

ELI.1

Group Areas Conference

S.E. 7

D.T.

# AGENDA BOOK

1A

## ALL-IN GROUP AREAS Conference

OF THE

## TRANSVAAL INDIAN CONGRESS

Bewysstuk No. ....

Gekry by *...* HELD AT THE *...*

Deur *...*

Te *...*

Datum *5/2/56*

Verwysings No. ....

### GANDHI HALL

JOHANNESBURG

ON THE

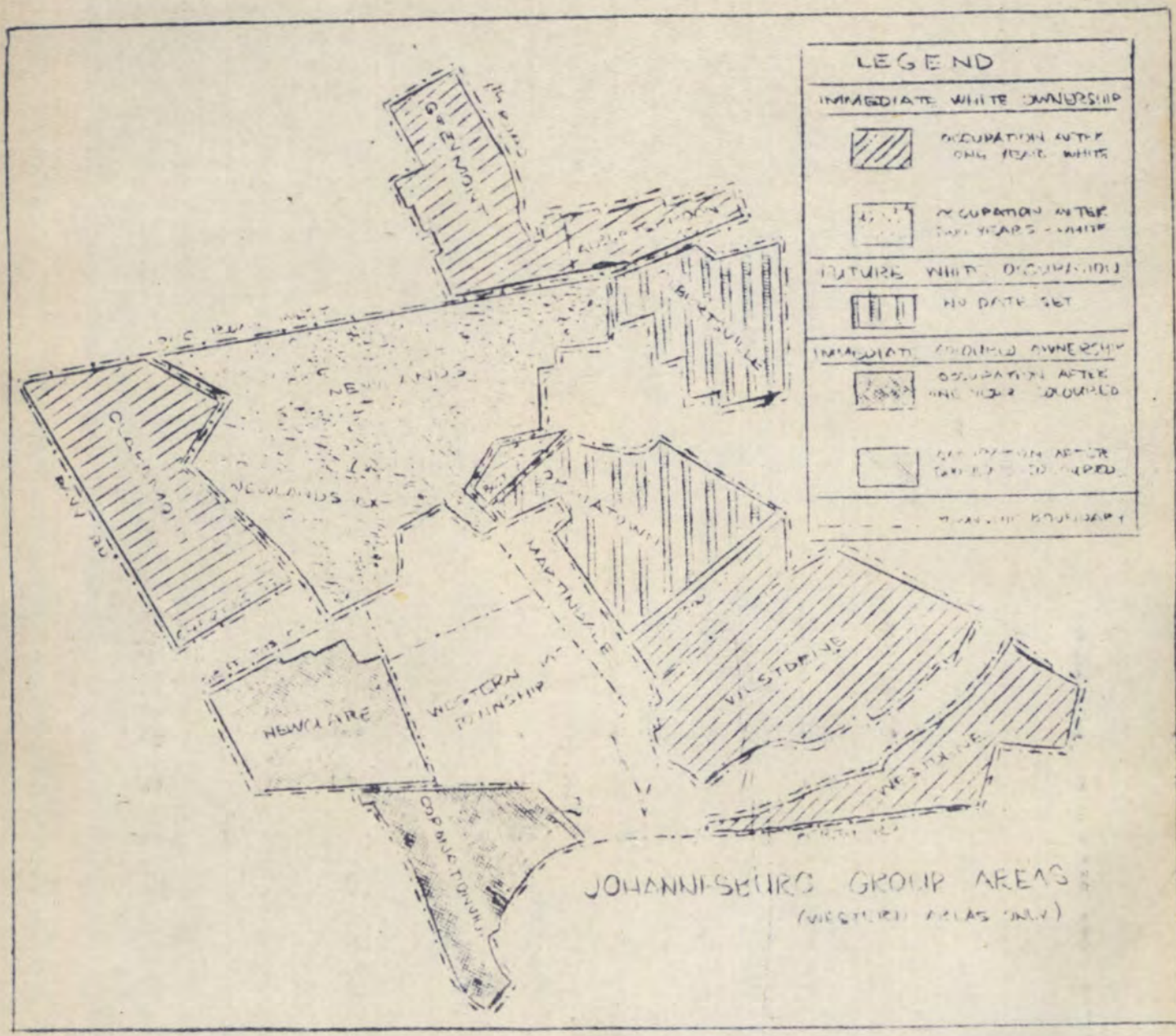
25<sup>th</sup> and 26<sup>th</sup> AUGUST, 1956

*opened by*  
**FATHER JARRETT-KERR C.R.**

AHMED E. PATEL  
MAGAN MITHA  
JOINT HONORARY SECRETARIES.



