

Diagnostic Evaluation on the functionality of Traditional Institutions and their support offices in the Province of KwaZulu-Natal

Evaluation Report

November 2016



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EXECUTIVE SUMMARY

Introduction

The purpose of this report is to present the findings of the diagnostic evaluation conducted on the functionality of traditional institutions and their support offices. This evaluation report will assist the Department in understanding the current situation and its causes. This report will also be used by the Department to determine the type of support required from traditional institutions and their support offices. It will further assist the Department in identifying problems and opportunities in the development of support interventions.

The best method that needed to be used to identify the aforementioned areas was benchmarking, to which benchmark frameworks were used to determine the functionality of these institutions and challenges.

Scope of evaluation

- Traditional institutions defined in this evaluation are traditional councils. The scope of evaluation focused only on newly constructed Traditional Administrative Centres (Hereafter referred to as TAC). A total of 38 TACs were visited throughout the province.
- District support offices defined in this evaluation are the district local house offices. The scope of this
 evaluation focused on 11 district support offices throughout the province.

The benchmark criteria for traditional institutions

The traditional institution's benchmark consisted of 30 standards. The standards were divided into 3 areas being:

- Organisation;
- Infrastructure and
- Operations

Tabled below are standards

	Total standards 30	T
Functionality area	Standard	Total
Organisational	Inkosi	
structure	TC Secretary	-
	Traditional Council	3
Infrastructure (Office	Inkosi	
space)	TC Secretary	-
	Boardroom	5
[Traditional court	- 3
	Storage of records	1
Infrastructure	Inkosi	
(furniture)	TC Secretary	
	Boardroom	5
	Traditional court	٥
	Storage of records	

A question arises from the benchmark assessment of the traditional councils visited: After the provision of support to traditional councils through hard services and soft services, are traditional councils able to function effectively on their own? Are they able to maintain themselves on their own?

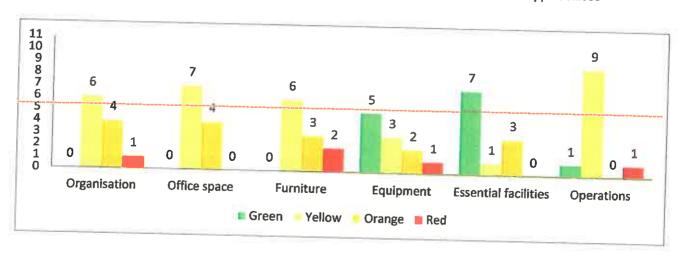
The assessment conducted indicates that all traditional councils visited were not fully functional in all assessment areas, but showed strengths in certain assessment areas. The following was found per assessment area:

- Organisation: The 7 of the 38 traditional councils obtained 100% functionality in the organisation assessment area. This means that these traditional councils have an Inkosi, a traditional council secretary and all traditional councillors which were elected since the 2012 traditional council elections. The remaining 31 traditional councils only have the traditional councillors elected by the Inkosi and not traditional councillors elected by the traditional community. Besides the delay in the payment of sitting allowance as one of the reasons for this challenge, it is noted that former traditional councillors absconded their positions due to an impression that being a traditional councillor was an employment opportunity and not a voluntary occupation. Even though the Department is blamed for this miscommunication, the traditional councillors elected by the Inkosi still attend meetings, regardless of the delay in payment of sitting allowances.
- The matter of traditional council secretaries embarking on a go slow uncovers the gaps in the set terms
 and conditions of their appointments. The question arises as to who traditional council secretaries are
 accountable to and terms to which they are payed their stipends.
- Office space: 25 out of 38 traditional councils had adequate office space to perform their functions. The
 remaining 13 traditional councils either did not have an allocated room for the storage of records such
 as a strong room or some rooms were not used due to lack of space and inhabitability.
- Furniture: 24 out of 38 traditional councils had all their TAC rooms fully furnished. The remaining 13 traditional councils either had furniture which did not adequately fit some rooms or were not fully furnished or had furniture which was exposed to wear and tear.
- Equipment: 9 out of 38 traditional councils had adequate had adequate equipment which was fully functional. The remaining 29 traditional councils either had equipment which was not functioning optimally, or had no equipment to perform their functions. The low number of traditional councils indicates that the majority of the visited traditional councils did not have the funds to maintain and replace the equipment they have. It is also noted that there were traditional councils with no equipment such as computers and printers, while a neighbouring traditional council was well resourced with equipment provided by the Department. The matter of equal distribution of resources such as tools of trade need to be considered.
- Essential facilities: 13 out of 38 traditional councils had adequate functional essential facilities. The
 remaining traditional councils either had no electricity, or were reliant on water tank trucks as their
 source of water. The major challenge noted was the issue of electricity where it was noted that that

Functionality :	area	Standard	Total	
Infrastructure (1	furniture)	Deputy Director	TOLEI	
		Assistant Directors	-	
		Administration Officers	-{	
		State Accountants	4	
		Administrative Clerks	-	
		Accounting Clerks	11	
		Drivers/ Messengers		
		Development Facilitation Officers	-	
		Other-Who work in Units outside Traditional Institutional Support	-	
		Boardroom	-	
		Storage of records		
nfrastructure (E	quipment)	Computers		
		Printers		
		Photocopiers	4	
		Telephone		
nfrastructure	(Essential	Water		
acilities)		Electricity		
		Ablution facilities	3	
perations		Hosting of LH meetings		
		Admin support to LH		
		What set institutional arrangements do you have within your office?		
		Are the set institutional arrangements working?		
		Execute decision of house		
		Record keeping for the house		
		Support to TCs		
		Transport and logistical arrangements Management of financial affairs	14	
		District Office has an operational plan		
	1	Operational plan is aligned to Business plan of CD/D		
	ľ	Office Meetings are held		
		Frequency of meetings		
	ļ	Colleagues from other Units are invited to meetings		
	1	Training sessions attended by District Office staff		
		2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 -		

Findings on the benchmark criteria

Tabled below are the findings of the benchmark criteria assessment conducted on district support offices



specialist units to action these raised enquiries, due to their scope of support. In as much as district offices are referral agents, they are affected by inefficiencies such as delays in payments of sitting allowances, stipends and Subsistence & Travel allowances (S&T), to which they do not have answers. This brings the need of bringing functions within the head office closer to the coalface of service delivery being at district offices, to improve the efficiency of Departmental support to traditional institutions.

In as much as these observations are made, it is important for this evaluation to establish the expectations of Head office, the district office and traditional councils establish the functionality expectations and why they would have not been met.

