documents.

20 **CHAIRPERSON:** Mmm, okay.

**ADV SUSAN WENTZEL:** And what – how did you feel about having the advance for R50 000 for General Mdluli's ticket in your name?

**CHAIRPERSON:** Maybe before that Colonel Naidoo I see that you say that you went to the Flight Centre to make bookings, is that right?

**COLONEL DHANAJAYA GANGULU NAIDOO:** The bookings were made



a few – provisional bookings Chair, that was a few days prior to the 3<sup>rd</sup> of November.

**CHAIRPERSON**: Yes, but you made them with Flight Centre?

**COLONEL DHANAJAYA GANGULU NAIDOO**: That is correct.

**CHAIRPERSON**: Is that how you would normally make bookings if it was an official trip or did Crime Intelligence have travel agents that it used for official trips?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Chair from what I am given to understand on the open account they have service providers in  
10 place, you need to get approval and the necessary paperwork. With Crime Intelligence they used a certain company, that I have already testified to, I think it ...[indistinct] Travel, we have never used Flight Centre prior to this incident.

**CHAIRPERSON**: Is the position that your experience as at that time was that whenever bookings had to be made, flight bookings had to be made for official trips they were made with a particular travel agent and not with Flight Centre?

**COLONEL DHANAJAYA GANGULU NAIDOO**: That is indeed correct Chair.

20 **CHAIRPERSON**: Okay, continue Ms Wentzel.

**ADV SUSAN WENTZEL**: Colonel – is it a convenient time to adjourn or are you happy to ...[intervenes]

**CHAIRPERSON**: Okay let us adjourn, it is about two minutes to one, let us adjourn then, we will adjourn and resume at two o'clock.

We adjourn.

**REGISTRAR:** All rise.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**CHAIRPERSON:** Are you ready?

**ADV SUSAN WENTZEL:** Yes Chair.

**CHAIRPERSON:** Are you ready Colonel Naidoo?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes Chair.

**CHAIRPERSON:** Okay. We probably will stop at three o'clock but I will – I will decide as we go along. Let us continue.

10 **ADV SUSAN WENTZEL:** Thank you Chair. Colonel Naidoo before the lunch adjournment you were talking about the tickets that you purchased from Flight Centre for General Mdluli and his wife.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

**ADV SUSAN WENTZEL:** You say in your statement you were concerned about this advance in your name. Could you just explain that?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair this transaction made me uncomfortable in a sense the – not so much in my statement I say it was – I knew I had – I knew it was not allowed although that was a concern but the greater concern was actually the amount it was quite a substantial amount and it was on my name. And I feared that it eventually I would held responsible for that amount. So that was what made me feel uncomfortable. And in light of that Chair that same afternoon I am speaking of the 3 November I wrote out a note of what had transpired during the course of the day regarding the air tickets

and the loan and I kept a copy of it at my house.

**CHAIRPERSON**: In other words you created a record?

**COLONEL DHANAJAYA GANGULU NAIDOO**: That is correct Chair.

**CHAIRPERSON**: Of what – of how it had come about that this amount was taken out in your name?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Indeed.

**CHAIRPERSON**: Okay. Did you share it with anybody such as General Lazarus?

**COLONEL DHANAJAYA GANGULU NAIDOO**: No Chair.

10 **CHAIRPERSON**: It was just for yourself to remember...

**COLONEL DHANAJAYA GANGULU NAIDOO**: Yes Chair.

**CHAIRPERSON**: What had happened that gave rise to it?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Correct.

**CHAIRPERSON**: Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO**: This was a handwritten copy that I had made available for myself just in case. I gave that handwritten document to my wife. She typed it at her work and those two documents together with copies of the air tickets I made – I kept at my home just for future reference if there was any queries regarding

20 this incident.

**CHAIRPERSON**: Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO**: And...

**CHAIRPERSON**: Are they part of the bundle that is before me today?

**ADV SUSAN WENTZEL**: Yes they are Chair.

**CHAIRPERSON**: They are okay. Ms Wentzel says they are. Okay take

it from there Ms Wentzel.

**ADV SUSAN WENTZEL:** They appear in – at Annexure DGN3 from pages 77 to 80 it looks like. The handwritten notes that you wrote do those appear from page 79 to 80?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes I confirm.

**CHAIRPERSON:** So the handwritten note that you talk about appears at pages 79 to 80 of the bundle, is that right?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** And I see that the copy might not be so legible but  
10 part of it is legible to some extent. Is the position that or does it not start earlier? I see page 79 starts with the word agreement.

**ADV SUSAN WENTZEL:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** So that cannot be the beginning of a sentence.

**ADV SUSAN WENTZEL:** Yes. Chair you are absolutely correct.

**CHAIRPERSON:** Well is there a page missing or a few pages missing Colonel Naidoo?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I am – from what I recall it is one page Chair.

20 **CHAIRPERSON:** There is a – there is one page missing.

**COLONEL DHANAJAYA GANGULU NAIDOO:** No this is the page. There is no page missing.

**CHAIRPERSON:** Yes but I see it starts with – it looks like at 79 it starts from what would be the middle of a sentence. It says agreement was shown to me. So the sentence must have started – there must be

another page from which it started this sentence. At page 78 you – there is a tight...

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair this is our – I think it is just in reverse. 80 should come first.

**CHAIRPERSON:** Sorry?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It is just reverse 80 should be first before 79.

**CHAIRPERSON:** Yes Ms Wentzel.

**COLONEL DHANAJAYA GANGULU NAIDOO:** 80 is actually the first  
10 page 79 is the second page.

**ADV SUSAN WENTZEL:** Yes

**CHAIRPERSON:** You should have picked that up.

**ADV SUSAN WENTZEL:** Yes I should have Chair. You are ...

**CHAIRPERSON:** You should have picked that up.

**ADV SUSAN WENTZEL:** You are quite correct it should have been picked up. And as – Chair we have also had this typed again because even the copy the typed copy of his wife is – it is absolutely illegible. But...

**CHAIRPERSON:** I think what you should do then is to – I think on all  
20 our bundles Colonel Naidoo let us – that mistake. What was page 80 should be page 79.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** And what was page 79 should be page 80>

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed.

**CHAIRPERSON:** And Ms Wentzel arrange for new pages with red

pagination to be provided to replace these.

**ADV SUSAN WENTZEL:** Yes. I will do that Sir – Chair. Chair you see that in the statement Colonel Naidoo you say in paragraph 34 that these documents were subsequently handed over to Colonel Roelofse, is that correct?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

**ADV SUSAN WENTZEL:** Chair we will try and obtain the original documents from Colonel Roelofse so that better copies can be provided and I will make sure that they are put into the record and into your file.

10 **CHAIRPERSON:** Yes. That is fine but this should have been done quite some time back?

**ADV SUSAN WENTZEL:** Yes it is correct and I apologise it should have been done.

**CHAIRPERSON:** Colonel Naidoo's statement has been available for quite some time.

**ADV SUSAN WENTZEL:** Yes it has.

**CHAIRPERSON:** Ja.

**ADV SUSAN WENTZEL:** It is.

**CHAIRPERSON:** Okay continue.

20 **ADV SUSAN WENTZEL:** Thank you. Now Colonel Naidoo did you thereafter meet General Mdluli at the airport with regard to this trip and if so could you please explain the circumstances to the Chair?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes, yes I did meet General Mdluli. Chair on the 7<sup>th</sup>...

**CHAIRPERSON:** Just before you proceed Colonel Naidoo Ms Wentzel

can you also – can we also try and be faster than we are.

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** Let us be faster.

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** Colonel Naidoo is supposed to know these incidents and let us try and be faster and make the best of the time available.

**ADV SUSAN WENTZEL:** Colonel Naidoo ...

**CHAIRPERSON:** I think he was about to answer your question.

**ADV SUSAN WENTZEL:** Yes.

10 **CHAIRPERSON:** And I interrupted him. Colonel Naidoo please give your answer.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair on the 7 November this was the day General Mdluli was due to fly to – to China. General Lazarus instructed me to take a further R10 000.00 advance in my name. I did so. He said this – this was money for General Mdluli or intended for General Mdluli for his trip to China. I subsequently gave – managed to obtain the R10 000.00 Chair. On the same day 7 November I met General Mdluli at the airport and I gave him R10 000.00 – R20 000.00 sorry – pardon me. Chair this R20 000.00 was the  
20 R10 000.00 advance that I had taken on my name and if you remember correctly Chair as I testified to previously there was R100 000.00 that I had for the air tickets.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** There was R13 000.00 plus minus there about I cannot recall exact figure was left over from

that transaction.

