

**STATEMENT BY NANA SITA
AT HIS TRIAL
UNDER
THE GROUP AREAS ACT**

FOREWORD

**STATEMENT BY NANA SITA
AT HIS TRIAL, HELD ON THE
7TH AUGUST, 1967 BEFORE
MR. B.V. OLIVIER, IN THE
REGIONAL, COURT PRETORIA**

On the occasion of my third Trial under the Group Areas Act I decided to make a fairly comprehensive Statement. Although the Public Prosecutor objected to the reading of the statement, the Court allowed me to read it. As the statement is of importance to fellow Indians, and of interest to lovers of democracy and freedom, I have taken the liberty of issuing the statement in booklet form.

PRETORIA 15TH AUGUST, 1967

NANA SITA

Your Worship,

I stand before you charged with committing an offence under the Group Areas Act No 77 of 1957, to which I plead not guilty. It is alleged that in terms of section 23 (1) of this Act, I wrongfully and unlawfully occupy premises which fall in a White Group Area proclaimed as such under Proclamation No. 150 of 6th June, 1958.

In December, 1962 and in April, 1963 I was charged for the same offence to which I pleaded guilty on both occasions and served a sentence of 3 months and 6 months respectively in jail. I was prosecuted for the third time but because of cases pending in the Supreme Courts, the case against me was withdrawn. I am now facing my fourth prosecution. The whole of Pretoria has been declared a group area for White people except for a portion of the Asiatic Bazaar and the Township of Laudium which was declared a group area for Indians. I have lived with my family in Hercules for the past 44 years. First, from the first of April, 1923 at Erf 312 Rustenburg Road, and then from the 1st January 1931, at Erf 321 Rustenburg Road, now known as Erf 321, No. 382 Van Der Hoff Road, a distance of about 100 yards separates these two properties. Hercules now forms part of Pretoria.

On this occasion I pleaded not guilty to the charge so as to facilitate application for the conversion of this trial into a preparatory examination. As, however, the application for the conversion of this trial into a preparatory examination has been unsuccessful, I wish to submit certain salient features of the defence to this Honourable Court.

In the implementation of the Group Areas Act and the Proclamations issued in terms thereof, the Government is pursuing a fixed policy of ruining the Indian community of South Africa socially and economically. Thousands of Indians have had to relinquish their homes and businesses. In some cases the businesses and residences have been in existence for more than three quarters of a century, in some cases certain individuals have personally occupied the same premises for forty to fifty years. The

Indians have had to move from these premises which they had occupied for so long for no other reason than the colour of their skin. It is the avowed policy of the Authorities that life be made so intolerable for the Indians and conditions of living so unbearable and unendurable that they would be forced to leave the Republic of South Africa of their own accord. In so forcing them to leave, the Government would be achieving, what is stated in Government Committees of Enquiry, the “repatriation” of the Indians. I would go further and say that the Government would be achieving not only “repatriation” but repatriation without compensation. The Proclamations made under the Group Areas Act No. 77 of 1957, as amended, have, in virtually all instances, been issued with the fixed purpose of making life socially and economically intolerable for the Indian inhabitants of the Republic of South Africa; a fixed purpose that comes into evidence not only at the time of the issuing of the Proclamation but which has had its roots embedded in the White Rulers Thought long before the passing of the Group Areas Act.

Pronouncements to this effect have from time to time been made:

(a) The Natal Mercury dated 9th July, 1948 reported thus: “At a recent Meeting at Brits Mr. J. E. Potgieter, the local Nationalist M.P., and other speakers said that the European and Native must be taught to boycott Indians until they are bled white. If the Indians were reduced to “abject poverty by this means, they would be glad to emigrate to India with the Government’s Assistance.”

(b) In June 1956 Mr. W. A. Maree leader of the Nationalist Party in Natal, who subsequently became Minister of Indian Affairs in Dr. Verwoerd’s Government, and now Minister of Community Development, said at Newcastle, that he believed “the Indians would be only too pleased to get out of South Africa after the effects of the Group Areas Act have been felt”.

(c) Mr. Theo Gerdener M.P.C., leader of the Nationalist Party in the Natal Provincial Council and now Administrator of Natal, said

in January 1956 at Port Elizabeth, when addressing the South African Bureau of Racial affairs, that “in time”, policies like the Group Areas Act “will break the commercial stranglehold which Indians seem to have on some towns and districts” and that if the Act and other legislation should in time restrict “Indian trade to Indians only, perhaps 90% of those who are at present traders will have to find some other source of income”.