Expectations of District support offices and the head office

	Total interviewed: 3	
	What are the expectations of the District office from the Head office	
	Expectation	Number which raised issue
1	Should be a supporting agent at district level. Ensuring that traditional institutions are supported in performing their functions effectively	(3/3) or 100%
3	Should be able to support traditional councils with the understanding of Departmental policies and processes	(2/3) or 67%
4	They should be supporting the Head office when they arrive on all issues such as land, local governance, OSS, disputes issues	(1/3) or 33%
5	They should be able to provided leadership and guidance to staff within the District office	(1/3) or 33%
6	The District Office should be linked to an organisational structure that is enables decentralised decision making	(1/3) or 33%

Expectations of the district office from the Head office (The Traditional Affairs Branch)

There is a general view that the district office should be a "supporting agent" at district level. Even though there is a general view that expectations are met, the decentralised approach is critical to the realisation of district office being supporting agents that would ensure that traditional institutions perform their functions effectively.

	tal interviewed: 38	
	What are the expectations of the District office from traditional councils	Number which raised issue
	District offices should be offices that should provide services that meet traditional councils halfway in operations and ensure that they function effectively. Support should include provision of tools of trade, training and maintenance of our TACs	(00/00) 050/
2	Coordination of the support in community projects	(2/38) or 5%

Expectations of the district office from the traditional councils

Traditional councils do feel that the District office should be a 1 stop shop providing support services that would ensure that they function effectively. There is also a need for district of the office to add on functions that would ensure that traditional councils are met halfway in terms of their operations.

Structure	Are these expectations met?	
District Offices	No. there is lack of coordination as a result of a silo mentality at head office. No understandings of the issues faced by district office, but have expectation that they should function optimally. No. Feedback relating to district offices and traditional councils is not brought as quickly as possible.	

Out of the 3 structures being the head office, the district offices and traditional councils, the reasons as to why their expectations have not been met were as follows:

- That the Department was not well structured to for a coordinated approach
- There was no understanding amongst structures as to how each of them work. To which there were
 impressions that the Head office did not understand the environment which district offices work in and
 that district offices do not understand the environment traditional councils work
- That role-players in the Department do not play their role to support the coordinated support approach, such as providing feedback to enquiries in a timeous manner.
- Even though the Department is providing support, it does not realise the potential role it can play
- That there was no communication of expectations from the client to the support agent and vice versa.

Conclusion

Traditional councils

The visit of new TACs indicated that traditional councils were well resourced with office space and furniture to perform their legislated functions. The noted challenges formed around traditional council's equipment and essential facilities such as electricity. The challenges rose by traditional councils in these areas raises the question as to if traditional councils are able to maintain the infrastructure they have and if they have the necessary funds to maintain this infrastructure

The district offices

It is noted that district offices are experiencing human resource challenges as critical positions within district offices are not filled. Even though district staffs are accommodated well in these offices, the risk arises as to if there would be enough office space and furniture for district office staff if the district office reaches full human resource capacity. It is also noted that district operations are not uniform the portfolio of coordination units.

Functionality of the traditional council district support office system

Noting the challenges affecting traditional council's functionality and looking at set functions of the district office, it is clear that the noted challenges are beyond the scope of the district office to address. Moreover the specialist units stationed are not adequate enough to address challenges raised by traditional councils in an efficient

- The provision of equipment should be based on the availability of essential facilities such as electricity. This is to ensure that equipment is not supplied to areas where it would not be functional.
- Understanding of how coordination units are playing their role in coordinating district offices
 An exercise through an engagement session would be needed to establish how coordination units play their role, and establish how:
 - They ensure uniformity in the functioning of district offices under their portfolios
 - They ensure operational gaps are addressed in district offices under their portfolios, such as working arrangements with specialist units and operations management.
- Review of district office structures:
 - District office structures and working arrangements need to be reviewed to ensure that more specialist units are based at district level. This would ensure rapid feedback in the provision of support and feedback in enquiries from traditional councils.
 - A feasibility study of a Matrix project management structure is needed, to establish options in the provision of coordinated support that is custom made in accordance to the needs of traditional institutions within districts.
- Development of a model of an ideal district office

Based on the findings of the benchmark criteria assessment, the Traditional Affairs Branch needs to develop a model of an ideal district office that would ensure functions are performed effectively at district level.

- Review of the criteria of the makeup of traditional councillors
 In addressing the noted challenge of reduced number of traditional councillors, the criteria of the election of traditional councillors needs to be reviewed. This would include the appointment of employed individuals within traditional communities such as teachers and lawyers. This approach would ensure traditional councillors attend to their functions as a voluntary occupation and they would not be affected payment of the sitting allowances provided by the Department.
- Exploring the staffing of traditional councils
 In light of the ambiguity in the appointment status of traditional council secretaries, the Department needs to explore options as to how traditional councils can be staffed in terms of section 12 of the KwaZulu-Natal Traditional leadership and governance Act No.5 of 2005. This would ensure that the administrative function of traditional councils is performed without any challenges.
- Development of a model of a functional traditional council
 Based on the findings of the benchmark criteria, the Traditional Affairs Branch needs to develop a model of an ideal traditional council.

1. INTRODUCTION

The purpose of this report is to present the findings of the Evaluation conducted into the functionality of Traditional Institutions and support offices which provide services to them. This report will be used to assist the Department in understanding the current situation of the institutional arrangements in place and their causes. The findings of this report will also be used by the Department to determine the type of support needed from traditional institutions and their support offices. Accompanying this report is a detailed functionality which provides further details to noted traditional councils and district offices.

2. BACKGROUND

The Institution of Traditional Leadership

The Institution of Traditional Leadership in the Province of KwaZulu-Natal consists of 3 main structures; to which Amakhosi perform their legislated functions as per the KwaZulu-Natal Traditional Leadership and Governance Act No.5 of 2005 (hereafter referred to as the Act). The aforementioned structures function at three levels which are as follows:

- Traditional council: Based within Local Municipalities, traditional councils consist of a council where its
 members are appointed by both the traditional community and their senior traditional leader (hereafter
 referred to as Inkosi). The Inkosi is the chairperson of the traditional council and functions are
 performed as per section 8 of the Act.
- The Local House of Traditional Leaders: A district level structure which consists of all the Amakhosi
 which fall under the jurisdiction of the respective district. There are eleven 11 Local Houses of
 Traditional Leaders in the Province and function as per sections 38 of the Act and section 17(3) of the
 Traditional leadership and Governance Framework Act No.41 of 2003.
- The Provincial House of Traditional Leaders: A provincial level structure consisting of elected Amakhosi, which represent the 11 Local Houses of Traditional Leaders in the Province. The Provincial House of Traditional Leaders performs their functions as per section 34 of the Act.