**CHAIRPERSON:** Was – you said that R50 000.00 was a loan from Atlantis Motors I think.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

**CHAIRPERSON:** Which was for the ticket – for Ms Mdluli's ticket.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

**CHAIRPERSON:** And R50 000.00 was from the Secret Service Account which was for General Mdluli's ticket, is that right?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Correct – correct Chair.

10 **CHAIRPERSON:** Did they ticket end up costing less than that?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Both tickets were R86 000.00 thereabout plus minus.

**CHAIRPERSON:** So there was some money left?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed yes Chair.

**CHAIRPERSON:** Okay. And that was about R24 or R14?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It was...

**CHAIRPERSON:** Ja if it was R86 it was R14 000.00.

**COLONEL DHANAJAYA GANGULU NAIDOO:** It was R13 848.00 left over after paying for two tickets Chair.

20 **CHAIRPERSON:** Well if you had R100 000.00 and the two tickets cost R86 000.00 and the balance could not have been R30 000.00.

**COLONEL DHANAJAYA GANGULU NAIDOO:** R13 000.00 Chair R13.

**CHAIRPERSON:** Oh 13 – 13?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes. R13 000.00 yes.

**CHAIRPERSON:** Oh okay I thought you said R30 I am sorry. Okay yes.



**COLONEL DHANAJAYA GANGULU NAIDOO:** The tickets were exactly the amount was R86 152.00 Chair.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** And the remaining balance was – that was left over from the R100 000.00 was R13 848.00.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** This is the R10 000.00 that I took from this amount of the R13 848.00 added to the R10 000.00 advance which gave me R20 000.00 in total.

10 **CHAIRPERSON:** Okay, okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** This is the amount handed over to General Mdluli for his trip.

**CHAIRPERSON:** At the airport?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I met him at the airport.

**CHAIRPERSON:** Was that at OR Tambo airport?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Correct Chair.

**CHAIRPERSON:** Yes.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** This is when his wife was with him. This is when General Mdluli informed me that he is taking his wife to visit their daughter who is studying in China.

**CHAIRPERSON:** Did you know his wife prior to that?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I do Chair.

**CHAIRPERSON:** Have you met her?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I met her because I had previously gone on several occasion to General Mdluli's private

residence.

**CHAIRPERSON:** Yes. So General Mdluli told you that he was taking his wife to China to – for them to visit their daughter who was studying there?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Okay. And was there anything else that was discussed at the airport between the two of you?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair.

**CHAIRPERSON:** Yes. Did you ever ask why General Mdluli was not  
10 the one who would sign documents if money – if he needed money for his own purposes and why you had to sign?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair...

**CHAIRPERSON:** Why it had to be the advance had to be in your name or somebody else's name Colonel Barnard or so on.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair General Mdluli never took any advances on his name Chair.

**CHAIRPERSON:** And did you ever know why – why that was so?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I cannot say for sure.

**CHAIRPERSON:** But he never took any advances in his name?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair.

**CHAIRPERSON:** So there will be documentation that reflects that he took advances from the Secret Services Account as far as you know?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Was it General Lazarus who initiated as far as you know that whenever General Mdluli needed money that somebody else

would take the money out of his – in his name?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Okay. Continue Ms Wentzel.

**ADV SUSAN WENTZEL:** Colonel Naidoo how did you reconcile the advance of R50 000.00 taken to purchase General Mdluli's ticket?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair initially when I paid for the tickets the tickets were printed on one invoice which was the total of the two tickets which an amount of – which amounted to R86 000.00. R86 152.00 but the actual advance was only R50 000.00  
10 on my name. I subsequently went back to – to Flight Centre so that they could print me another invoice for just one ticket because only on – I only had reconcile one ticket which was against the R50 000.00. Remember the other R50 000.00 was a loan or supposedly a loan. So this is how I closed that – or reconciled that advance by asking Flight Centre to generate a new invoice – a fresh invoice for one ticket.

**ADV SUSAN WENTZEL:** And is that the document Annexure DGN5?

**CHAIRPERSON:** I am sorry what page is that?

**ADV SUSAN WENTZEL:** At page 91.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes that is correct.

20 **CHAIRPERSON:** One second. Yes. Can I take you back to the document that you prepared that you said you prepared or statement or note that you prepared to have a record of how it came about that you took out money in your name that you had to give to General Mdluli. That is the document starting at page 79. It might be difficult for someone else to read that document but maybe because you are the

author you might be able to. Are you able to read it or only parts of it?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I will try Chair up to a point because part of it is quite – it is not very clear so I will try.

**CHAIRPERSON:** Okay no that fine. Maybe you will – you do not need to read now but do you confirm that what is – what you recorded on the note is along the lines that you have told me about in terms of how it came about that you took that money in your name?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Okay so when we get a clearer copy it should just  
10 reflect what you have told me?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes Chair.

**CHAIRPERSON:** Okay alright.

**ADV SUSAN WENTZEL:** Thank you Chair. Colonel Naidoo could you please tell the Chair about the overseas trip to Singapore?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair this also – this trip was undertaken in 2009. I think it was the 20<sup>th</sup> November 2009. It was about two weeks after General Mdluli returned from China.

**CHAIRPERSON:** One – one second. Ms Wentzel just remind me from time to time where – on page you are so that I keep a general track?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Yes certainly Chair. It is...

**CHAIRPERSON:** Where – where is that?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It is page 10 of the statement from paragraphs 41 Chair.

**CHAIRPERSON:** Yes okay. Continue Colonel Naidoo.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair this was about two weeks after General Mdluli returned from China on the 20 November. Colonel Barnard, Colonel Barnard's wife, General Lazarus, his wife, Colonel Miranda Venter, General Mdluli. Chair my statement reads General Mdluli's wife but at that stage it was not his wife. She was his girlfriend if I can call it.

**CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** And Warrant Officer Godfrey Mawai[?] and myself travelled to Singapore. Chair the reason  
10 given to me – this was according to General Lazarus that Crime Intelligence went on this – or was to go on this trip to buy equipment – spy equipment for the unit.

**CHAIRPERSON:** To buy some equipment for the operations of Crime Intelligence?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Hm. Were you given any more particulars as to exactly what was to be bought or not really?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair.

**CHAIRPERSON:** Okay. Were you told why there were so many of you  
20 who needed to go?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair this – not – that – no I was not given any reason but I think I just need to point out one matter which is quite important. I myself was in General Lazarus' office prior to us flying to Singapore and FM09 was also present there. I enquired from him – Chair I enquired – I enquired on two fronts. One

was – I asked him why am I going on this trip.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** And the second – the second front was why am I flying on the Secret Service Account because other members were flying on an open account. So it seemed strange to me that I was flying on the Secret Service Account. So these are the two – two points that I brought to his attention and he told me that is – that was the instruction of General Mdluli and I did not – I did not take it further than that.

10 **CHAIRPERSON:** So were you the only one who was being paid – whose travelling was being paid for from the Secret Service Account?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair there were two members from Crime Intelligence who travelled on this trip on the Secret Service Account. It was myself and Colonel Maranda Venter the other civilian member who travelled on this account was General Mdluli's girlfriend Theresa Lyons.

**CHAIRPERSON:** And your wife was also travelling on this Secret Service Account?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair it is not – it was not my wife it was Colonel Barnard's wife.

**CHAIRPERSON:** Oh I thought you said your wife also went along.

**COLONEL DHANAJAYA GANGULU NAIDOO:** No, no.

**CHAIRPERSON:** Oh okay. Yes Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Pardon me.

**CHAIRPERSON:** Thank you. Please continue Ms Wentzel.

**ADV SUSAN WENTZEL:** Did you make air bookings for this trip Colonel Naidoo?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes I did.

