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Zondo commission – Singh’s taste for cash deals questioned by Zondo

“It’s like you’re Mr Cash.” Deputy Chief Justice Raymond Zondo, the state capture commission’s chairperson, made this proposition to former Transnet and Eskom CFO Anoj Singh on Thursday. This was after Zondo had summarised several incidents in Singh’s evidence that showed his preference to use cash to either pay for services, or to be paid.

Singh returned to the commission to continue his testimony in relation to his tenure at Transnet. First it was the continuation of evidence relating to that of his former driver, an in-camera witness who testified last year to his experience of driving Singh around while he was CFO of Transnet. He claimed he took Singh to the Gupta residence in Saxonwold on several occasions, where Singh would go into the house and emerge some time later with a bag that Witness 3 presumed was filled with cash. On these occasions, Singh would then ask Witness 3 to drive to a safety deposit box facility called Knox Vault, in Killarney. Singh would leave him outside and go in with the bag, to emerge later with it empty.

Singh has denied this, saying he never went to Knox Vault with his driver, and in fact inferred in his previous testimony that it was someone within the commission who had fed Witness 3 this information, in order to implicate him.

“I’m not sure how Witness 3 got to know about the boxes. As I said on the previous occasion, I have never taken Witness 3 to Knox Vault,” Singh said.

But on Thursday he was confronted with updated evidence, uncovered by the commission’s investigators, detailing the records that Knox Vault kept of his account. Singh had previously told the commission that between 2014 and 2015 he rented four boxes, but evidence leader Advocate Anton Myburgh revealed to him that the facility actually has records of him renting as many as eight boxes of varying sizes, between February 2013 and February 2015, often paying an annual fee upfront. According to the commission’s calculations, said Myburgh, Singh spent up to R35 000 in cash over the two years.

In his previous testimony, Singh said he kept personal family documents in the boxes. Once shown the records provided by Knox Vault, however, he conceded that he had been wrong about the commission’s intentions to implicate him.

Myburgh put to Singh that at the time in question, his children were around the ages of four and 12. He questioned what sort of documents of theirs would be kept in large boxes in a security facility, where he would pay so much money, when they could be kept at home. To this Singh said at the time he and his wife were going through a separation, and he found it appropriate to store his children’s identity documents, among other documents, at Knox Vault.

Singh had also in his previous testimony refuted a claim by Witness 3 that on one occasion in 2013 he had driven him to the Gupta residence, and while there saw former cabinet minister Malusi

Gigaba, former Eskom executive Matshela Koko and then soon-to-be Transnet chairperson Linda Mabaso. He pointed out an anomaly in Witness 3's version, saying he would not have known Koko and Mabaso at the time, as they were not yet in the public eye. Myburgh said in his responding affidavit, Witness 3 clarified that by saying he did not know the two at the time, but later recognised them when they became regular features in the media.

Singh was not sold: "The response seeks to amplify the anomaly rather than clarify it, in my view," he said.

On the Dubai travels, Singh was shown a number of invoices of travel agency Travel Excellence, on which flights were charged to Ashu Chawla, then CEO of Gupta-owned Sahara Computers, and contained Singh's travel details.

He told the commission that Chawla's arrangements on his behalf were a favour for which Singh would refund him later, in cash. On the occasions where the invoices showed that flights booked for him also included the details of Gupta associate Salim Essa, Chawla and even the Gupta brothers themselves, Singh said he had been unaware that they were on these flights. He said the same for an invoice for a hotel in Dubai, at a time when Essa, Chawla and Rajesh Gupta were also accommodated there.

Singh's counsel, Advocate Anneline Van der Heever, objected to Myburgh using the invoices as cleared evidence, given that they were part of the GuptaLeaks documents, and had to date not been verified. Myburgh said the commission was undergoing a process to verify the veracity of the documents, and the report from the service provider in charge of that would form part of the submission to Zondo.

In light of this, Singh used the opportunity to point out that one of the invoices referred to "Anuj" Singh. "In light of the fact that the veracity of these invoices is questioned, you cannot assume this is me. And I'm saying this is not me," he said.

He told the commission that on the occasions that he travelled on personal business to Dubai, it was to provide advisory services to an associate of his who lived there. The businessman would then pay him in cash to cover his travel and accommodation expenses, hence Travel Excellence was paid in cash. It was at this point that Zondo remarked how peculiar it was that Singh dealt only in cash.

"Witness 3 said you used to collect cash from the Guptas and take it to Knox Vault. The lady from Travel Excellence said you would send a driver with cash, not small amounts, now in Dubai you settle the hotel bill with R60 000 in cash. It's like you're Mr Cash," Zondo said, chuckling.

"The environment in Dubai is relatively less like South Africa. Cash is a very common currency of payment, even large sums of cash. Large transactions are actually sometimes settled in cash," Singh replied.

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