Support provided by the Department to the Institution of Traditional Leadership

The Department is mandated by section 28 of Act to provide support to the Institution of Traditional Leadership, in which two types of services are provided being soft and hard services. In the context of the Traditional Affairs Branch within the Department, soft and hard services are defined as follows:

Soft Services

Soft services are defined as services with intangible products. Soft services include the following services:

- Technical support, guidance and advice to the Branch's clients.
- Training and capacity building support to the Branch's clients.

Observations on the Functionality of the system of the Institution of Traditional Leadership

The Traditional Affairs Branch within the Department observed through Departmental reports and asset verification processes, that not all traditional institutions and support offices are uniform in terms of functionality throughout the Province, citing challenges that needed to be further investigated. This observation prompted the Department to ask the following questions:

- Are Traditional Institutions and their support offices well-structured to function as per their mandates?
- Are the challenges in the functionality of the system within the Department's control?
- If these challenges are within the Department's control, what can the Department do in the short, medium and long term to address these challenges?

The need for an evaluation to assess the functionality of the system

The aforementioned challenges and questions motivated the need for the Department to establish a way forward in ensuring that the system within the Institution of Traditional Leadership is functional. Prior to the development of a way forward, the Department requested that the Evaluation Unit conduct an Evaluation on the functionality of Traditional Institutions in the Province along with the support offices in the province to establish the following?

- To what extent are Traditional Institutions and their respective support offices well-structured to meet their mandate?
- What challenges are affecting the functionality of the Traditional Institutions and their respective support offices?
- To what extent are these challenges within the Traditional Affairs Branch's control?

3.2 The purpose and the objectives of the evaluation

The purpose of this evaluation was:

To establish the functionality of the Traditional Institutions and their support offices in meeting their set mandate

In line with the aforementioned purpose, the evaluation aimed to answer the following main questions?

- At what level of functionality are Traditional Institutions?
- At what level of functionality are District support offices?

To meet the purpose of this evaluation and its main questions, the evaluation aimed to meet the following objectives:

- To establish the standards informing functional Traditional Institutions and support offices, so as to develop a benchmark criteria for the system of the Institution of Traditional Leadership.
 - o What forms a functional Traditional Council?

4. BENCHMARK CRITERIA

This section aims to present the benchmark criteria frameworks which were used to assess the functionality of traditional institutions and their support offices.

4.1 Benchmark criteria framework

A benchmark criteria framework was developed for the district office and traditional councils. The Act and the Departmental organisational structure was used along with inputs from the Chief Directors within the Traditional Affairs Branch to establish develop the benchmark standards. The benchmark criteria consist of 3 areas being the following:

- Organisational structure- Looking into the organisational makeup of the institution.
- Infrastructure- Looking into the infrastructural issues such as rooms, furniture and equipment and essential facilities
- Operations-Operations conducted by the institution to fulfil its mandate.

District Office benchmark framework

	Total standards≈54	
Functionality area	Standard	
Organisational structure	Deputy Director	Total
	Assistant Director	
	Administration Officers	
	State Accountant	
	Administrative Clerks	
	Accounting Clerks	
	Cleaner	10
	Driver/ Messenger	
	Development Facilitation Officers	
	Other-Who work in Units outside Toutil	
nfrastructure (Office space)	Other-Who work in Units outside Traditional Institutional Support Deputy Director	
, ,	Assistant Directors	
	Administration Officers	
	State Accountants	
	Administrative Clerks	
	Accounting Clerks	
	Drivers/ Messengers	11
	Development Facilitation Officers	
	Other-Who work in Units outside Traditional Institutional Support	
	Boardroom Boardroom	
	Storage of records	
frastructure (furniture)	Deputy Director	
	Assistant Directors	
	Administration Officers	_]
	State Accountants	
	Administrative Clerks	
	Accounting Clerks	
i	Drivers/ Messengers	11
[Development Facilitation Officers	
	Other-Who work in Units outside Traditional Institutional Co.	_
	Boardroom Support	
	Storage of records	_

5. FUNCTIONALITY OF TRADITIONAL COUNCILS

The purpose of this section is to present the findings of the functionality assessment conducted on the traditional councils that were visited in this evaluation. This section covers the following areas:

- The overall summary of the functionality of traditional councils visited
- Observations made on the benchmarking of traditional councils visited, covering 3 areas being organisation, infrastructure, and operations

5.1 The overall summary of the functionality of traditional councils visited

Functionality in specific assessment areas was noted. The table below presents the findings on the functionality assessment conducted across the 11 districts, which areas of strengths and weakness were identified per traditional council.

Key 05-49%	50%-69%	70	%-89%	90%	-100%		<u> </u>
			Infrastructure				
Traditional council	Organisation	Office space	Furniture	Equipment	Essential Facilities	Operations	Overall functionality
Test: Ideal situation	100%	100%	100%	100%	100%		Functionality
10			Ugu Distric	t .	1823	1000	100
Amanyuswa TC	83%	100%	100%	80%	83%	83%	889
Qiko TC	83%	90%	90%	:40%	67%	72%	759
Mkhize/Ukuthula TC	67%	80%	100%	100%	100%	78%	
Mabheleni TC	67%	100%	100%	60%			
Nsimbini/Ndwalane TC	83%	80%	100%	100%	10000	83%	~
			ungundlovu		1923	00.00	34/
Mafunze TC	100%	100%	100%	100%	100%	61%	879
Inadi TC	50%	100%	100%	60%	0%	44%	629
Iziminza/Molefe TC	67%	80%	90%	40%	50%	89%	
Nxamalala-Main TC	100%	100%	100%	70%	100%	89%	929
Bomvu/Faya TC	67%	100%	90%	100%	33%	78%	82%
		U	thukela Dist			7 0 70	OZ A
Mahlubini TC	83%	100%	100%	70%	67%	83%	85%
Amambo TC	83%	100%	100%	80%	100%	100%	95%
Mazibuko/Amangwe	83%	100%	100%	70%	67%	100%	93%
Mchunu TC	100%	100%	100%	40%	67%	100%	85%
Mbhense-TC	83%	100%	100%	20%	33%	94%	
			nzinyathi Dist			34.50	77%
/langwe/Buthanani TC	83%	100%	100%	70%	67%	78%	88%
		A	majuba Distri	ct			
(humalo TC	83%	100%	100%	40%	0%	94%	73%
Gule/Nyanyadu TC	67%	100%	100%	40%	67%	78%	77%