**ADV SUSAN WENTZEL:** And could you just explain that?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I think it was in a week prior to us travelling. We travelled on the 20 November 2009. I made bookings at African Imprint Travel for T Lyons, Colonel Venter and myself. I also made bookings for Sandra Lazarus this is General Mdluli – pardon me – this is General Lazarus' wife and I think that of Juanita  
10 Barnard which is Colonel Barnard's wife. Chair I do mention in my statement point 44 I point out that T Lyons was General Mdluli's girlfriend at the time.

**CHAIRPERSON:** Hm.

**ADV SUSAN WENTZEL:** And ...

**CHAIRPERSON:** Just one second. I hope everybody at the back does hear. Everybody does hear? Okay alright. So – so the bookings that you made some were made under the Secret Service Account but others were made under the open account, is that right?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

20 **CHAIRPERSON:** The ones that were made under the Secret Service Account were your and who else's.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair there is two parts to this. The bookings – the bookings were initially made for – it was myself, Colonel Venter, T Lyons, Juanita Barnard and Sandra Lazarus.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** But the actual payment from the Secret Service Account those were provisional bookings the names I mentioned now Chair but the actual payment for those that travelled on this account from the Secret – or was paid from the Secret Service Account was myself, Colonel Venter and T Lyons.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I do not know how – how Juanita Barnard and Sandra Lazarus' ticket was paid for.

**CHAIRPERSON:** Yes. The – I think you mentioned two travel agents  
10 that were used for this purpose, is that correct?

**COLONEL DHANAJAYA GANGULU NAIDOO:** One Chair it was African Imprint Travel.

**CHAIRPERSON:** Was that the normal travel agent that was – was that the travel agent that Crime Intelligence used to use when trips were – official trips were undertaken?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is another company Chair. That is Westville Travel. This is African Imprint Travel.

**CHAIRPERSON:** So – but was this particular company travel agency did Crime Intelligence use it from time to time or as far as you know  
20 this was the first time it was used?

**COLONEL DHANAJAYA GANGULU NAIDOO:** As far as I know this is the first time we used this particular company.

**CHAIRPERSON:** Okay alright thank you.

**ADV SUSAN WENTZEL:** Is the invoice page to African Imprint Travel – does that appear at Annexure DGN6 page 94?



**CHAIRPERSON:** Ms Wentzel you are going to confuse her. Remember when we started on Friday we said you will not mention I think the alphabets before the number. You just mention the number.

**ADV SUSAN WENTZEL:** Oh yes.

**CHAIRPERSON:** I think you are confusing me as well.

**ADV SUSAN WENTZEL:** Sorry Chair.

**CHAIRPERSON:** Just mention the page.

**ADV SUSAN WENTZEL:** Page 94, is that correct?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

10 **ADV SUSAN WENTZEL:** Now when you went on this trip who went business class and who went economy class?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair General Mdluli, General Lazarus and T Lyons flew business class. Colonel Barnard, myself, Colonel Venter, Colonel Barnard's wife and Warrant Officer Godfrey Mawai[?] flew economy class.

**ADV SUSAN WENTZEL:** Now when you were in Singapore did you indeed go purchase equipment for Crime Intelligence?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Yes Chair we did purchase equipment over two days. If I can just give some insight into that? Chair this – like I said this was done over two days but in the two days I think it was most two hours that we spent at this particular shop over two days.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** So we basically four hours in total. This – it is an electronics mall Chair. It is not a covert

shop.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Where you have to make an appointment it is like how you and I would go to a normal shop to purchase an item except this was an electronics mall only dealing with electronic stuff and nothing else.

**CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** We got to the shop. I did not pay too much of attention as to what was being purchased because  
10 this was not my area of expertise Chair. But I do know that we were at this shop at – for over two days, two hours probably most at a time.

**ADV SUSAN WENTZEL:** And then what did you do during the rest of the trip?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair we were there from the 20<sup>th</sup> to the 29<sup>th</sup>. The rest of the time except for these – over these two days probably two hours a day the rest of the time we spent shopping and sightseeing.

**CHAIRPERSON:** So all in all about how many were you? About six or eight?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair it was eight I think Chair.

**CHAIRPERSON:** About eight?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes.

**CHAIRPERSON:** And were you able to tell who in the whole group really may have been necessary for purposes of buying whatever

equipment needed to be bought?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair in my view this trip was not necessary at all.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I say that because if – if somebody got onto the internet could have purchased this over the internet and paid for it via EFT and had it couriered to South Africa.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is the best case  
10 scenario. The worst case scenario is that a member from technical support unit from Crime Intelligence should have gone over to purchase this vehicle – this equipment.

**CHAIRPERSON:** Yes. But was the equipment actually purchased?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes it was purchased  
Chair.

**CHAIRPERSON:** Yes. But you said there was nothing covert about it really?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Ja okay.

20 **ADV SUSAN WENTZEL:** And did you Colonel Naidoo purchase anything on this trip>

**COLONEL DHANAJAYA GANGULU NAIDOO:** Prior to me going on this trip Chair my sister asked if I could purchase a camera for her. If I can remember correctly I informed General Lazarus that I wanted to buy – this is while in Singapore Chair. I informed General Lazarus that I

wanted to buy a camera for my sister. He indicated to me that we should purchase it using SSA funds and we will sort it out when we get back home. I purchased the camera Chair. The value was approximately R5000.00 and on my return I gave it to my sister. Both General Lazarus and Colonel Barnard approved the funding for this purchase.

**CHAIRPERSON**: Just repeat that last sentence please? Both General?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Lazarus and Colonel Barnard they approved the funding for the purchase. Meaning they  
10 were aware of me using the card to purchase this particular camera.

**CHAIRPERSON**: Yes you said that General Lazarus said that you could use the Secret Service Account funds and this would be sorted out when you came back. Was it sorted out?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Chair no.

**CHAIRPERSON**: It was not sorted out?

**COLONEL DHANAJAYA GANGULU NAIDOO**: As far as I know this was – this particular camera was captured on the system as belonging to Crime Intelligence.

**CHAIRPERSON**: Yes but it was actually in the possession of your  
20 sister?

**COLONEL DHANAJAYA GANGULU NAIDOO**: That is correct Chair.

**CHAIRPERSON**: And being used by her?

**COLONEL DHANAJAYA GANGULU NAIDOO**: That is correct.

**CHAIRPERSON**: So would the records reflect that it is – it was an asset belonging to Crime Intelligence?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is – that is what I am given to understand Chair yes.

**CHAIRPERSON:** Yes okay.

**ADV SUSAN WENTZEL:** When you came through the airport was the equipment declared?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair General Lazarus and General Mdluli did not want customs to know what we were bringing back into the country. General Mdluli then made arrangements with his contacts at the airport and I am speaking about OR Tambo  
10 Airport that we as a group bypass customs.

So as a result of this arrangement nothing was declared at customs.

**CHAIRPERSON:** Yes.

**ADV SUSAN WENTZEL:** How was the equipment purchased?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair Colonel Barnard's wife works at an Absa Branch in Pretoria. She made arrangements for two cards - two credit cards to be issued. One which Colonel Barnard signed for him - for it himself and the other one was on my name. These two credit cards were preloaded with R100 000,00 each.

20 I assume that this funds would have been or these funds would have been arranged by Colonel Barnard to give to his wife to be preloaded onto these two credit cards.

**CHAIRPERSON:** Well you ...

**ADV SUSAN WENTZEL:** You say ...

**CHAIRPERSON:** I am sorry Ms Wentzel. After you came back from this

trip at the latest after you had come back I take it that you would have reflected and you would have reflected as to why you were taken along. Did you reflect on that and came to some conclusion?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair like ...

**CHAIRPERSON:** Because from what you say you clearly were not needed for - for making any decisions relating to the purchase of the - of the equipment and - and you have said that the equipment actually could have been obtained without the trip. Did you try and reflect on why you were taken along?

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair. Like - like I said in the beginning I - I protested already to General Lazarus why I was - why I was going on this trip.

**CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** So I did not take it further than that.

**CHAIRPERSON:** What did he say when you protested?

**COLONEL DHANAJAYA GANGULU NAIDOO:** He ...

**CHAIRPERSON:** General Lazarus.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** He said it was an instruction from General Mdluli and I must comply.