All these speeches, coming from the most influential members of the Nationalist Party, now holding Cabinet and Administrative posts, is clear proof of the fixed policy motivating the Government’s Group Area Proclamations.

The basis of this fixed policy of the Government is to be found in the election manifesto of the Nationalist Party headed by Dr. Malan, who won the election and came into power in 1948.

Referring to Indians the Manifesto said: “The party holds the view that Indians are a foreign and outlandish element which is unassimilable. They can never become part of the country and must therefore be treated as an immigrant community. The party accepts as a basis of its policy the repatriation of as many Indians as possible and proposes a proper investigation into the practicability of such a policy on a large scale in co-operation with India and other countries.”

The late Dr. Malan, then leader of the Nationalist Party, made a statement during the general election campaign on the 29th of March 1948, on the Party’s policy of “Apartheid”, which was reiterated in the Party’s Election Manifesto. In that statement concerning Indians, he dealt with the revision of the Asiatic Land Tenure and Indian Representation Act on the lines that there would be no Parliamentary representation for Indians. Areas would be completely separated so that Europeans would be banned from Indian Areas and Indians would be kept apart from indigenous races. Compensation would be paid for expropriation. To implement this policy, facilities for Indian Trading outside Indian areas would be drastically curtailed and in Bantu areas gradually abolished. The inter-provincial movement would be

effectively prevented. Further action would be taken to prevent Indian penetration into the Cape and action would also be taken against Indians who incited non-European races against European races. Ironically this utterance was made by the architect of the Cape Town Agreement with the Government of India, by which Indians were to be uplifted and not allowed to lag behind other sections of the South African population. Further proof is to be found in the recommendations of the two committees, appointed by the Minister of Interior, Dr. Donges, in accordance with the above statement of policy in November, 1948, one for the Transvaal and one for Natal, namely, the Asiatic Land Tenure Laws Amendment Committee and the Land Tenure Act Amendments Committee, on whose recommendation Parliament amended Act No. 28 of 1946 under which the meager franchise given to Indians was repealed by Act No. 53 of 1949.

The two committees issued a joint report on the 24th March, 1950. In section 331 it says:

“Before stating our recommendations we feel that reference should be made to one matter which, strictly speaking, falls outside our terms of reference but which is so closely associated in the public mind with the Asiatic question that it has a determining influence on the evidence tendered to us and accordingly also on recommendations based on such evidence, and that is the possibility of repatriating the Asiatics from South Africa. There appears to be an ever-growing belief in the public mind that the only satisfactory solution of the Asiatic question is repatriation, and that whatever is done by way of legislation should be such as not to endanger the possibility of repatriation and deprive the public of one of its most deeply cherished hopes.”

“The fundamental theme of the evidence throughout the years has been and still is – repatriation, or, failing which, compulsory segregation. In the most recent evidence there is noticeable, a distinct tendency for this theme to assume the form: repatriation and, pending which, compulsory segregation. In its most

advanced form this theme reads: repatriation and, failing which, compulsory segregation with boycott to induce repatriation.”

In Section 332, it says, “the recommendations which we propose to make are such that legislation based on them would, on the one hand, not fall short of what we regard as necessary to deal effectively with the present situation.”

This report and the recommendations therein of the two committees are in accord with the 1948 Policy Statement of Dr. Malan and the Election Manifesto of the Nationalist Party and are the foundations on which the Government passed the Group Areas Act. The Proclamations issued thereunder became the instrument to achieve the object of hounding out the Indians from the country, thus fulfilling the most deeply cherished hope of the Europeans. Hence, the harsh and coercive measures with boycotts of Indian Businesses became the fixed policy to uproot them from their residences and businesses. The policy is carried out by the Government relentlessly and with ruthless precision under the Act.

The joint report and the recommendations of the two committees lamentably failed to take into consideration the previous Judicial Commissions Reports which after thorough enquiry gave their verdict against compulsory repatriation and compulsory segregation. The Lang Commission of 1921 in paragraph 224 says, “We find ourselves unable to support the Policy of repression which was advocated by some witnesses. Indiscriminate segregation of Asiatics in locations and similar restricted measures would result in eventually reducing them to helotry. Such measures apart from their injustice and inhumanity would degrade the Asiatics and react upon the Europeans.”