5.2 Observations made from benchmarking traditional councils

5.2.1 Organisation

It was noted that 7 of the visited traditional councils, were in full capacity in terms of human resources. This was in terms of having an Inkosi, a traditional council secretary and all traditional council members in place since 2012 traditional council elections. The 7 traditional councils found in 6 districts are noted as follows:

- uMgungundlovu District: Mafunze and Nxamalala-Main traditional councils
- Uthukela District:Mchunu traditional council
- Zululand District: Empangisweni traditional council
- King Cetshwayo District: Dube traditional council
- Ilembe District: Mathonsi (Doringkop)
- Ethekwini District: Ximba

Traditional councillors

- It was noted that the 31 remaining traditional councils visited had a reduced number of traditional councillors. This was as a result of traditional councillors absconding their positions due to the following reasons:
 - Delay in the payment of sitting allowances: Traditional councils visited noted that the sitting allowances that were due to traditional councillors had not been paid since the 2014/2015 financial year. It was noted that traditional councillors were receiving sitting allowances from the 2014/2015 financial year, to which the allowances from the 2015/2016 and current financial year are still outstanding. The delay in payments does not allow them to attend traditional council meetings for those that live in a distance where transport is required.
 - The amount payed as a sitting allowance: Traditional councils noted that the sitting allowances received of R200 was not a liveable wage. Traditional councils also noted that communications made by the Department, encouraging communities to be part of traditional councils were misleading, as salaries were promised to which they only received R200 sitting allowances per quarter.
 - Impression that being a traditional council member was an employment opportunity: Traditional councils visited noted that they had an impression that would earn equally to ward councillors, to which they only received sitting allowances. This resulted in former traditional councillors searching for employment opportunities
 - Persal issues: Traditional councils visited also noted that former traditional councillors absconded their positions because the Persal numbers issued could not enable them to benefit from community empowerment opportunities within their communities.

- The Department had a tendency of making announcements on radio without consulting Amakhosi and traditional councils, not considering its ramifications. One such announcement was the order to stop the payment of tribal levies, to which traditional councils used funds from these sources, needs to maintain themselves.
- 2 of the visited traditional councils noted that the role of the traditional council secretary is often too much for 1 person. Traditional councils noted that traditional council secretaries often handle enquiries and have to do administrative work. This work they feel, needs probably 2 people. Traditional councils noted the following causes of this challenge:
 - The Structure of the traditional institution does not commensurate the issues faced by the traditional council.

5.2.2 Infrastructure (Office space)

Almost all Traditional Administrative Centres (hereafter referred to as TAC) visited had been adequately designed to have office space to accommodate the following elements:

- Inkosi;
- The traditional council secretary;
- A boardroom:
- A traditional court and
- A strong room for the storage of records

Only 6 traditional councils, had no strong rooms to store records. Issues found in this area focused mainly focused on the utilisation of office space within the Traditional Administrative centres. Tabled below are the following scenarios

Office space total percentage 100%	Sc 1	enario of percentage Office space for all five elements and in use	TCs in scenario 26/38 or 68%	Office space 4%	
90%	2	Office space for all elements with only 1 element not in use	2/38 5%	23%	
80%	3	Office space for all elements but there is no strong room	7/38 or 18%		Scenario 1 Scenario 2 Scenario 3
		Office space for all elements except more than 1 element is not in use	2/38 or 5%	974	Scenario 4
50%	4	Office space for all elements but not in use	1/38 or 4%		

In light of the aforementioned scenarios the table below indicates the

Sci	enario of percentage TAC fully furnished	TCs in scenario 25/38 or 65%	Furniture 4%
2	TACs furnished with not enough furniture accommodate officials	10/38 or 26%	5% ■ Scenario 1
3	TAC furniture experiencing wear and tear	2/38 or 5%	■ Scenario 2 Scenario 3
4	TAC furniture not used	1/38 or 4%	Scenario 4 Scenario 4

Traditional councils found in scenario 2 of this area, experienced challenges where furniture supplied was not enough to ensure that they are able to perform their functions. Noted examples are the offices of the Inkosi in Bomvu/Faya traditional council and the office the traditional council secretary in Iziminza/Molefe traditional council.



Above: Office of Inkosi in the Bomvu Faya traditional council

The traditional councils in scenario 3 have furniture that is either broken or worn. This is seen in the Khumalo Traditional council and the Bhejane traditional council.

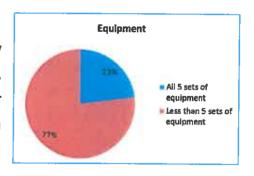
The traditional council is scenario 4 is the Madlebe Traditional council which has new furniture, but can only be used once the new TAC has been handed over.



Above: Worn and torn boardoom chairs and broken table at the Bhejane traditional council

5.2.3 Infrastructure (Equipment)

This is the most challenged area in the infrastructure category. Only 9 of the traditional councils visited had all equipment elements, which were functional. The remaining 29 traditional councils either had equipment which was not functional or were not supplied with equipment.







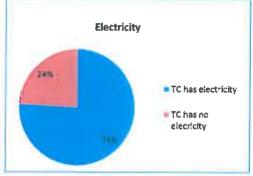
Left: Computer at Amangwe Traditional council
Right: Computer at Mangwe/ Buthanani Traditional council

5.2.5 Infrastructure (Essential facilities)

Only 14 of the traditional councils visited had all the functional essential facilities needed for a functional TAC. The remaining 24 o the traditional councils had challenges in the availability of 1 or more essential facilities. The following was found:



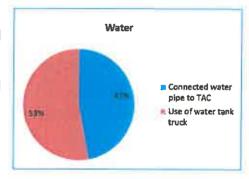
 29 of the traditional councils visited had electricity. This was either through prepaid payment options, meter payment options or a solar power supply.



The remaining 9 traditional councils did not have electricity as electricity was disconnected due to outstanding fees. It is also noted that there are traditional councils with non-functional solar power sources that also fall within this category, such as the Gule/Nyayadu and Sibonelo esihle/Kholwa traditional councils.

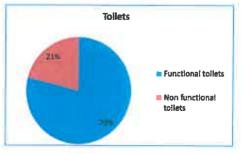
Water:

- 18 of the traditional councils visited had a connected water source to their TACs.
- The remaining 20 traditional councils visited used water tank trucks as their main water supply.