1 B.





The proclamation of Group Areas in the Western suburbs of Johannesburg has shown the true character of the Group Areas Act. It has brought to the surface the atrocious implications of this draconian measure, which is hailed by the Herrenvolk Nationalist regime as the cornerstone of apartheid. The people of South Africa have been shocked by the ruthlessness of the authorities in its dealings with the African, Indian and Coloured people. By a stroke of the pen the people have been robbed. Properties worth millions of pounds have depreciated by almost 75 percent. Money earned with sweat and toil and invested in homes has gone down the drain. More than 750 traders face the bleak future of total ruination; they together with their dependents, who number a few thousand, will be uprooted and left without any means of eking out a livelihood.

Ever since the passing of the Group Areas Act the Transvaal Indian Congress pointed out to the people the real dangers of its implementation. The Government at no time tried to camouflage their true intentions as far as the Indian people are concerned. The Joint Report of the Land Tenure Amendments Committee and the Land Tenure Amendments Act Committee, which recommended the passing of the Group Areas Act blatantly stated

"the fundamental theme of the evidence (regarding Indians) throughout the years has been and still is 'repatriation', or, failing which compulsory segregation." And further "the recommendations which we propose to make are such that legislation based on them would, on the one hand, not unduly endanger the possibility of repatriation, and on the other hand, not fall short of what we regard as necessary."

The Government however at the time of the passing of the Act, cunningly diverted the attention of the country from its far reaching implications by making it believe that it was primarily aimed at the Indian people, who had already been made the scapegoats at the altar of apartheid. Since the promulgation of the Act in 1951 the Indian people have, in fact, been subjected to the full fury of its terrifying provisions in an effort to coerce them into submission. The despotic Group Areas Board and its petty inspectors spread their ugly tentacles into the private ownership and legitimate holdings of the Indian people. Areas owned and occupied by the Indians throughout the Province became the subject of the autocratic proclamations in the Government Gazette. The rule of law was substituted by the rule of small dictators who are only too willing to carry out the dictates of apartheid.

The first major proclamation under the Act has clearly shown that more than a hundred thousand African, Indian and Coloured people have been disastrously affected, and it is obvious that the process of applying this Act will bring about the displacement and uprooting of large sections of the population throughout South Africa and in its wake will follow the dislocation of the country's economy. Removals on such gigantic scale will inevitably bring about racial friction and strife on an unprecedented scale.

Judging from the trend of liberal European thought in Johannesburg it is obvious that responsible individuals and organisations are already beginning to show signs of uneasiness.

The policy of segregation has been in force in one form or another over a long period in South Africa, and has its roots in the economic basis of South African society. It has been incorporated in the undemocratic constitution of the country and has been perpetuated for maintaining the status quo in the social, economic and political fields. The Nationalists have carried this policy to its logical conclusion. In the name of apartheid the Non White people have been subjected to the most ruthless oppression and tyranny in the interests of maintaining white hegemony.

It is manifestly clear to the Indian people that they would never compromise on the basis of apartheid for they can never be a party to their own destruction. The Indian people have in the past withstood persistent onslaughts of the successive Governments on their rights and carried on determined struggles for the vindication of their honour and self respect. Today when they face the greatest attack on their rights the Congress is confident that they will not be found wanting.







ii. Specified Area (Pro 74/51 and 220/51 - Section 11, 12 & 13)  
The said provinces were declared specified areas. This froze occupation on the basis of the group of the occupier of 30th March, 1951, i.e. a person was prohibited from occupying any land or premises which was not lawfully occupied on that date by a member of his group. The restriction imposed in specified and controlled areas also pegged the occupational and ownership rights on the Witwatersrand as the provisions of the Act over-ride the exemptions from Gold Law; therefore any expansion of Indian people in exempted areas were also debarred. Because of this proclamation the Indian community of the Transvaal underwent tremendous hardship as their occupational position was pegged since 1939.