**CHAIRPERSON:** Assuming that that was true. Did it occur to you that maybe you were be made to be part of the trip so that if there are any problems you would not - you would not tell?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is a possibility  
Chair.

**CHAIRPERSON:** Hm. Before this time had you already yourself started engaging in any illegal transactions. You - you testified on Friday that you admitted to the Haws that you had put through a false - you had put through false claims running into about R100 000,00. Had this happened by this time or had it not happened yet?

**COLONEL DHANAJAYA GANGULU NAIDOO:** This was before - this was before the time Chair.

**CHAIRPERSON:** This was before this trip?

**COLONEL DHANAJAYA GANGULU NAIDOO:** This - that is correct.

10 **CHAIRPERSON:** Oh. So you had already started?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes correct.

**CHAIRPERSON:** Would it be fair to say by this time you were really part of whatever wrong was taking place at Crime Intelligence?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Okay, alright.

**ADV SUSAN WENTZEL:** Colonel Naidoo in relation to the Chair's question. With regard to the reconciliation of the amount that was provided to you to purchase the tickets for General Mdluli and his wife the R100 000,00. You said after buying the air tickets you had  
20 R13 848,00 spare ...

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes.

**ADV SUSAN WENTZEL:** Of which you gave to R10 000,00 to General Mdluli. Is that correct?

**COLONEL DHANAJAYA GANGULU NAIDOO:** So we are going back to the - the previous trip - the China trip?

**ADV SUSAN WENTZEL:** Yes. I am just - sorry. If you can have regard to page 9 paragraph 37.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes. I am there.

**ADV SUSAN WENTZEL:** So of the 13 848 you gave 10 000 of that remaining to General Mdluli. What happened to the balance of R3 848,00?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair this balance of R3 848,00 which was in cash I kept in my bag for several weeks. When no one inquired about it I used it for my personal use.

10 **CHAIRPERSON:** Okay.

**ADV SUSAN WENTZEL:** Colonel Naidoo if you have regard to the document at page 100 Annexure DGN7, Annexure 7. These are - reflect transaction history. The one at page 100 where the card holder is reflected as Hein Barnard and the one at page 102 where the account is under your name - Naidoo.

Is that a fair reflection of the spending on those credit cards during the Singapore trip?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I do not remember all of the - of all the transactions but yes the - the transactions are on the card that I used. My name reflects on the top left corner and the previous one of Colonel Barnard. So yes I would confirm these - these documents.

**CHAIRPERSON:** Well I think Ms Wentzel you must draw to our attention which transactions fall within the days that he was in Singapore.



**ADV SUSAN WENTZEL:** Do the - these transactions fall between the time that you were in Singapore?

**CHAIRPERSON:** Remember what were the dates for your Singapore trip? How ...?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair, we - we left on 20 November 2009 and returned on 29 November in that same year.

**CHAIRPERSON:** So was it about 10 days?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Thereabout. Nine days.

**CHAIRPERSON:** Nine days/10 days?

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** Nine days, yes.

**CHAIRPERSON:** That was quite a long time and you said that - at the shop where you were supposed to buy the equipment you spent about four hours all in all over two days - two days. Each day is - two hours each day. Is that right?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** So for the rest of the time you were just having a good time?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** At the state expense?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Yes Chair.

**CHAIRPERSON:** Yes. So these transactions - well Ms Wentzel you must confirm. Do they fall within those dates when he was in Singapore?

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** Or he could - if he can see.

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** He can confirm also.

**ADV SUSAN WENTZEL:** Can you confirm that these transactions fall within the dates that you were in Singapore?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I just want to confirm the dates first. I am not sure if it is the 20<sup>th</sup> ...

**CHAIRPERSON:** *Ja.* I think look at the dates Ms Wentzel ...

**COLONEL DHANAJAYA GANGULU NAIDOO:** *Ja.* I think that - that would be very ...

10 **CHAIRPERSON:** Ms Wentzel and tell her the first transaction on page - is it 102? Is that his one?

**ADV SUSAN WENTZEL:** His ...

**CHAIRPERSON:** His one starts at ...

**ADV SUSAN WENTZEL:** His is at 102.

**CHAIRPERSON:** Yes. Tell him the - the date of the first transaction there and the date of the last transaction.

**ADV SUSAN WENTZEL:** So the first transaction is 27 November 2009 ...

**COLONEL DHANAJAYA GANGULU NAIDOO:** *Ja.*

20 **ADV SUSAN WENTZEL:** And the last is the - well it is - it is ...

**CHAIRPERSON:** Are the dates upside down?

**ADV SUSAN WENTZEL:** I think it is going through at a different date. You will see it is - it is 18 November 2009. So it starts on the 18<sup>th</sup> and then goes up to 27 November 2009.

**CHAIRPERSON:** *Ja.* The document - the page seems to be starting

with the last ...

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** Transaction and ending with the first transaction.

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** So it would mean that it reflects that the transactions covered by it start on 18/11/2009 ...

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** And go up to 27/11/2009 but you said that you left for Singapore on the 20<sup>th</sup>. Is that right?

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** The transactions before the 20<sup>th</sup> would they have been connected with this trip or not?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair that would probably be the preloaded I spoke of - the preloaded amount that was initially loaded onto this card before we left.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Arrangements were made.

**CHAIRPERSON:** Yes.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** So that falls outside of the time period that we were in Singapore. So this - this date will explain what I have testified to earlier. That money was preloaded onto each of these card. If you look at page 102 Chair.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** The actual amount in

US\$13 182,53.

**CHAIRPERSON:** The - the amount on the first day on the 18<sup>th</sup>. Is that correct?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** At the bottom.

**COLONEL DHANAJAYA GANGULU NAIDOO:** On the 18<sup>th</sup>. This is the preloaded amount I speak of.

**CHAIRPERSON:** Yes, but at the top there it says local currency but at the bottom it - it reflects USD rather than Rands. Is that - can you see  
10 that or are we ...

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes.

**CHAIRPERSON:** On different columns? You know the column written local currency.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair that was the local currency of Singapore and it also reflects the same amount in US Dollars.

**CHAIRPERSON:** Oh that was local currency of Singapore not of South Africa?

**COLONEL DHANAJAYA GANGULU NAIDOO:** SSGD is the Singapore  
20 currency Chair.

**CHAIRPERSON:** Oh, okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** USD would be the US Dollar.

**CHAIRPERSON:** Yes, yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** So Chair if you look at

the bottom I am referring to the last column.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** 18/11 ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** 2009.

**CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** It says Travelex Retail Card Whizz US\$13 182,53. This is the - this is the ...

**CHAIRPERSON:** The amount?

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** Preloaded amount that was loaded onto each of these cards.

**CHAIRPERSON:** Okay. That is US\$13 182,00?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** You might be able to - you might have recollection of how - at - at that time how much that was in Rands more or less?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair if I can recollect it would have been 100 000 because that is what I signed for on the card.

**CHAIRPERSON:** 100 000?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

20 **CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes.

**CHAIRPERSON:** When you came back from Singapore how much of that R100 000,00 had been used?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I - I am not sure Chair. I cannot recall.

**CHAIRPERSON:** Do - do you know whether there was anything left on the amount that had been loaded?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I - I cannot recall Chair.

**CHAIRPERSON:** But are you able to - to say that while you might not recall whether you used the whole amount you are able to say that you must have used more than 80 percent of the amount or more than 90 percent of the amount or you not able to say that?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I - I would say so Chair but I can confirm if the documents are shown to me.

10 **CHAIRPERSON:** Yes, okay but your - your recollection is that you must have used more than 80 percent of the amount?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes Chair.

**CHAIRPERSON:** Okay. I do not know whether Ms Wentzel on these transactions you have been able to make the total of what was used?

**ADV SUSAN WENTZEL:** I have not but I will do it overnight for you Chair and I will ...

**CHAIRPERSON:** *Ja.*

**ADV SUSAN WENTZEL:** I will tell you.

20 **CHAIRPERSON:** Okay. It is important just to get - give us the picture of how much was spent. Yes.