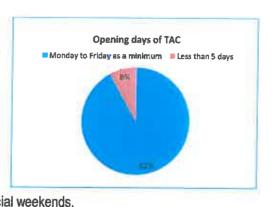
Toilets:

30 of the traditional councils visited had functional toilets, which were either flush toilets or pit latrine toilets.

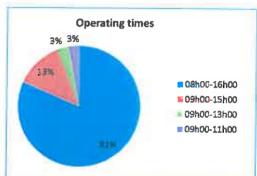


5.2.7 Operations

- Operating days
 - It was noted that 35 of the visited traditional council's TACs were opened for at least 5 days a week. Amongst the aforementioned traditional councils there were those that opened their traditional councils 7 days a week and some that opened on special weekends. Mahlubini TAC opens from Monday to Sunday, while the Dungeni and Ximba TACs open special weekends.



- The remaining 3 traditional councils were opened for less than a week. The Dube and Inadi TACs open for 4 days in a week, while the Mpungose South TAC only opens on Tuesdays.
- Operating hours
- It was noted that 32 of the traditional councils visited opened their TACs for more than 7 hours a day. These TACs opened between 8am and 4pm.
- Only 4 of the visited traditional councils visited opened between 9am and 3pm
- The remaining TACs opened for less than 7 hours a day. The Inadi TAC opens between 9am and 1pm due the fact that the toilets did not work. While the Mpungose TAC only opens between 9am and 11am.



- Noted best practices in the opening days and opening times of TACs
 - The submission of documents by traditional councils to district offices on a monthly basis often means that the TAC would be closed for 1 day, to which communities cannot be assisted in terms of enquiries.
 - o Isiminza/Molefe traditional council have an arrangement in place where 2 izinduna attend to izinduna of Isiminza/Molefe TC community members queries in the TAC, allowing

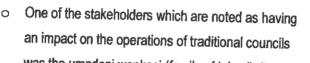


Above: The traditional council secretary and

- the traditional council secretary to submit documents at the district office in Pietermaritzburg
- The Mdletshe traditional council has 2 traditional council secretaries, to which 1 is available to address enquiries should there be a day where documents are submitted to the district office in Mkhuze.

Governance

- Understanding of roles and responsibilities within the traditional institutions:
 - 22 of the traditional councils visited noted that their members of the traditional institutions (Umndeni wenkosi, traditional councillors, Izinduna and Inkosi) understood their expected duties.
 - The remaining 16 traditional councils noted that the members of their traditional institutions not understand their expected duties. This was seen in the disagreements between traditional councillors and izinduna on their roles and responsibilities.

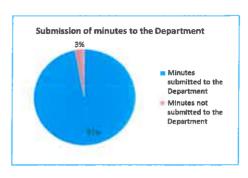




- was the umndeni wenkosi (family of Inkosi). It was observed that they also need to make aware of the fact that traditional councils and their assets do not belong to imindeni yamakhosi.
- It was also noted that imindeni yamakhosi did not understand the ownership of assets within TACs. They would take furniture and assets, to which they would say "Eyasekhaya" meaning it belonged to the Umndeni wenkosi. This often results in assets such as computers, being returned not functioning optimally, and creating audit risks for traditional council secretaries. The cited cause of this challenge was that, awareness on the ownership of traditional council assets was not extended umndeni wenkosi at its audience. This was seen in the Mahlubini and Mabheleni Traditional Councils. Another matter related to the disputes among Umndeni wenkosi in the Mbhense traditional community, where members of umndeni wenkosi disrupted traditional council operations
- There were also cases where Amakhosi are viewed as not playing their role, to which they rarely come to the TAC for traditional courts and traditional council meetings. This is seen in the Mabheleni and Mpungose (South) traditional councils. The identified cause of the aforementioned challenges was the lack of training on roles and responsibilities for Amakhosi
- Functionality of traditional courts:
 - 21 of the traditional councils visited noted that their traditional courts are functional to which their traditional communities take their bylaws seriously
 - The remaining 17 of the traditional councils visited noted that challenges are experienced in the functioning of traditional courts. The following was cited:

Minutes submitted to the Department

- 37 or 97% of the visited traditional councils noted that they submit minutes of quarterly meetings to the district office.
- 1 traditional council noted that they do not submit traditional council minutes noting that the Department had not requested minutes to be submitted.



5.3 Recommendations from Traditional councils

Area	Recommendations	Number	raising
		recommendation	า
Organisation	Increase remuneration of traditional council members and traditional council secretaries, to motivate them in performing their duties	12/38 or 32%	
	Review of the 60/40 traditional council makeup to ensure as it is only the 60% which attend traditional council meetings diligently	6/38 or 16%	
	Absorption of traditional council secretaries	6/38 or 16%	
	Payment of sitting allowance on time	5/38 or 13%	
	Same level of attention needs to be provided to TC secretaries as to Izinduna considering work done	4/38 or 11%	
	Support in the recognition of a new Inkosi	2/38 or 5%	
	Need for new traditional council elections	2/38 or 5%	
	Screening of new TC members to ensure politics is not brought into traditional council meetings	2/38 or 5%	
	Orientation workshops be conducted as soon as new traditional councillors are elected	2/38 or 5%	
Infrastructure	Broaden support to Operations & Maintenance support of TACs	6/38 or 16%	·
	Equal distribution of resources amongst Traditional Councils s such as tools of trade to ensure traditional councils meet performance expectation	6/38 of 16%	
	Provision of security to guard the TAC and its assers	6/38 of 16%	· · · · · -
	Logistical support must be provided to Amakhosi in the form of an allocated vehicle	4/38 or 11%	
	Provision of petty cash to purchase cleaning materials for the TAC	4/38 or 11%	
Operations	Rapid feedback from the Department on issues raised by traditional councils	18/38 or 47%	
	Training of traditional councillors and izinduna on their roles and responsibilities	13/38 or 34%	
	Awareness campaigns to traditional communities on the importance of traditional leadership and its by-laws	8/38 or 21%	
	Awareness needs to be provided to Inkosi and Umdeni wenkosi on the importance of receipts and the usage of traditional council assets such as computers and furniture	4/38 11%	
	Regular visits and compliance checks by the district office	4/38 or 11%	
	Training of Amakhosi on their roles and responsibilities	3/38 or 8%	
	Guidance on the nature of cases brought to traditional councils & magistrate courts	2/38 or 5%	