iii. Defined Areas (Pro 75/51 - Section 13 (3) (a))  
These areas are defined within specified areas. It is not permissible for anyone to occupy any building erected, completed or extended after the proclamation without the permission of the Minister who has the sole discretion to determine which racial group shall occupy. All the properties owned, occupied or in which Indians have any interest whatsoever have been particularly defined (See annexure "A").

iv. Racial Groups (Pro 73/51 - Section 2)  
The Act divided the population of the Union into three main Racial Groups - White, Native and Coloured. The Governor-General, empowered by the Act, sub-divided the Coloured group into three further racial groups, namely (a) Indian (b) Chinese and (c) Malay. It is significant to note that although the South African population of Asian origin is the smallest yet it was separated firstly from the non-European population and then divided into three separate sub-groups.

4. ORANGE FREE STATE (Pro 255/52 Sections 8, 9 and 10)

On the 31st October, 1952, provisions of the Act were made operative in the Province of the Orange Free State; thereby prohibiting interchange of occupation and ownership by various racial groups.

5. APPLICATION OF SECTION 10 (Pro 256/52)

(i) Section 10 deals with the occupation of members of various groups in the controlled area. By the promulgation of the Act in 1951 the province of the Transvaal became a controlled area, it meant that persons occupying land and premises in such area had to be of the same race as the owner of such land and premises. Proclamation 74/51 and 220/51, however, were partly withdrawn in the Provinces of Cape, Natal and the Transvaal thus the occupational position remained unaltered in the urban and defined areas and in certain townships in the Transvaal. In the rural areas, as from 31st October, 1952, a disqualified person is debarred from occupying land or premises in the absence of an agreement between landlord and his tenant.

This proclamation by and large affects the Indian community because in the majority of cases Indian traders in the rural areas of Transvaal are tenants of white landlords.

In case where the property was owned by a member of the Indian group such areas were re-specified and defined in terms of Section 13(3)(a) (See annexure "A")

(ii) Proclamation 257/52 and 118/52 were withdrawn, and Section 10 of the Act was amended in order to introduce strict and effective measures to restrict a bona fide employee from taking up employment in rural as well as urban areas, see Proclamation 231/55.



This measure is directed against non-Europeans taking up employment with European firms, etc.

- (iii) A person may continue his occupation in the event of any area being declared controlled area in terms of Section 10, amended, if there exist a written agreement lawfully effected before the Group Areas Act came into force or any written agreement arrived at between the parties in the specified area. In the case of a verbal agreement (unwritten) the occupation of a "disqualified person" shall terminate on the 1st July, 1957.

"Disqualified person" in the controlled area means any person who is not a member of the same group as the owner of such property, land or premises.

6. GROUP AREAS (Proclamations 265/55 and 153/56 Section 3(1)(a) and (b))  
By proclamation 57/53 the township of Davidsonville in the Municipal area of Rodepoort-Mareisburg was the first group area declared in the Union of South Africa for ownership and occupation by members of the COLOURED group. Since then certain group areas were declared in the province of the Cape of Good Hope, viz.

- i. In the municipal area of Carnarvon for the members of WHITE and COLOURED groups.
- ii. Apalinda in the municipal area of East London for the members of WHITE group, and
- iii. In the village board area of Brandvlei for the members of WHITE and COLOURED groups.

In the province of Transvaal two more proclamations were issued. On the 25th November, 1955, by proclamation 265/55 Group Areas in the municipal area of Brits was declared for the occupation and ownership by members of WHITE and INDIAN groups and again on the 3rd August, 1956 by Proclamation 153/56 areas were declared in the Western suburbs and district of Johannesburg for the members of WHITE, COLOURED AND INDIAN groups,

7. UNLATER GROUP AREAS (Section 3 Bis)

Certain areas in Proclamation 153/56 referred to above have been declared proposed group areas for the members of WHITE and INDIAN groups

8. BORDER STRIP (Section 3 Ter)

Where there are no natural frontiers or buffer zones such as "heining, koppie, grieket, rivier, kanaal" etc. to act as a dividing line for two different racial groups, the Governor-General may proclaim any portion of the perimeter of any group area as a Border Strip.