The report of the two committees is partial and full of inaccuracies. It took no account of undertakings and agreements solemnly entered into between India and South Africa and with the Indians of South Africa. In section 228 of the report it states, “A perusal of the evidence summarised in chapters one to three

hereof shows that the Indian came to South Africa as an indentured labourer against the wishes of the European inhabitants of Natal. They did not want the Indian and they feared the curses which they believed would come upon the country with the advent of the Indian. They knew beforehand and soon had their knowledge and belief confirmed that the Indian brought with him a religion, a culture and consequently a way of life which differed fundamentally from that of the White people. The White people had to determine their attitude towards him and they did that at the points where the impact of the presence of the Indian was felt most keenly felt.” Before I give the facts on this issue, I would like to quote what the leader of the United Party in Natal, the Honorable Mr. D. E. Mitchell said in Parliament during the debate regarding the above section.

I quote from Hansard dated 29th May, 1950, Col. 7479. “Now Mr. Speaker that is completely and utterly false. Whether I think it was a blunder of the greatest magnitude, whatever we may think about it today, I repeat this document is a historical document representing the Europeans of South Africa. It should be true, it should be factual.” Further on in the debate Mr. Mitchell said, “In the Deeds Office also, are documents which comprise the whole correspondence which passed between the Government of Natal and the Government of India on this very question. The party which was loth to send the immigrants to Natal was the Indian Government. It was the Indian Government and until it had got certain assurances from the Natal Government of the day, that there would be no discrimination as to the franchise between the people who came to Natal and any other section of the population. The Indian Government sought that assurance and got it. Those documents are there in the Archives. If the government of the day represented the people of Natal and this Government claims to represent the people of South Africa ...” so much for the correctness of the report from a responsible party leader in Parliament.

“What are the facts?”

“Towards the middle of the last century there arose a great demand for labour for the sugar plantations in Natal. The Planters could not get African labour from the reserves, and without reliable labour the plantations could not exist. So the Natal Government made an effort through the British Government to supply labourers under Contract. Neither the British Government nor the Government of India showed any enthusiasm for sending Indian Labourers. At first, the Bills of the Natal Legislative Council providing for the importation of contract labour were vetoed by the Colonial office in England. It was only after some years of agitation and correspondence that a law was at last enacted in Natal, to which the British Government gave its approval to the emigration of Indian labourers. For this purpose, Natal dispatched one of her leading officials to negotiate with the Indian Government, who after some difficulty was able to persuade the Government of India to agree to the importation of Indian labour to Natal. The importation of such labour however, was subject to certain conditions. These were that the labourers were to serve under contract for three years, which was subsequently raised to five years. After the expiry of five years they could work as free labourers. At the end of ten years they were entitled to the protection and benefit of the ordinary laws of the Colony. Thus, under the agreement entered into between the Government of Natal and the Indian Government the first batch of Indians arrived in Natal in 1860. The arrival of Indians was hailed in the Colony as guaranteeing its prosperity. “Coolie Immigration”, said the Natal Mercury,¹ “is the vitalising principle”.

Immigration of Indian labourers went on briskly until 1866, then it stopped till 1874, as the employers were ill-treating the labourers and violating the terms of indenture. The employers couldn't get African labour from their Chiefs at any price. The doors for immigration had to be opened again. The Natal Government made further attempts to get Indian labourers. Both the Indian and the British Government refused to authorize any

¹ A Natal newspaper

further immigration until the Natal Government had made better arrangements for the treatment of Indians. The Government of India wrote in 1872 that it cannot allow emigrants to go to Natal unless the Natal Government took steps to give full protection to immigrants. The Natal Government appointed a Commission to inquire into the treatment of Indians. The Commission recommended the appointment of the Protector of Indian Immigrants in Natal who was to investigate grievances of labourers and to look after their welfare generally. It, however, required another mission by a leading official from Natal to India to persuade the Indian government to permit resumption of Indian emigration of Indian labourers. To secure a steady flow of Indian labour, the Natal Government undertook to pay from public funds £10,000 a year towards the costs of the transport of these immigrants. As a further inducement the Natal Government also passed a law to facilitate the grant of land to the Indian Labourers in lieu of a free passage to India, if they should wish to settle in the Colony after completing their terms of indenture. As early as 1875 the Secretary of State of India, Lord Salisbury, announced the Policy of His Majesty's Government as follows. "Above all things we must confidently expect as an indispensable condition of the proposed arrangement, that the Colonial Laws and their administration, will be such that Indian settlers, who have completed the terms of service to which they agreed, as the return for the expense of bringing them to the colonies, will be free men in all respects with privileges no whit inferior to those of any other class of Her Majesty's subjects resident in the Colonies."