- for this miscommunication, the traditional councillors elected by the Inkosi still attend meetings, regardless of the delay in payment of sitting allowances.
- Office space and furniture: This seen as a strong point as the structures built were well designed to fulfil
 their functions. Moreover they were well furnished to meet the requirements of the duties the traditional
 councillors perform.
- Equipment: The low percentage at 23% on the equipment assessment area indicates that the majority of the visited traditional councils did not have the funds to maintain and replace the equipment they have. It is noted that you would have traditional councils with no equipment such as computers and printers, while traditional council next door was provided the aforementioned equipment by the Department. The matter of equal distribution of resources such as tools of trade need to be considered.
- Essential facilities: The 36% indicates very few traditional councils had all functional essential facilities.
 The major challenge noted was the issue.
- In terms of electricity it was noted that that there were traditional councils which has solar power electricity sources. It was observed that in cases where the solar power source did not work, affected traditional councils did not have electricity, because they owed in electricity fees. This indicates the traditional councils ability to maintain themselves
- TACs are prone to burglaries. As a result equipment which is important in traditional councils performing
 their operations is either stolen or damaged. The matter of security around the equipment the
 Department supplies needs to be taken cognisance of.
- The 21% on the operations assessment area indicate that most the traditional councils experienced operational challenges. Most of the noted challenges were the lack of understanding of roles and responsibilities and the non-functionality of traditional courts.

The other question arises as to if the Department in its structure and form is able to provide the support that would fill functionality gaps in traditional councils all over the province? This will be found in the next section.

6.3 Observations made from benchmarking District Offices

6.2.1 Organisation

The organisation area was divided into 4 sub-areas being Management & Coordination, Administration, Financial Management, Development facilitation and Auxiliary services. The table below describes the sub-areas in detail.

Sub-Area	Performance areas	Designations
		under the sub-
		area
Management	Manage the overall functioning of the Local House, including all resources	Deputy Director
and	Manage & provide the provision of logistical, transport and auxiliary support services to the Local House	and Assistant
coordination	Assist in advising Municipalities on customary law, customs, traditional leadership and traditional communities within the District Municipality	Director
	Assist in advising the District Municipality on the development of planning frameworks and by-laws that will impact on traditional communities	
	Implement decisions of the House and keep record of all activities for the House	
	Provide support to Traditional Councils	
	Provide financial management support to Traditional Councils and to the Local House Assist with land administration matters	
Administration	Provide administrative and secretariat services to traditional councils	Administrative
	Administer the finances of the Traditional Council	Officer and
	Administer assets and other resources of the Traditional Council	Administrative
	Provide support with land administration matters	Clerk
	Render general clerical support services.	
	Provide supply chain clerical support services within the component.	
	Provide personnel administration clerical support services within the component.	
	Provide financial administration support services in the component	
Financial	Provide financial management support to TCs	State Accountant
	Procure supplies and services for TCs and LH.	& Accounting
Management	Ensure effective and efficient management of assets of TCs and LH	Clerk
Development	Facilitate the implementation of social development interventions in partnership	Development
Facilitation	with Traditional Leaders and other relevant stakeholders.	Facilitation
racilitation	 Facilitate the provision of infrastructure development initiatives for traditional communities 	officers
	 Facilitate linkages between the Traditional Institutions and municipalities with regard to IDP's 	
	Render advice and support to the Institution of Traditional Institutions	
Auxiliary	Provision of auxiliary services to the District office	Driver/Messenger and Cleaner
Specialist	Head office Units stationed in District Offices	
Units		

- Specialist Units: 10 or 91% of the District offices have officials from specialist units stationed in their offices. The following units were noted to be stationed in the district offices
 - Traditional Council Land Administration: Stationed in 7 district offices
 - o Public Participation-Community Development Workers: Stationed in 7 district offices
 - o Rural Connectivity and Urban Rural Development: Stationed in 5 district offices
 - Synergistic partnerships: Stationed in 1 district office
 - Local Government Rapid Response: Stationed in 1 district office

Umgungundlovu district office does not have officials from specialized units stationed in their offices as they are in the vicinity of the head office.

6.2.2 Infrastructure

Office space

It was noted that district offices had office space based on their current capacity, for example a district office with no state accountant would not have allocated office space for a state accountant, but would have office space for existing staff within the district office. It was noted that there were different type of office space arrangements in place, being the following:

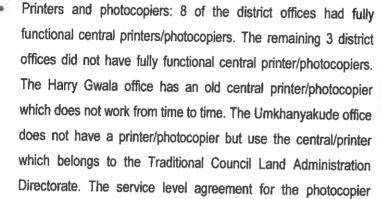
- Private office (P): Occupied by 1 person
- Shared Office (SO): Occupied by maximum of 2 people
- Open Plan office (OP): Occupied by more than 2 people

The table below illustrates the office space arrangements in the district offices per sub area

District office	Management & Coordination	Administration	Financial Management	Development Facilitation	Auxiliary	Specialist Units stationed in district office	Office space makeup per office	Total staff capacity in district office
Ugu	Р	Р	Р	Р	P	Р	P=100%	61%
Umgungundlovu	P	P+SO	SO	SO	SO		P=20% SO=60% P+SO=20%	67%
Uthukela	Р	SO	Р		SO	P	P=60% SO=40%	44%
Umzinyathi	P	P	Р		SO	Р	P=80% SO=20%	67%
Amajuba	Р	Р	P		P	Р	P=100%	61%
Zululand	Р	OP	OP		OP	OP	P=20% OP=80%	78%
Umkhanyakude	Р	P	P		SO	P	P=80% SO=20%	56%
King Cetshwayo	Р	P+SO	P+SO		SO	P	P=40% P+SO=40% SO=20%	83%
llembe	Р	P	P	P	Р	Р	100%	89%
Harry Gwala	Р	Р	P	Р	Р	Р	100%	83%

6.2.4 Equipment

• Computers: 6 of the district offices had fully functional computers. The remaining 5 district offices have computers which are not functioning optimally due to the fact that they are overdue for upgrades. It was also noted that these computers were inherited, to which there is red tape in their replacement. The 5 district offices are uMgungundlovu, Umkhanyakude, Uthungulu, Ilembe and Harry Gwala district offices.





Above: Desktop computer not working optimally, overdue for an upgrade



Above: The photocopier in Harry Gwala District Office which does not work from time to time

machine in the Amajuba office had expired to which the printer/photocopier belonging to Traditional Council Land Administration is not available for use, as the printing room is locked by the aforementioned Directorate.

Telephones: All 11 offices or 100% have functional landlines.

6.2.5 Essential facilities

- 7 district offices have all essential facilities.
- The remaining 4 district offices faced the following challenges:
 - Water interruptions affect the functionality of toilets. This is seen in Umzinyathi, Umkhanyakude and Harry Gwala district offices.
 - o Interruptions in electricity are as a result of the overdue payment of electricity fees. This is seen in Umkhanyakude and King Cetshwayo district offices.