- (a) Although the enquiry was of a public nature its reports remained a secret document, neither the person affected by it has any access over it nor any provision been made whereby the Minister is obliged to lay copies of such reports on the table of the House of Parliament. (See Annexures F & G)
- (b) As a result of reports tendered by the Board, the Minister set aside areas for various racial groups. This action on his part in declaring group areas has prejudicially affected the liberty and property of the members of non-white groups in that;
  - (i) Areas so declared in the Cape will restrict the liberty of movement of the members of the Indian group as they (Indians) will be debarred from trading and residing, in Carnarvon or Brandvlei.



- 4 -
- (ii) The members of the Indian group will be deprived of their businesses in the Western areas without any compensation and they will suffer heavy financial loss in regard to their property.
  - (iii) This will bring tremendous hardship and insecurity to the members of the Indian community of the western suburbs of Johannesburg involving some 10,000 people.
- (c) The Board or its Committee although conferred with wide powers by the Act, never conducted its enquiry in order to gauge the suffering, hardship and economic loss that is involved of persons who would suffer by their adverse decisions.
  - (d) Nowhere in the democratic world have enquiries ever been conducted in such a malicious manner where the social, political, cultural, religious and economic fate of Communities are decided on the findings of such enquiries.
  - (e) Out of the twelve members of the Board none are appointed from the members of other groups whose substantial interests are involved - all the members nominated by the Minister are selected from the members of only the white group to carry out the apartheid policy of the Nationalist party. The non-European people cannot place any faith in a board of this composition.
  - (f) As a result of the Board or its committee's findings group areas were proclaimed in the Western suburbs of Johannesburg. In our opinion there was no justification for such recommendation:-
    - (i) That the Indian community throughout its history has always lived in peace and harmony with the other sections of the population. It was always their policy to extend their co-operation and friendship to the other Communities. Therefore there was no possibility of any friction now or in the future between the Indian Community and other sections of people residing in these areas.
    - (ii) The Indian Community at no time stood in the way of the municipality to improve the conditions of the city, town planning and development projects or slum clearance.
    - (iii) Pageview was never pressed as a white group area by any European interested party who made representation to the Board. On the contrary the Transvaal Indian Organisation had begged for the continuance of Pageview as an Indian Group area. \* Notwithstanding Pageview is now proclaimed a white area.

#### 9. REFERENCE AND PLANNING COMMITTEE

Owing to the lack of enthusiasm on the part of municipalities to have group areas set aside for the inhabitants in their towns an unauthorised inter-departmental committee known as the Reference and Planning Committee was established within the offices of the Land Tenure Advisory Board. The Committee used the same offices as that of the Board and it appeared that they worked in close association with the members of the Board. The function of the Committee was to work out schemes for Group Areas in various parts of the country.

Their members paid visits to the various municipalities to solicit their co-operation for implementing the provisions of the act. The officials of the Land Tenure Advisory Board on various occasions acted as members of this Committee.

This unauthorised action was challenged by the Congress representatives at hearings and subsequently in 1952 the Act was amended to make pro-



vision for such an inter-departmental Committee. Subsequently the Reference and Planning Committee was officially appointed by the Minister of the Interior.

The inter-departmental Committee together with the Members of the Board interviewed and corresponded with various Municipalities, as a result of which the implementation of the Act was stepped up and numerous sittings took place.

10. TRADING LICENCES (Section 23)

Section 23 as amended by Act 68/55, prohibits any licencing authority from issuing any trading licence to any person or a transfer of such licence to any other premises unless the applicant has first obtained a certificate from the Group Areas Board.

11. FORCED SALE OF PROPERTIES AND INSPECTIONS.

(Section 20, 31 and Section 38 read with Proclamation 71/51)

As a result of the coming into operation of the Act the previous legislation which prevented Asiatic ownership of fixed property has fallen away. Nevertheless the previous legislation remains of paramount importance, because if any property was not lawfully held in the past then Section 20 of the Act which reads:

"If any immovable property -

- (b) has at the commencement of this Act been acquired or is at the commencement held in contravention of any provision of any laws repealed by this Act .....

would be enforced and any such property may be compulsorily sold to the advantage of Consolidated Revenue Fund.

The Minister appointed inspectors by Notice 2386/50 in terms of Section 31 for the purpose of inter alia:

"to ascertain whether the provision of any law restricting the ownership of any land being complied with".

The inspectors who are conferred with very wide powers by the Act, were let loose on the Indian community to investigate whether their holdings of fixed property acquired prior to the coming into operation of the Group Areas Act was legal or not.