**ADV SUSAN WENTZEL:** Yes. I will address that overnight Chair.

**CHAIRPERSON:** Okay.

**ADV SUSAN WENTZEL:** Colonel Naidoo can you tell the Chair what was your relationship with Colonel Lazarus - I mean General Lazarus and General Mdluli?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Hm.

**CHAIRPERSON:** Maybe before you do that. We have dealt Ms Wentzel with the - with page 102 which as I understand the position relates to Colonel Naidoo. Maybe ...

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** And somebody else or just him alone. There is the other one that relates to other members of the delegation. Do you not want to deal with that?

**ADV SUSAN WENTZEL:** Yes. We can deal with that. I was thinking  
10 that I would deal with it tomorrow when I have had a chance also so that I can add this all up and ...

**CHAIRPERSON:** Hm. Maybe deal with it ...

**ADV SUSAN WENTZEL:** Deal with that.

**CHAIRPERSON:** Deal with it insofar as you are able to and all that might be left is just ...

**ADV SUSAN WENTZEL:** Just the ...

**CHAIRPERSON:** The figures, *ja*.

**ADV SUSAN WENTZEL:** The quantum.

**CHAIRPERSON:** Yes.

20 **ADV SUSAN WENTZEL:** Thank you.

**CHAIRPERSON:** Before we move onto something else.

**ADV SUSAN WENTZEL:** Colonel Naidoo could you have a look at the document at page 100.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Okay. I am there.

**ADV SUSAN WENTZEL:** And at page 101 this also seems to be

reflected backwards. So you will see that on 19 November 2009 there is an amount of US\$13 152,53. Is that correct?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

**ADV SUSAN WENTZEL:** And it is very close to the amount that was loaded onto the card under your name.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Hm.

**ADV SUSAN WENTZEL:** Yours was 13 182,53.

**COLONEL DHANAJAYA GANGULU NAIDOO:** It is probably because I see it is over - it is done on two separate days. So probably with the  
10 exchange rate.

**ADV SUSAN WENTZEL:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** It is a variation in the amounts.

**ADV SUSAN WENTZEL:** And so with that ...

**CHAIRPERSON:** Otherwise - I am sorry. Otherwise it was meant to be the same amount?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It was 100 000 each Chair.

**CHAIRPERSON:** *Ja.*

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** So that - that would probably account for the small variation ...

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Because it was done over two days. One car on the 19<sup>th</sup> and the other one on the 18<sup>th</sup>.

**CHAIRPERSON:** Okay.



**ADV SUSAN WENTZEL:** And then the transactions that are then reflected up until 27 November 2009 would those reflect transactions that took place during the trip to Singapore while you were overseas?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I - I just want to look at the dates quickly. Chair I can confirm that all of these purchasers were made while we were on this trip.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** In terms of the timeframes ...

10 **CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Or the dates.

**CHAIRPERSON:** Okay and do you have any recollection as to whether they too would have used no less than 80 percent of the amount to say the least or is - is that something you did not apply your mind to?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair. I will have to - I will have to ...

**CHAIRPERSON:** You have to have a look?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I have to ...

**CHAIRPERSON:** Okay.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Look at his documents ...

**CHAIRPERSON:** Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** All the time.

**ADV SUSAN WENTZEL:** Colonel Barnard - I mean Colonel Naidoo could you explain what your relationship was with General Mdluli and General Lazarus?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I worked very closely over a long period of time with General Lazarus. Like I testified to earlier. He was the one who had initially organised for me to be placed within Crime Intelligence. My relationship with General Mdluli started - was purely because of my relationship with General Lazarus.

So that is how I became - I became acquainted or - or close to General Mdluli.

**ADV SUSAN WENTZEL:** And could you tell the Chair what sort of functions you would perform for General Mdluli and General Lazarus.

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** Sorry Ms Wentzel. Where - what page are we on?

**ADV SUSAN WENTZEL:** Page 12 and paragraph 56.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair when General Mdluli was appointed which was in 2009, 1 July - if I am correct. Up to the point of me being placed in witness protection which is 21 October 2011 I did minimal work in terms of my own job description.

Purely because there was no time for me to do what I was supposed to be doing. I say this because there always something to do  
20 for General Lazarus or General Mdluli. I basically became their lackey. I was required at the beck and call at odd hours as well. This would include Chair making sure that safe houses - at that time General Mdluli made use of a safe house.

This safe house had to be stocked with groceries. It had to be cleaned.

**CHAIRPERSON:** Safe house you said?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Safe houses, okay.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

**CHAIRPERSON:** By the way safe houses were houses that were used by Crime Intelligence for or performing - for meeting certain people including inform - informants in - and also when they needed to do some work away from Crime Intelligence offices. Is that right?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

10 That would be for operational purposes.

**CHAIRPERSON:** Yes, okay.

**ADV SUSAN WENTZEL:** So if you could just continue Colonel Naidoo as to the sorts of things that you would do for General Mdluli and General Lazarus.

**CHAIRPERSON:** And maybe just start again on what exactly you were supposed to do with regard to safe houses.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair General Mdluli at the time made - made use of a safe house. I had to make sure that the safe house was stocked with groceries whenever he was there. He also  
20 had a vehicle that was parked there that he used. I had to make sure that the vehicle was cleaned all the time whenever he used it.

Also initially for purchasing of - of flight tickets for him - this is for General Mdluli. So these things took up part of my time Chair. I was hardly at my office doing the job that I - I was supposed to be doing.

**CHAIRPERSON:** Buying groceries - did you get money from him to buy groceries for him in the safe - in the safe house that you used?

**COLONEL DHANAJAYA GANGULU NAIDOO:** No Chair. This would be funds from the Secret Service Account.

**CHAIRPERSON:** The - the funds would be from the Secret Service Account?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Did you need to put those under your name as well or not really?

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** I would have to take an advance on my name Chair.

**CHAIRPERSON:** Yes. Okay and you able to indicate more or less what kind of money you would use for groceries at any particular time if there was a kind of more or less common amount or was it - it is not easy to say?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair, I - I cannot recall but if the documents are shown - shown to me I can confirm.

**CHAIRPERSON:** Okay, alright.

20 **ADV SUSAN WENTZEL:** Colonel Naidoo did you also - were you also required to do things for Mr Marimuthu?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair on one occasion I do recall it was on a Saturday Chair. Mr Marimuthu - by this stage a relationship had been established by - between General Lazarus and Mr Marimuthu. I got a call it was a Saturday morning. I think it was between six and seven. If I am correct in my time.

Mr Marimuthu said that he needs a toothbrush and toothpaste and that I should buy these items and bring it to me. He was - he was booked into the Holiday Inn. It was the one near OR Tambo International.

**CHAIRPERSON**: Was Mr Marimuthu part of Crime Intelligence?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Chair at that stage the relationship between himself and General Lazarus was in the process of being established or it was already established by that stage. I am just not sure of the timeframe ...

10 **CHAIRPERSON**: Huh-uh.

**COLONEL DHANAJAYA GANGULU NAIDOO**: But he later be - he was later signed on as a contact person at Crime Intelligence.

**CHAIRPERSON**: Okay.

**COLONEL DHANAJAYA GANGULU NAIDOO**: Chair this particular incident it really made me stop to think for a moment. Is this what Crime Intelligence has come to and I also questioned my own - my own - my own position on this. Is this what I joined the police for? It was really the - quite a low point for me at that stage.

20 I was getting instruction from a convicted drug dealer to bring him a toothpaste and a toothbrush.

**CHAIRPERSON**: Hm. Did you know Mr Marimuthu to be a drug dealer?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Chair like I mentioned earlier in the paragraph that I read. It is - this is not fact. What I read out is conversations that I had with various colleagues of mine at Crime Intelligence regarding Mr Marimuthu and his relationship - his status

and his relationship with General Bheki Cele.

**CHAIRPERSON**: Yes, but this was just an allegation and you did not know it to be a fact that he was a drug dealer?

**COLONEL DHANAJAYA GANGULU NAIDOO**: That is correct Chair, but I am just expressing my - my thoughts at the time Chair.

**CHAIRPERSON**: *Ja*, okay. So this is what you - you were thinking and you were reflecting on - on your position to say is this what you came to do?