Support provided to traditional councils

- District offices note that they attend traditional council meetings and provide financial management support to traditional councils. A noted challenge is the go slow conducted by traditional council secretaries, where documents are not submitted to the district office for processing.
- The Umngungundlovu also assists in special projects conducted by traditional institutions in the district, such as the Ondlunkulu programme.

Transport and logistical arrangements

- 8 of the district offices noted that they provide transport to Amakhosi only.
- 2 of the district offices being the Umgungundlovu and Amajuba offices also support traditional council secretaries, by transporting them to their traditional councils when carrying sitting allowances for traditional councillors. They also only transport members of the local house in cases where an Inkosi dies.
- 1 district office being the Umzinyathi office does not provide transport arrangements, noting that Amakhosi have their own vehicle.

Management of financial affairs

All district offices noted that they provide this service to traditional councils

Working arrangements with specialist Units

- Working arrangements in place
 - The district office had the following expectations in terms of working arrangements with specialist units:
 - District offices The District Office would play a one stop shop role for the Institution of Traditional Leadership at District level. To which enquiries are brought to the district and are referred to relevant business units. Moreover business units should have dedicated personnel who should assist the District Office in addressing District enquiries
 - The District Office plays the coordination role in the provision of support to the traditional councils within the district. This coordination role would assist in the provision of an integrated approach to traditional institutions within the district.
 - Only 1 district office has a working arrangement in place with specialist units stationed in their offices. The llembe office has an arrangement in place where Community Development Workers (CDWs) report to traditional councils on data collected within traditional communities. The CDWs provide quarterly reporting on development issues to traditional councils, where the Rural Development Facilitation (RDF) Unit follow up on them.
 - o 4 of the district offices noted that they only refer matters to the specialist units
 - 6 of the district offices noted that there is no working arrangement in place with specialist units.

Operations Management

District Operational plan

- 4 of the district offices noted that they have operational plans. The remaining or 34 district offices noted that they do not have operational plans for this financial year.
- 6 of the district offices noted that their operational plans are aligned to the business plans of the Chief Directorate. The Amajuba office has also aligned the staff's work plans of the office staff to the operation plan. Umgungundlovu district have also aligned their operational plans to the portfolio committees of the Local House of traditional leaders.
- The remaining 5 of the district offices noted that they are waiting for guidance from the Head office on how their operational plans can be aligned to the business plans of the Chief Directorate.

Office meetings

- 10 of the district offices noted that they have office meetings on a monthly basis.
- 1 of the district offices noted that they have office meetings called on an adhoc basis.

Training of District office staff

- 7 of the district offices noted that the staff within their offices attends training sessions provided by the Department.
- The remaining 5 of the district offices noted that training sessions are not attended citing that training needed to be customised and based on the work environment of the district office. The uMgungundlovu district noted that they took their Development Facilitation Officers to a course in Stellenbosch University, as the course was more tailor made for the work they do.

Below is a summary of the findings on the operations assessment area. The findin

Coordination Unit	District offices	Statutory functions	Working arrangement with specialist Units	Operations Management	Overall operations %
	Test: Ideal situation	100%	100%	1000	
Provincial	Umzinyathi	100%	50%	100%	100%
House Support	Amajuba	100%	0%		73%
	Zululand	100%	33%	100%	87%
	Umkhanyakude	100%	33%	60%	70%
	Uthungulu	79%	0%	60%	73%
	Total	4 out of 5	0 out of 5	80% 1 out of 5	86%
Local House	Ugu	86%	000	r out or 5	0 out of 5
Support	uMgungundlovu	86%	33%	100%	47%
	Uthukela	86%	0%	The state of the s	80%
	llembe	100%	100%	100%	70%
	Harry Gwala	100%	33%	80%	100%
	eThekwini	100%	17%		80%
	Total	3 out of 6	1 out of 6	80%	77%
Overail	Total with 100% functionality	7 out 11	1 out of 11	3 out of 6	1 out of 6

Area	Recommendation	Number raisin recommendatio
Infrastructure	effectively	3/11 or 27%
	The provision of furniture to replace furniture that is not usable.	1/11 or 9%
	The increase of a budget allocation, to cover petty budget items such as toilet paper	1/11 or 9%
Operations	The head office should spearhead a coordinated approach in supporting traditional institutions from providing tools of trade to the maintenance of traditional councils	
	The head office must provide workshops to District office staff on areas that are expectations to the Head office	1
	The review of the method of support traditional councils. In light of the fact that traditional council secretaries travel a distance to submit documentation, there is a need to have used a district approach where there would be meeting points for cluster traditional councils in regions of the district.	
	The head office must be able to monitor issues affecting the functionality of the district offices. They must also meet with district offices on a regular basis	
	the head office to ensure that Local Houses of traditional leaders function	n effectively
Operations	Support in encouraging Amakhosi to attend Local House meetings and ensure that they are able to implement resolutions	3/11 or 27%
	The Head office must be aware of the resolutions made by local houses and provide support in coordination and implementation of these resolutions	2/11 or 18
	Annual training of Amakhosi on their roles and responsibilities and how portfolio committees work as most of Amakhosi in the district are young.	2/11 or 18%
	Catering should be provided to special meetings of the LH and payment of S&T. This will motivate Local Houses to attend meetings	2/11 or 18%
	There is a need to capacitate Local House of Traditional Leaders on its expectations from the Department. This is to enable a good working relationship between the Department and the institution of traditional leadership as a whole within districts.	1/11 or 9%
<u> </u>	ABET training should be available for Amakhosi.	1/11 or 9%
	Travel allowance (S&T)	1/11 or 9%
<u> </u>	resolutions it makes are implemented	1/11 or 9%
	Provide a more permanent venue for the Local House to meet	1/11 or 9%

The benchmark assessment shows that even though district offices are not fully staffed and have infrastructural challenges, they are able to perform their functions fully according to their functions. It is also apparent from the analysis conducted that the district offices are the face of the Department in traditional institutions within their district. It is them who are the first point of contact when enquiries are received, but are highly reliant on specialist units to action these raised enquiries, due to their scope of support. In as much as district offices are referral agents, they are affected by inefficiencies such as delays in payments of sitting allowances, stipends and S&T, to which they do not have answers. This brings the need of bringing functions within the head office closer to the coalface of service delivery being at district offices, to improve the efficiency of Departmental support to traditional institutions.