The main object of the investigation is to extract statements from people so that Section 20 may be applied to their properties. As a result of these investigations over 300 notices were served on the members of the Indian Community to dispose of their holdings. Hundreds of people were robbed of their properties by this method. The most brutal and vicious methods employed by these inspectors in extracting statements from the members of the Indian Community will remain in the memory of the Indian people for a long time. Officials of the T.I.C. assisted the Indian people in most cases, also arranged legal assistance where it was necessary.

In our opinion if an impartial commission is appointed to investigate the workings and the methods employed by the departments of Inspectors and the Group Areas Board, then we are convinced from the experiences we have had in their dealings with the Indian community, interesting facts will be revealed that will shock the people of South Africa and the world at large.



6

PART III

AT THE ENQUIRY HELD AT ~~BYSTROOM~~ COUNSEL FOR THE MUNICIPALITY SAID:

"It is entirely out of place, all that we want are the facts and these are being placed before you as far as they are in our possession. The policy of this Act has been decided elsewhere and this is not the place to debate it. My learned friend has been studying the Act to find a provision stating that the Indian must be moved outside, outside the town. Well, he will not find it inside the Act but he will find it outside the Act. It lies in the fact that the Act was passed at all. If the Indians had to stay where they are, the Pegging Acts that we have had since 1939 would have been entirely sufficient. We would have had no need to set up all this elaborate machinery created by the Group Areas Act if we only want to have a Pegging and a keeping of the Indians where they are at present. The mere fact that the Act was passed, Mr. Chairman, indicates that the Act required a much more drastic separation than can be achieved by any Pegging measures. My learned friend has been much concerned about justice and fairness. Well, Mr. Chairman, those words apparently mean to him and his friends only one thing, that is that the Indian must get exactly what he wants. Only then will he be satisfied that he has got justice and fairness and I will deal with that, I will indicate in which way my clients approach this and where they see the justice and fairness. It has been put to witnesses that these areas, these alternative areas do not afford the same opportunities for trade as the areas where the Indians are today and it certainly doesn't require long hours of the most tedious cross-examination to establish that these areas are not as fit for trade as the area where they are now.

My learned friend should know what racial animosities are, how they arise. My learned friend should know that as soon as the Jews had reached a certain percentage of the population animosities arose against them. You will find that right over the world. Especially if they concentrate on one profession. And the Indian need not expect that with him it will be different.

There is nothing inhuman in what is done - what is being done is merely a readjustment of affairs that were allowed to go too far and they went too far simply because the Governments were not alive to the cunning and the tactics of the Indian who always, against the wish of the population and of the Governments, penetrated where they were not wanted. We do not look for justice for the Indian alone. We want it for the white man too. And the justice of this arrangement lies in this - the foreign domination of trade in a white town must be ended. That is justice to the white man to whom the country belongs. The Indian has no divine right to trade. He can go, and he can go into other spheres of activity as others do and where does he get his claim from that he has an inalienable right to trade? Why must a shop assistant demand that he wants to remain a shop assistant?

What is their idea of justice and fairness? It is that they should remain exactly where they are. The Group Areas Act has to remain a dead letter. If that vision of justice is to prevail we might as well not have passed the Group Areas Act. If they consider that that Act was passed in order to entrench them in their position they will have to re-consider their view for the purposes of the Act.

Mr. Chairman, what I have said here is, no doubt, well known to you, it goes very far on to the political side of the thing but I have stated it because my learned friend was so anxious to question Councillors on this aspect of the matter. That is why I give it because I know that the attack on this scheme will be, to a great extent, on this aspect which I have dealt, and I think that on behalf of the Councillors I represent I should state that attitude and that is why I have done it.



7

1. CONGRESS APPEARS BEFORE THE BOARD

In terms of the decision of the South African Indian Congress, the Transvaal Indian Congress made representations at the meetings of the Board to oppose and expose the Act. All plans for segregation particularly those affecting the Indian community showed a callous desire on the part of the upholders of apartheid to rob the Indians of their property and their business rights acquired by them over a period of years. Evidence submitted to the Board disclosed the true aims of apartheid.