Thus the Indian Labourers, after completing their contract, were to become free men in all respects with privileges "no whit inferior to those of any other class in the Colony". These were the conditions under which the Natal's White Government brought the Indians to Natal, for the benefit of Natal's White planters to thrive in their sugar industry, upon which depended the prosperity of Natal. In spite of all the anti-Indian agitation by

Individuals and Organisations, the Natal Government, while succumbing to some of their demands and passing restrictive legislation was once more obliged in 1904 to plead to the Government of India to allow immigrant labourers to come to Natal. This was eleven years after Natal obtained self Government in 1893. This time the Government of India refused unless the treatment of Indians was substantially modified. In 1911 the Government of India by an Act of Parliament stopped the supply of indentured labour to Natal.

From the foregoing it is clear that the report of the two Committees did not reflect the truth. The Honourable Mr. Mitchell, was correct and justified in denouncing the report as false.

Another flaw in the Committees' report is that it accepted the evidence of all those who clamoured for repatriation of Indians, failing which, compulsory segregation and suggested this as the only solution of the Indian problem. This was against the weighty recommendations of the previous judicial commission's rejections of such evidence and finding in no uncertain terms against compulsory repatriation and compulsory segregation. This is the "report" which though one sided and inaccurate the Government accepted as sacrosanct and acted on its recommendations, as it suited its policy as set out in the Election Manifesto, and passed the Group Areas Act.

The Government violated the following undertakings and solemn agreements by passing the Group Areas Act.

- (1) The Smuts-Gandhi agreement arrived at in 1914 in which General Smuts assured Mahatma Gandhi, that with regard to the administration of the existing laws it always has been and will continue to be the desire of the Government to see that they are administered in a just manner and with due regard to vested rights.
- (2) Safeguards granted to Indian traders on proclaimed areas under Gold Laws to transfer their shops in the

same Township by Act No. 37 of 1919 as vested rights which they enjoyed on 1st May, 1919.

(3) The Cape Town Agreement, solemnly entered into between the Governments of India and South Africa and ratified by their respective Parliaments on the 21st February 1927, had two main features, namely, the emigration Scheme and upliftment of Indians.

(i) Re-emigration scheme it said, “that for those Indians in the Union who may desire to avail themselves of it, the Union Government will organize a scheme of assisted emigration to India or other countries where Western standards are not required”. The Government of India undertook to look after such emigrants on their arrival in India.

(ii) The upliftment clause reads follows, “The Union Government firmly believes and adheres to the principle that it is the duty of every civilised Government to devise ways and means and to take all possible steps for the uplifting of every section of their permanent population to the full extent of their capacity and opportunities and accepts the view that, in the provision of educational and other facilities, the considerable number of Indians who will remain part of the permanent population should not be allowed to lag behind other sections of the people.”

(4) The exemption granted from the effects of the Gold Law of 1908 on the Witwatersrand legalizing illegal occupation and granting ownership of landed properties by Act 30 of 1936 and the transfer of Crown Lands to Asiatic ownership and occupation by Parliament in terms of Act 32 of 1937.

(5) Depriving Indians from ownership and occupation of landed properties anywhere in the Provinces of Natal and Cape which rights they have enjoyed ever since their first arrival in their respective Provinces.

The Asiatic Land Tenure and Indian Representation Act (Act No. 28 of 1946), passed by Field Marshall Smuts' Government was not good enough for Dr. Malan's Government. An Act which roused so much indignation and resentment in India and equally amongst the Indians of South Africa, that they launched a Passive Resistance struggle against it, lasting for two years in which 2,300 Indian men and women took part and courted imprisonment. I, myself served two terms of imprisonment, one in 1946 and one in 1947 in that struggle. The Indian Government was obliged to break off diplomatic relations, and in July 1946 imposed trade sanctions against South Africa which continue to this day. Furthermore, the Government of India lodged its complaints at the United Nations on the treatment of Indians, accusing South Africa of violating agreements, solemnly entered into, by passing the Asiatic Land Tenure and the Indian Representation Act of 1946. The treatment of Indians under the Act became a world concern. On the 8th December 1946, the General Assembly of the United Nations passed the following Resolution by the required 2/3 majority, of 32 against 15.