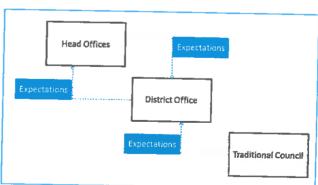
It is also noted that there is no uniformity in the functionality of district offices, especially with coordination units overseeing the coordination of these offices. It was expected that district offices under each unit would have uniform operations, to which they differ to certain lengths. The Directors of these coordination units should be able to ensure that functionality gaps are addressed; the fruits of their coordination role should be seen in the uniformity of their operations.

In as much as these observations are made, it is important for this evaluation to establish the expectations of Head office, the district office and traditional councils establish the functionality expectations and why they would have not been met.

7. EXPECTATIONS OF TRADITIONAL INSTITUTIONS AND THEIR SUPPORT OFFICES

The purpose of this section is to present the findings on the analysis conducted of the expectations of the 3 structures being the Head office, the district offices and traditional councils. This section covers the following areas:

- The expectations of the district offices from the Head office
- The expectations of the district offices from the traditional councils
- The expectations of the Head office from the district offices



7.1 The expectations of the district offices from the Head office

Interviews were held with Chief Directors of the Traditional Affairs Branch to establish the expectations of district offices from the head office. Tabled below are the expectations

There is a high indication from traditional councils that expectations are not met because the Department does not understand the environment faced by traditional councils. This indicates that support from district offices is not customised to suit traditional councils and their needs.

7.3 Expectations of district offices

	Total interviewed: 3				
	What are the expectations of the District office from the Head office and traditional councils?				
	Expectation	Number which raised issue			
1	Should be a supporting agent at district level. Ensuring that traditional institutions are supported in performing their functions effectively	(3/3) or 100%			
2	District offices should be offices that should provide services that meet traditional councils halfway in operations and ensure that they function effectively. Support should include provision of tools of trade, training and maintenance of our TACs	(36/38) or 95%			
3	Should be able to support traditional councils with the understanding of Departmental policies and processes	(2/3) or 67%			
4	They should be supporting the Head office when they arrive on all issues such as land, local governance, OSS, disputes issues	(1/3) or 33%			
5	They should be able to provided leadership and guidance to staff within the District office	` ′			
6	The District Office should be linked to an organisational structure that enables decentralised decision making	(1/3) or 33%			
7	Coordination of the support in community projects	(2/38) or 5%			

7.3.1 What the expectations mean

- The Expectations bring a need for a more decentralised structure where decisions can be made at district level.
- The expectations also mean that the pool of specialist units needs to expand to meet needs of traditional councils within districts.
- The functions should be expanded to the provision of operations and maintenance support.
- Powers should be given to district offices to prioritise the distribution of tools of trade to traditional councils.

7.4 Expectations of the head office from the district office

Interviews were held with district offices to establish the expectations of head office from the district offices. Tabled below are the expectations

Total interviewed: 11	
What are the expectations of the District office from the Head office?	
Expectation	Number which raised issue
Should ensure that support is provided to traditional institutions in a more coordinated fashion.	(6/11) or 55%
Specialist Units should be able address enquiries as rapid as possible	(4/11) or 36%

The matter of traditional council secretaries embarking on a go slow uncovers the gaps in the set terms and conditions of their appointments. The question arises as to who traditional council secretaries are accountable to and terms to which they are payed their sitting allowances.

Infrastructure:

- Even though the majority of TACs were had adequate office space and furniture, noted areas where traditional councils were struggling were the issues equipment such as computers and printers.
- Another observed area in the area of infrastructure was the ability of traditional councils to maintain their infrastructure such as the purchase of cleaning materials, replacement of stationary such as printer toners.
- Even though it was noted that some traditional councils had solar power electricity sources, it
 was noted that these TACs had no electricity if the solar power system was broken. This
 indicates that traditional council's ability to pay electricity fees, to ensure that they perform their
 functions effectively.

Operations:

- Noted challenges in this area were the disagreements between traditional councillors and izinduna over their roles and responsibilities. This was due to the lack of orientation workshops where roles and responsibilities would be clarified.
- Another noted challenge was the functionality of traditional courts, where traditional communities would not respect rulings made by traditional courts. This was a result a result of traditional community not understanding the importance of the traditional leadership and its bylaws.

8.2 District offices

The average functioning percentage of district offices was 78%. The following general findings were noted:

Organisation:

- In terms staff, even though there were offices which were overstaffed, it was noted that the offices
 were technically understaffed as critical posts within the office were not filled.
- Specialist Units were stationed in most of the district offices. Noted units were the Traditional Council Administration, Public participation CWP, Rural Connectivity and Urban & Rural Development.

Infrastructure

- It was noted that office space was based on the current staff available. Raises the question as to if there would be enough office space if the district offices are fully staffed.
- Also noted was the matter that equipment such as computers were not performing optimally as a result of them being overdue for upgrades

9. RECOMMENDATIONS

The following recommendations are made:

- The use of the benchmark criteria to assess the functionality of traditional councils and their support offices
 - The benchmark criterion needs to be used to understand the current situation in terms of the functionality of traditional institutions and their support offices.
 - A similar assessment needs to be conducted on traditional councils with old TACs to further understand challenges they face.
 - Best practices from these studies need to be shared to ensure that localised solutions are institutionalised.

Review of infrastructure planning of traditional institutions and their support offices

- The planning in the resourcing of office space and furniture of the district office should be based on a full organisational structure and not on current staff available.
- Ensure that there is less red tape in the procurement of assets such as furniture and equipment.
- Equipment provision must be provided uniformly within district offices and traditional councils, to which the head office must work with district offices. This would prevent the impression of favouritism amongst traditional councils.
- The provision of equipment should be based on the availability of essential facilities such as electricity. This is to ensure that equipment is not supplied to areas where it would not be functional.
- Understanding of how coordination units are playing their role in coordinating district offices
 An exercise through an engagement session would be needed to establish how coordination units play their role, and establish how:
 - They ensure uniformity in the functioning of district offices under their portfolios
 - They ensure operational gaps are addressed in district offices under their portfolios, such as working arrangements with specialist units and operations management.

Review of district structures:

- District office structures and working arrangements need to be reviewed to ensure that more specialist units are based at district level. This would ensure rapid feedback in the provision of support and feedback in enquiries from traditional councils.
- A feasibility study of a Matrix project management structure is needed, to establish options in the provision of coordinated support that is custom made in accordance to the needs of traditional institutions within districts.



SIGN OFF OF EVALUATION REPORT

BRANCH HEAD

Mr NP Chonco

Deputy Director General: Traditional Institutional Management

Signature

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