2. BOARD'S FIRST ENQUIRY

On the 7th May, 1952 Lydenburg became the first place to test the provisions of the Group Areas Act. Congress lodged objections to the proposals advertised for the various racial groups of the town (see Annexure B). In reply the Board indicated that it cannot entertain our objections. (see Annexure C). The Land Tenure Advisory Board (Group Areas Board) postponed the sitting sine die the hearing to consider a proposal to remove Indians three miles out of town. The anticipated 3-day session came to a sudden standstill. This was due to the fact that Congress and other certain objectors exposed the scheme and the intention of the Town Council in setting aside an area three miles out of town. It appeared blatantly obvious that the true motive behind the Municipality's scheme was to replace the Indian traders by Europeans, depriving the Indian of means to live. Counsel appearing for the Municipality said:

"There was general feeling that the Indians have penetrated deeply into business and they would now be advised to concern themselves less with business and more with other trade."

In 1954 the Lydenburg Council made a second attempt to remove the Indians from the town. Two alternative sites were submitted by their counsel for the consideration of the Board. Prior to the current sitting of the Board, an European Company applied to the Board for a permit to purchase erf 131. This application was, however, granted and a permit was issued. The Congress succeeded in obtaining a postponement because it felt that the Board conducting this enquiry were a party to the issue of this permit and the matter was therefore prejudged.

An application was made to the Chairman of the Board by Counsel appearing for the Transvaal Indian Congress that the members of the Board should recuse themselves if they were also members of the Board which issued the permit referred to above, on the ground that the issuing of the permit had prejudged the decision of the Group Areas Board sitting in Lydenburg, or that some members of the Board did not want to include the erf in question in the Group Area for Indians and this fact would colour their attitude at the hearing and influence any recommendations they made to the Minister. This application was refused, and the hearing was subsequently postponed to enable us to test the matter in Court. The Board refused to divulge the names of the members who recommended the issue of the permit (See Annexures C & D). As a result of this attitude on the part of the Board the matter was referred to the Supreme Court where the decision went against us.



- 5 - 8

3. EXPULSION OF CONGRESS

At the resumed hearing of the Board in Lydenburg following the Supreme Court Decision the Chairman ruled that the Transvaal Indian Congress was not an interested party in terms of the Act, and therefore Congress was not qualified to make representations or participate in the proceedings. The Board met initially at Lydenburg in 1952 but its work was only concluded towards the end of 1954. Similar rulings were also given by the Chairman of the Board at Pietermaritzburg, Brits and Johannesburg.

4. HEARINGS OF THE BOARD

Enquiries were held in Balfour, Brits, Carolina, Ermelo, Klerksdorp, Lydenburg, Nylstroom, Nelspruit, Ventersdorp, Wolmaranstad, Pretoria, and Johannesburg. The hearing at Rustenburg has been postponed sine die.

5. SUPREME COURT RULING.

At the first hearing in Johannesburg Congress made an application for the adjournment of the Board to enable us to test the validity of the ruling of the Chairman in the Supreme Court. This was refused by the Board. In the interim we made an application to the Supreme Court accordingly, where it was held that in terms of the Act the Transvaal Indian Congress was an interested body and fully qualified to participate in the proceedings of the Board. The ability of the Board to silence Congress before its proceedings was temporary.

6. AMENDMENT OF THE ACT.

As a result of the Supreme Court decision, the Minister of Interior had the Act amended further, giving the Chairman of the Board absolute discretion in deciding whether a person or organisation was an interested body in terms of the Act. Whether Congress can make representations before any hearing of the Board, now is determined not by the wishes of the Indian people, but by the Chairman of the Group Areas Board, acting on behalf of an anti-Indian Government.

During the debate in Parliament on the Group Areas Further Amendment Act, Dr. Donges, the minister of the Interior, said "That the reason why no Group Areas have been proclaimed was because of the systematic opposition of the Congress.

7. FARCICAL PROCEDURE.

The procedure adopted at the hearings at Nylstroom and Lydenburg where counsel for the Municipality called on the Town Clerk to give the Board estimates and figures of costs for the establishment of Group Areas was changed, because at previous sittings under cross-examination the Municipality's motive for setting aside these areas were exposed.

This procedure was changed and transformed the Board as the privileged Committee of the Municipality concerned. Previously witnesses were freely called to give evidence and to be cross-examined. This practice facilitated a severe and detailed examination of witnesses called by the local authority and in most cases led to the exposure of the real motives in advocating a particular plan submitted to the Board.