**COLONEL DHANAJAYA GANGULU NAIDOO**: That is correct Chair.

10 **CHAIRPERSON**: Yes and then what happened?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Chair I eventually went. I - I bought him the items. I gave it to him and then I subsequently dropped him off at General Lazarus' house and I left.

**CHAIRPERSON**: Hm. Okay.

**ADV SUSAN WENTZEL**: Chair you indicated you wanted to stop at three. Is that still the position?

**CHAIRPERSON**: Yes. Maybe let us continue a little bit and let me see. Well let us continue and let me see how - maybe we will end up at half - we will - we will stop at half past. Let us just continue a bit, *ja*.

20 **ADV SUSAN WENTZEL**: Thank you Chair.

**CHAIRPERSON**: Okay.

**ADV SUSAN WENTZEL**: Okay. Colonel Naidoo we are now going to deal with what you have referred to as the 250 posts. These were appointments and promotions made in Crime Intelligence. It is dealt with at your statement at page 13 from paragraph 58 onwards. Could

you please give the Chair some background into this?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair before we go to that - if I may. I just reflect on two things that comes to mind.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Regarding the Singapore trip.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I remember having a conversation with General Lazarus where he told me that the Queen  
10 is heavy on the pocket and what this simply means is Queen referring to Lyons was heavy on the pocket. He told me that General Mdluli had told him that or - or rather what I picked up from this conversation she was actually becoming a nuisance. I say that because ...

**CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** General Mdluli complained to General Lazarus that Theresa Lyons his girlfriend at the time was shopping excessively and she was putting financial burdens on him.

**CHAIRPERSON:** Yes.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** He had then asked General Lazarus for more money because he had run out of funds.

**CHAIRPERSON:** Hm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** This happened on two occasions Chair.

**CHAIRPERSON:** Huh-uh.

**COLONEL DHANAJAYA GANGULU NAIDOO:** This was in Singapore and on our return from Singapore to South Africa General Mdluli again asked General Lazarus for money because he had run out of funds.

**CHAIRPERSON:** *Ja.* Yes. Okay, thank you.

**ADV SUSAN WENTZEL:** Colonel Naidoo if you could now please deal with these 250 posts that became available at Crime Intelligence during January and February 2010.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes.

**CHAIRPERSON:** How did this come about? Please just go ahead and  
10 relayed the story as you know it.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I am not sure exactly how this came about but I know that General Lazarus was driving this process. It was during the period 2010 - early 2010 where 250 posts were made available for positions within Crime Intelligences. This is now commonly known as the 250 posts.

This - these were all covert posts. Chair most of these positions were - were utilised to provide employment for family and friends of General Mdluli (intervenes).

**CHAIRPERSON:** As far as you know were these posts officially  
20 created? In other words if one went to the records of Crime Intelligence would one find documents relating to their creation or is that something you do not know.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair as far as I know this was not done in - as with the normal police system the open account where an advert would be placed in the - in the newspaper.



Saying that X amount of posts are available with - with each rank. As far as I know it was a - a covert post placed in the newspaper. Meaning that it did not reflect that these were positions that needed to be filled within Crime Intelligence.

**CHAIRPERSON:** Okay, alright. Continue.

**ADV SUSAN WENTZEL:** Could you tell the Chair as you understand it what would be the normal procedure to be followed when appointing an agent to Crime Intelligence?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair normally to  
10 appoint an agent, an agent is generally a police official, an official, they must be or they should be an operation registered that would be addressing a specific crime area or syndicate. Generally an agent is a police official, or police member, that police member would be identified by the project manager or the person that is running that specific operation or project.

Once this individual is identified and he is suitable for that particular project Chair I think I am going to like you mentioned earlier this is now ...[intervenes]

**CHAIRPERSON:** Yes, you're ...[intervenes]

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** It is giving too much of detail

**CHAIRPERSON:** Ja ...[intervenes]

**COLONEL DHANAJAYA GANGULU NAIDOO:** I am going to skip this point.

**CHAIRPERSON:** Ja, skip whatever I would give information that should

not be given out publicly.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Ja.

**CHAIRPERSON:** Yes, but maybe I could ask this is there a difference between an agent and an informant or informer?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair like I mentioned an agent is generally a police official, an informer is a private citizen recruited to gather intelligence.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Informers are normally  
10 remunerated for their work.

**CHAIRPERSON:** As and when they do work?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct.

**CHAIRPERSON:** They are not paid monthly?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Informers are paid  
monthly Chair but they are also remunerated on successes as well.

**CHAIRPERSON:** So do they have a basic salary?

**COLONEL DHANAJAYA GANGULU NAIDOO:** If you could say so yes,  
they get a basic salary and they are remunerated in terms of their  
production.

20 **CHAIRPERSON:** So there's a performance bonus as it were if – or a  
success fee as it were if they have done something quite well on a  
particular project then apart from their basic salary they get paid  
something to top up.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Okay, alright, but the difference between them and an

agent is that an agent is a member of the SAPS whereas they don't – they are not members of the SAPS, or they do not need to be members of the SAPS.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair, an agent is generally or normally a member of the police.

**CHAIRPERSON:** Yes, okay, alright.

**ADV SUSAN WENTZEL:** Colonel Naidoo now looking at page 14, paragraph 64 of your statement could you explain to the Chair how members of the Mdluli family came to be appointed to be Crime  
10 Intelligence?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair ...[intervenes]

**CHAIRPERSON:** Well he might already have mentioned the Mdluli family but let us try and get him to just give evidence about who was appointed and so on and if it happens to be Mdluli family that is fine. Just speak more on this – Colonel Naidoo – as to who got appointed as far as you know to these positions and so and so on.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair if I may regarding the Mdluli family how their appointment came about, if I just can get a few moments to explain.

20 **CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** This was around January or February 2010 Chair, I was in General Lazarus's office when General Mdluli arrived, with normal protocol I greeted him and excused myself, and he said I should wait. General Mdluli the produced a piece of paper and he gave it to General – or handed it over to General Lazarus

and he said the he wants all of those people on that list to be appointed, and I am referring to this 250 posts, the covert post.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** General Lazarus then asked General Mdluli how or what would be the best way that these individuals that was written on this piece of paper how they were going to be appointed. Chair I cannot remember the exact conversation but they both agreed that these individuals should be appointed into the agent programme or rather placed and appointed into – appointed first  
10 and then placed into the agent programme.

**CHAIRPERSON:** Yes when you are appointed as an agent as opposed to an informer are you paid generally at a higher rate than an informer? Or not necessarily?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair an agent would get his normal salary.

**CHAIRPERSON:** As a member of the police?

**COLONEL DHANAJAYA GANGULU NAIDOO:** As a normal, it depends on what his rank is he will get the same amount. Informers remuneration can fluctuate, it all depends on the successes and the  
20 intelligence they gather.

**CHAIRPERSON:** So you say an agent would get his normal salary that he was getting as a police officer before being appointed as an agent?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** And then upon being appointed as agent there is then some additional amount that is added to his salary or not?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Not that I am aware of Chair.

**CHAIRPERSON:** Oh, so he would normally be paid the same amount that he would have been paid if he had remained at the rank at which he was simply as a member of the police?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair, but just there is more detail to this, but it is going to delve into operational matters so I do not ...[intervenes]

**CHAIRPERSON:** Yes okay no that is fine, that is fine.

10 **ADV SUSAN WENTZEL:** Now you deal in your statement which individuals associated with the – General Mdluli's family were appointed as agents, it is difficult to – for you to testify to this without disclosing the family relationship but could you broadly say how many appointments were made to – who were members of General Mdluli's family and friends?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I will do that in a moment Chair, if I could just finish up on my previous, I am referring to 64, the Mdluli family regarding the conversation at General Lazarus's office.

**ADV SUSAN WENTZEL:** Yes.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Regarding the piece of paper that was handed to General Lazarus from General Mdluli, General Lazarus then instructed me to fetch documents, these are application for employment in SAPS, it is a booklet Chair that one needs to fill out for employment, which I did, I collected a stack of them, I brought it back and I handed it over to General Mdluli.