"The General Assembly having taken note of the application made by the Government of India regarding the treatment of Indians in the Union of South Africa and having considered the matter states:

- (1) that, because of that treatment, friendly relations between the two Member States have been impaired, and unless a satisfactory settlement is reached, these relations are likely to be further impaired;
- (2) is OF THE OPINION that the treatment of Indians in the Union should be in conformity with the International obligations under the agreements concluded between

- the two Governments, and the relevant provisions of the Charter;
- (3) Therefore REQUESTS the two Governments to report at the next General Assembly the measures adopted to this effect.”

This resolution was hailed as a landmark in the history of human rights and a vindication of the principle of equality of men enshrined in the United Nations Charter. It had raised high hopes among the non-European people of South Africa who expectantly looked to the United Nations for the restoration to them of fundamental freedoms and human rights which had hitherto been denied them. These hopes, however, remained unfulfilled because the Assembly failed, in the following year, to get the required 2/3 majority to reaffirm the resolution passed on the 8th December 1946. It fell short of 3 votes for the 2/3 majority and the South African Government treated the resolution as cancelled.

Now the issue is no longer confined to the treatment of Indians only, but has assumed a greater proportion involving the whole racial issue concerning the treatment of all non-Europeans of South Africa.

In February 1950, the Governments of India and Pakistan sent their respective delegations to South Africa. They met in a preliminary Conference with the South African Government representatives in Cape Town to explore the possibility of holding a Round Table Conference to end the deadlock and to resume friendly relationships. During the Conference, as a gesture of good will, Pakistan withdrew her trade sanctions and entered into a trade agreement with South Africa.

Soon after the delegations had returned to India and Pakistan, the Union Government introduced the Group Areas Bill in Parliament and all hopes of holding a Round Table Conference to resolve the dead-lock, came to an end. The passing of the Group Areas Act shattered all hopes to reconcile the dispute and the

relationship between India and South Africa became further impaired. Even Pakistan at a later stage was obliged to withdraw her trade agreement and impose sanctions. India and Pakistan at a later stage was obliged to withdraw her trade agreement and impose sanctions. India and Pakistan have their internal differences, but with regard to South Africa's racial policy both countries concur.

The Group Areas Act has been declared by the Government as the "cornerstone" of its apartheid policy. The Minister of the Interior, piloting the Group Areas Bill, said that it was a major measure towards the realisation of one of the main objectives of the policy of Apartheid, and would be achieved without recourse to discrimination between the various races. The restriction imposed on one group is to be imposed on the other groups. It is true that the Act is the cornerstone of the Apartheid policy, and a major measure to achieve that object, but in practice its application has been most discriminatory.

The three principle areas declared in the Transvaal as Indian Group Areas, are Benoni in the East Rand, Lenasia in Johannesburg, and Laudium in Pretoria. The removal order falls on Indians only. No White man has to be removed from his place of residence or business. The Indians to be moved to these three places number 57,000. In 26 other towns and dorps that are proclaimed, except at Standerton and Rustenburg, no Europeans have to move. Only Indians will be removed from both businesses and residences. The Indians in the Transvaal who number 75,000 will eventually all be moved to their respective Group Areas whereas only a handful of Europeans in Standerton and Rustenburg will be moved and to much better places. Only Indians have to bear the burden of discrimination. So the assurance in Parliament, by the Minister of the Interior, Dr. Donges, that there would be no discrimination against the victims of the Act, is not borne out in practice.

Those of us on whom the axe has fallen are undergoing untold hardships through having been uprooted from businesses and

residences, causing misery, suffering and unhappiness resulting in financial loss and insecurity for the future. Trade has been the main occupation of the Transvaal Indians and to make a success of their businesses, two and three generations have rendered service to build up their establishments, which under the enforcement of the Act are now threatened with total extinction. Material losses and insecurity stares them in the face. This then is the Act, which in the words of the Minister of the Interior, Dr. Donges, was to be applied without discrimination and administered with justice.

The Group Areas Act is cruel, callous, grotesque, abominable, unjust, vicious, degrading, and humiliating to the utmost against whom it is applied. How an Act which is enforced against the Indians with callous disregard of human suffering, misery and unhappiness, can be described as based on justice is beyond the comprehension of any human being.

The policy of Apartheid enforced through the Act is irrevocably opposed by all sections of the non-European people of South Africa. And all lovers of democracy among Europeans have equally condemned it as unjust and unworkable. With the exception of Portugal, all Nations gathered at the United Nations have condemned it and declared it to be contrary to human rights as embodied in the Charter.