**CHAIRPERSON:** So what document did you hand over to General Mdluli?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It has got a specific number Chair, at this stage I cannot recall it, but it is basically an application for employment in SAPS.

**CHAIRPERSON:** Oh, okay, and why did you give that to him?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I think it is a Z8 form, I am not sure.

**CHAIRPERSON:** Why did you give that to him?

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** General Lazarus instructed me to get a few of those from Colonel Furstenburg's office.

**CHAIRPERSON:** Oh were they forms that would be filled by the persons that General Mdluli wanted to be appointed?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Okay, yes continue.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That stack of booklets I handed over to the General Mdluli and he subsequently left. After General Mdluli left General Lazarus took a look at the piece of paper that was handed over to him from General Mdluli – Chair I am sorry I  
20 just went ahead of myself a little bit.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Referring to those people or individuals that were going to be appointed as agents. I testified that General Lazarus and Mdluli agreed that those individuals should be placed in the agent program and General Lazarus asked General

Mdluli who was going to be the handler, and General Mdluli looked in my direction and said this man can do it, I trust him.

**CHAIRPERSON:** Yes.

**ADV SUSAN WENTZEL:** And were you ultimately appointed as their handler?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Indeed, seven, I was handling seven agents.

**CHAIRPERSON:** Is a handler like their supervisor who should know what activities they are involved in and what really they do in terms of their responsibilities as agents?

**COLONEL DHANAJAYA GANGULU NAIDOO:** In essence that is what it is Chair.

**CHAIRPERSON:** Yes and if anybody wants to find out where they are and what they are busy with they would come to you?

**COLONEL DHANAJAYA GANGULU NAIDOO:** To their handler that is correct, yes.

**CHAIRPERSON:** To their handler, yes okay, alright.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair after General Mdluli left General Lazarus looked at the piece of paper that was handed to him, and he told me that Mdluli wanted to appoint his family members, referring to the list.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** His exact words were Delani wants to appoint and I mentioned obviously I cannot mention the names, FM24 and FM28.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** General Lazarus was referring to FM24, he mentioned Delani wants to appoint his *vrou* and the queen.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That simply means at that stage the *vrou* referring to his then wife, and the queen, referring to the girlfriend.

**CHAIRPERSON:** Yes, okay. (laughing)

10 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair it is a bit difficult here because you know with the code names or code numbers it is a bit difficult for me.

**CHAIRPERSON:** Sorry?

**COLONEL DHANAJAYA GANGULU NAIDOO:** I said Chair with the code numbers it is a bit difficult.

**CHAIRPERSON:** Well are you at – are you looking at paragraph 67?

**COLONEL DHANAJAYA GANGULU NAIDOO:** 66 Chair.

**CHAIRPERSON:** 66?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes Chair.

20 **CHAIRPERSON:** Oh, okay, okay no I understand what you are saying. Yes, continue.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair as in 67 of my statement I am just going to read it out because it is basically there is no names, it is numbers.

**CHAIRPERSON:** Ja, ja.



**COLONEL DHANAJAYA GANGULU NAIDOO:**

“The following individuals associated with General Mdluli’s family were subsequently appointed as agents within CI following the aforementioned discussion; FM24, FM29, FM26, FM28, FM27.”

And then we go on to 68, point 68, although I am uncertain of the relationship between General Mdluli and the following two individuals they formed part of the appointments following the discussion between General Lazarus and General Mdluli, hence I have included them as  
10 part of the General Mdluli family, these two would be FM25 and FM30.

**CHAIRPERSON:** And FM30?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Yes.

**ADV SUSAN WENTZEL:** Then Colonel Naidoo were similar appointments made in respect of General Lazarus’s family and friends?

**CHAIRPERSON:** Maybe before we do that, you did confirm that those persons in General Mdluli’s list that were his family members as well as the two persons that you mentioned in paragraph 68 where you said you were not sure if they were ...[intervenes]

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I can confirm it quickly referring to the list that I have in front of me.

**CHAIRPERSON:** Ja.

**COLONEL DHANAJAYA GANGULU NAIDOO:** If I have a moment.

**CHAIRPERSON:** Mmm. What are you seeking to confirm Colonel Naidoo?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair in terms of the list that I have in front of me I am just confirming that the codes that are in the statement is actually the person that is on my list. I do confirm the codes according to my list Chair, as to what I put it in my statement.

**CHAIRPERSON:** Yes, okay, alright, you did confirm that you ultimately were the handler for all those persons mentioned in paragraph 67 and paragraph 68 by way of the codes?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Yes, and at the time that you went onto the witness  
10 protection program were you still their handler?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Yes, so that would mean that you would have been their handler for about a year from 20?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It was more than a year Chair, it was from 2010, the first few months of 2010, to October 2011, so it would be about a year and a half Chair.

**CHAIRPERSON:** So it could be about a year and a half?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Okay, alright. I think after this Ms Wentzel you to  
20 then say whether there was somebody else within Crime Intelligence whose family and friends were also appointed to some of these posts.

**ADV SUSAN WENTZEL:** Yes Chair.

**CHAIRPERSON:** Was there?

**ADV SUSAN WENTZEL:** First with – first let us deal with General Lazarus's family and friends, which is dealt with on page 16, paragraph

69.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Yes, Chair I am also going to read this out because it is basically code names, code numbers.

**CHAIRPERSON:** Yes, ja.

**COLONEL DHANAJAYA GANGULU NAIDOO:** And I read the family, and this is page 16:

10                   “The Lazarus family and friends point 69, General Lazarus also secured the undue appointment and promotion of his family, friends and associates as follows; FM01 was appointed as a Warrant Officer without any prior appointment in the SAPS or Crime Intelligence. FM01 was appointed as a Warrant Officer without any prior appointment in SAPS or CI and a few months later this same person was promoted to Captain. FM03 was appointed as Captain without any prior appointment in the SAPS or CI. FM04 was appointed as a Lieutenant Colonel without any prior appointment in SAPS or CI. FM05 was appointed as a clerk, FM06 was appointed as a Captain coming from the SAPS in Pietermaritzburg at a  
20                   lower rank and as a clerk. FM31 was appointed as a constable without any prior police experience. FM32 [I see it’s redacted], owner of [redacted] an entity dealt with below was appointed as a captain without any prior appointment in SAPS or CI. FM33 was appointed as a Colonel under General Lazarus, her husband was appointed as a Colonel at

[and the name is redacted] without any prior appointment in the SAPS or CI. FM34 was stationed at SAPS Tongaat in the uniform branch to the rank of Lieutenant Colonel. General Lazarus was previously stationed at this station where he and FM34 were friends. FM34's three daughters were also employed through General Lazarus due his relationship or friendship with Warrant Officer FM34."

Chair I cannot recall their names or on what level they were placed or promoted.

10 **CHAIRPERSON**: Yes, okay.

**COLONEL DHANAJAYA GANGULU NAIDOO**: And I am now reading from point 70 Chair.

"Those of us who were within General Lazarus's inner circle received promotions often skipping a rank. Those of us who benefitted were as follows; I was promoted from Warrant Officer to Lieutenant Colonel, FM07, a close confidante of General Lazarus was appointed from the rank of Captain to Colonel. I am convinced that his promotion needed to be concealed as shortly thereafter he was placed into the Agent Programme. FM08, a close confidante of General Lazarus and the son of [redacted] from CI was promoted from constable ...[intervenes] ..."

20

**CHAIRPERSON**: Sorry, sorry Ms Wentzel will you make sure that that gap is filled to say the son of who because I assume it is somebody who should be given an FM code.

**ADV SUSAN WENTZEL:** This person does not have an FM code but – because they weren't an agent but it would identify who this person was the son of, and I understand that is why it was redacted.

**CHAIRPERSON:** Just repeat that.

**ADV SUSAN WENTZEL:** If I understand it the son of – this person was not given an FM number because I do not think that person was an agent, and just whose son it was was redacted so that you could not then deduce who the person was, but I will make sure that an FM number is given to that person as well.

10 **CHAIRPERSON:** Ja, because it is maybe necessary to say something so that's not just have blank, if it is X or Y.