Implementation of this policy through the Act brands us as inferior people in perpetuity, degrades us as human beings, condemns us as uncivilized barbarians. It degrades and humiliates my race to which I am proud to belong, a race which has produced eminent men in all walks of life; Saints, Philosophers, Statesmen, Jurists, Scientists, Educationists, Industrialists, Poets, Literary Geniuses, Economists, Sportsmen and Philanthropists among both men and women who are self-governing and sovereign people. Mahatma Gandhi has been hailed throughout the world as the greatest man of the Twentieth Century. Mrs. Indira Gandhi as Prime Minister of India, rules over 500 million people. Mrs. Pandit graced the Presidential chair of the United

Nations as the first woman president of that August Assembly. But here in South Africa, the members of the same race are derided and treated as third class citizens and relegated to “Ghettos” being allotted the status of lepers suffering with leprosy. They must be separated and kept in isolation. It has branded the 14 million non-Europeans of South Africa – Africans, Indians, Coloureds – as inferior and untouchables to be separated and isolated lest their proximity and shadow contaminate and pollute the members of the ruling race.

From the foregoing it is clear that the harsh and coercive measures adopted under the Act have as their objective the hounding out of the Indians from this country on their own accord, and thus achieving the most “cherished hope” of getting rid of the people the White Peoples’ Government brought to South Africa, to serve the interest of the White people, to turn the barren land of Natal into a garden Colony, to make the sugar industry flourishing and prosperous and the backbone of Natal’s economy. Their labour is no longer essential. The juice having been sucked out of the fruit, the kernel can be thrown away. The undertakings, assurances, promises, solemn agreements need not worry the conscience of the rulers. They rule and therefore they believe oppression and repression are justified.

In all the years of my adult life, I have passionately believed in the universal ideals of human brotherhood and social justice and am deeply sensitive to any inroads into these ideals. Apartheid refuses to recognize human dignity and brands its victims as sub-human. It denounces all known canons of ethics as propounded by the World’s Great Religions and Philosophies. It refuses to recognize human rights as propounded in the Declaration of Human Rights by the United Nations.

Shorn of verbiage, the Apartheid Policy, as enforced through the Group Areas Act, is nothing but a bare faced expression of a desire to dominate, oppress and exploit the non-Europeans and to subject them to perpetual servitude of the White Man who

claims White people as God's chosen people, the Master Race, the Herrenvolk, a concept that plunged the world into a holocaust and was defeated at the cost of millions of lives. Is the world going to be made to witness the same holocaust by perpetuating the concept of the Master Race theory?

I would say that the cruel treatment meted out to Indians by the enforcement of the said Act is a crime against humanity and a sin against God. One day the framers of the group Areas Act will stand before a much higher Authority than the South African Parliament, for the misery, the unhappiness and the humiliation it caused to the victims of the Act. May God Almighty forgive them for their trespass.

I stand before you for flouting the provisions of the Group Areas Act with which for the reasons stated above, my conscience does not allow me to comply. Therefore in obedience to the higher authority of conscience I have decided not to meekly submit to the provisions of the Act. Being a follower of Mahatma Gandhi's "Satyagraha" (Passive Resistance) based on truth, love and non-violence I consider it my sacred duty to resist injustice and oppression and in doing so am prepared to bear the full brunt of the law and am willing to face the consequences thereof.

If you find me guilty of the offence for which I am standing before you, I shall willingly and joyfully suffer whatever sentence you may deem to pass on me as my suffering will be nothing compared to the suffering of my people under the Act. If my suffering in the cause of the noble principles of truth, justice and humanity could arouse the conscience of White South Africa then I shall not have striven in vain. I am 69 years of age, suffering with chronic Arthritis but I do not plead in mitigation. I ask for no leniency. I am ready for the sentence.

Subsequent to the reading of this statement Mr. Nana Sita was sentenced as follows:-

- (1) R200 or 6 months imprisonment with compulsory labour.

- (2) 6 months imprisonment with compulsory labour suspended for 3 years on condition that he is not convicted during the three years of a contravention under the Group Areas Act.
- (3) Ordered to vacate the premises occupied by him at 382 Van der Hoff Road, Hercules. (Stand 321 Hermanstad) on or before the 1st April, 1967 failing which he may be ejected by the State at State expense.

Nana Sita was sentenced to six months' imprisonment and served the term, declining the alternative of a fine of 200 rand. His wife was given a suspended sentence.



On April 8, 1968, Nanabhai and Pemi were forcibly ejected from their home and government officials dumped their belongings on the sidewalk. But they returned to the home and Nanabhai never complied with the order.

He died in December 1969.