**ADV SUSAN WENTZEL:** Yes I appreciate that, it would be much better.

**CHAIRPERSON:** With maybe in brackets something indicating why it cannot be disclosed.

**ADV SUSAN WENTZEL:** Yes I agree.

**CHAIRPERSON:** Ja, but obviously Colonel Naidoo knows who the son or the son of?

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I know who this person is, he is, I believe he is now deceased, he is late.

**CHAIRPERSON:** Yes. Okay but disclosing that person might disclose FM08?

**COLONEL DHANAJAYA GANGULU NAIDOO:** It would probably, might do that Chair.

**CHAIRPERSON:** Yes, okay, alright, yes, continue.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I am reading from 70.4. FM12 who is related to General Lazarus's wife was appointed to Colonel from the rank of Captain. I am convinced FM12 Chair, I think this is incorrect.

**CHAIRPERSON:** It must have been his promotion, not promotions.

**COLONEL DHANAJAYA GANGULU NAIDOO:** This is incorrect.

**CHAIRPERSON:** It must have been meant to be his promotion?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair 70.4 should actually read FM09.

10 **CHAIRPERSON:** Oh it should be FM09, not 12.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair, no.

**CHAIRPERSON:** Okay, so that should be in a supplementary affidavit Ms Wentzel.

**ADV SUSAN WENTZEL:** Yes.

**CHAIRPERSON:** Because this would have been sent to the implicated person as is.

**ADV SUSAN WENTZEL:** Yes.

20 **CHAIRPERSON:** And the supplementary affidavit would say that the reference FM12 in Clause 17.4 is incorrect, it should FM whatever the code is supposed to be.

**ADV SUSAN WENTZEL:** Yes, I will attend to that.

**CHAIRPERSON:** Yes, continue.

**COLONEL DHANAJAYA GANGULU NAIDOO:** I will just read 17.4 again  
Chair:

“FM09 who is related to General Lazarus' wife was appointed

to Colonel on the rank of Captain. I am convinced that his promotion also needed to be concealed as shortly thereafter he was placed in the Agents Programme. FM10 a confidante and possible business partner to General Lazarus was promoted from Lieutenant Colonel to a full Colonel.”

And then I go onto the Marimuthu family, this is point 71 Chair:

“The Marimuthu family and friends also benefited from their association with General Lazarus. This was still under the umbrella of the 250 posts. General Lazarus appointed the following person from Mr Marimuthu’s family, these were ...”

10

Mr Marimuthu himself Chair was not appointed in this process, he was registered as a contact person and he received a salary in the amount of R50 000 per month.

**CHAIRPERSON:** What’s the difference, if any, between a contact person and an informer?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair an informer is remunerated by CI, is registered on the system. A contact person normally deals with *ad hoc* information, is not a registered person within CI.

20 **CHAIRPERSON:** And would he be paid on an *ad hoc* basis and when there is something he has helped the police with, or he would also be – receive a standard payment, salary?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair from what I understand the contact person does not get remunerated, although they can, it all depends on the level of assistance, if you want to put it that.

**CHAIRPERSON:** Okay, alright.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Whereas an informer gets a monthly stipend and obviously based on successes gets remunerated on that level as well.

**CHAIRPERSON:** Yes, continue.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Like I mentioned Mr Marimuthu was not promoted in this process but he was registered as a contact person and he received an amount of R50 000 per month. This piece of information was told to me by his handler Chair, which is  
10 FM08.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Claims from SIC would prove this.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** FM13 was appointed as a colonel, without any prior appointment in the SAPS or CI. Chair this is still within the Marimuthu family.

**CHAIRPERSON:** Yes.

**COLONEL DHANAJAYA GANGULU NAIDOO:** 71.2, FM35 was  
20 appointed as a Lieutenant Colonel, without any prior appointment in the SAPS or CI. FM15 was appointed as a Captain or Lieutenant Colonel without any prior appointment in the SAPS or CI. FM36 was appointed as a Colonel, after leave the SAPS at a lower ranks some years prior to this appointment. FM17 was appointed as a Captain without any prior appointment in the SAPS or CI. FM18 was appointed as a clerk and



FM19 was appointed as a clerk.

**CHAIRPERSON:** And so these were all either family members of Mr Marimuthu or friends of the Marimuthu family?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Yes, and altogether it was one, two, three, four, five, six, seven, eight, eight people excluding Mr Marimuthu or nine with him.

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair, eight without him.

10 **CHAIRPERSON:** Yes, okay. Yes and then ...[intervenes]

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I also referred to another incident that I remember, this is in direct relation to how these individuals were appointed, like I mentioned earlier General Lazarus travelled with me to – from his home to his office and back, this was almost every day. On one occasion, if I can remember it was coming back from work in the afternoon, having a conversation with him, and he said that Timmy did a lot for him and he is going to return the favour.

20 **CHAIRPERSON:** Was this now after or before or after the appointment of Mr Marimuthu's family members and friends to some of these positions?

**COLONEL DHANAJAYA GANGULU NAIDOO:** Chair I assume this was before, this statement was made "Timmy did a lot for me and I am going to return the favour" I assume they were subsequently appointed after him saying this, because in what he said he is going to do it, so it still

needed to be done, from what I understand this to be.

**CHAIRPERSON:** Yes. Yes continue Ms Wentzel.

**ADV SUSAN WENTZEL:** Chair it is half past three, unless you would like to continue.

**CHAIRPERSON:** Maybe we could reach, this could go quite quickly, maybe we could finish the appointments, these appointments and they go up to the top of paragraph 24, I think he will be fast with those.

**ADV SUSAN WENTZEL:** Yes, Colonel Naidoo we are at page 19, so you have told us up to now that General Mdluli came to General  
10 Lazarus with a paper which reflected names of his family members that he wanted to be appointed to some of the 250 posts, and that that was done and that then General Lazarus also had his own family members and friends appointed as well to some of these posts and that the family members, or certain family members of the Marimuthu family were also appointed and their friends to some of the posts, is that right?

**COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair.

**CHAIRPERSON:** Yes, and then I see that at page 19 you have something to say about Colonel Barnard.

20 **COLONEL DHANAJAYA GANGULU NAIDOO:** That is correct Chair, if I can just continue reading from my statement.

**CHAIRPERSON:** Mmm.

**COLONEL DHANAJAYA GANGULU NAIDOO:** Page 19, point 73, Colonel Barnard was a Colonel, who is a Colonel in the procurement unit of CI and had dealings with SSA account referring to the Secret

Service Account, his son or family members of his were appointed, Chair I do not see the FM numbers, 73.1.

**CHAIRPERSON**: Are there names there, which should not be there and should be represented by FM codes?

**COLONEL DHANAJAYA GANGULU NAIDOO**: Chair at this stage we don't have them because on the statement it's redacted and on the FM list I don't have their names.

**CHAIRPERSON**: Okay, maybe let us stop here. Ms Wentzel would you please just go through the whole of this documents with Colonel  
10 Naidoo, identify things that should be corrected.

**ADV SUSAN WENTZEL**: Yes.

**CHAIRPERSON**: And then have a supplementary affidavit that will correct things, so that tomorrow we can just move with some speed without any problem.

**ADV SUSAN WENTZEL**: Yes, we will attend to this overnight Chair.

**CHAIRPERSON**: Yes, okay Colonel Naidoo we are going to stop at this stage, it is about twenty nine minutes to four and I am thinking whether I should say we should start at half past nine tomorrow or not, but I might wish to not disturb my plans in terms what time to start to take  
20 care of my health situation.

From your side Colonel Naidoo if I were to say we shall start at half past nine that would not create any problems?

**COLONEL DHANAJAYA GANGULU NAIDOO**: That would be fine Chair.

**CHAIRPERSON**: That would be fine with you, okay let us say we will start at half past nine tomorrow but there is room that in the morning

depending on how I feel, I might send a message that we will start at ten, so if you come at half past nine and find that there is a message that we will start at ten please bear with me, but if at all possible we will try half past nine.

**ADV SUSAN WENTZEL:** Yes, that is perfectly suitable.

**CHAIRPERSON:** Okay, thank you. We will stop at that then for today.

We adjourn.

**REGISTRAR:** All rise.

**INQUIRY ADJOURNS TO 1 OCTOBER 2019**