8. DISCRETION TO CALL WITNESSES.

In subsequent amendments to the Act it was left in the discretion of the Chairman to call witnesses. Henceforth the local authority not surprisingly refrained from calling witnesses at further hearings to save itself and the authors of the Act the embarrassment of being caught with its shabby and fraudulent schemes and its bad



- 9

faith. Applications to the Chairman to summon a witness particularly the Town Clerk of a local authority concerned or important personnel have invariably been refused. In effect what happens now is that the Local Authority can with impunity put forward any wicked scheme in the form of memoranda without the burden of having to elaborate or explain it. The fate of the Indian people is now being decided on a scrap of paper.

#### 9. JOHANNESBURG ENQUIRY

In terms of notices published in the press by the Land Tenure Advisory Board inviting all interested parties to lodge proposals for the establishment of Group Areas in Johannesburg and its environs.

At the hearing various plans were put forward by the Board, Proposals were submitted by the Municipality, peri-Urban Areas Board and the Transvaal Indian Organisation etc.

The first hearing in Johannesburg was postponed as a result of the application made by Congress to the Supreme Court.

Before the resumed hearing of the Board in Johannesburg, the Chairman, Mr. de Vos Hugo, issued a statement to the press to the effect that the Western Areas of Johannesburg would become a white area.

At the commencement of this hearing, Counsel appearing for a number of Indian traders and residents applied for the recusal of the chairman on the grounds that he had prejudged the issue. The Chairman agreed to postpone the proceedings if the matter was brought before the courts in a specified time. This was agreed to. The application to court for the recusal was settled and the terms were that the chairman and members of the Board who sat at the enquiry would not conduct the proceedings in Johannesburg.

A committee consisting of Mr. C.A. Backeberg, Dr. J.F.G. van Rensburg and Mr. W.G. Gouws were appointed by the Board to conduct the enquiry.

This was the first occasion that proposals were submitted by a handful of individuals in the name of the Transvaal Indian Organisation who believed that if they co-operate with the Board and present some alternative plan, they may be able to save themselves. It was proved beyond doubt that no good purpose was served by the submission of these plans, because the Nationalist Government, conniving with the United Party Municipality, was bent on removing the Indian population from the centre of the city to far distant Lenasia, where significantly an ex-City Councillor and a former mayor had an interest in the township.

This action on the part of the Transvaal Indian Organisation amounted to surrender and was intended for the purposes of serving the interests of a handful of individuals and opportunists at the expense of the Community.

The Nationalist Government found an ally in the United Party representing the City of Johannesburg who co-operated with them in preserving the white baaskap policy of the Nationalist Government by removing the non-European population of Johannesburg.

The United Party City Council who some years ago played an important role in establishing exempted areas, have suddenly succumbed to the Nationalist policy of apartheid and put forward fraudulent schemes to appease protagonists of white baaskap.

The City Council were aware that a large number of Indians were in urgent need of housing. In spite of repeated demands by Congress to provide housing for the lower income groups, the City Council criminally neglected its duty and saw fit to support the private township of Lenasia as a group area for Indians.



It appears from the recent proclamations of the Western Areas of Johannesburg that the Group Areas Board have accepted the proposals and schemes put forward by the United Party City Council.

At this hearing Congress opposed all the proposals under investigation and contends that no case was made out either by the City council, Transvaal Indian Organisation and other proposers for the desirability of creating Group Areas. Our contention proved correct and despite the enquiry by the Committee, Mr. de Vos Hugo's statement must have influenced the decision to declare the Areas to oust and uproot the Indian Community.

In spite of the opposition of Congress and the Indian people in general, the Board considered the application of Lenz Industrial Township Company (Pty) Ltd to sell stands to the members of the Indian group and a permit was issued to the Company. This was done long before the hearing in Johannesburg.

This is another clearest case of prejudicial prejudging.

The Indian community will be displaced in the Western suburbs and they will suffer heavy financial losses because of this proclamation. The displaced and uprooted Indians will be compelled to acquire property at a high price from the Township owners, a private company, who will reap tremendous profits from these sales. For this situation we directly blame the Government and its Board and the City Council of Johannesburg.

10. SUBMISSION OF PLANS.

From the beginning experience has proved that the policy adopted by Congress of not submitting any proposals for group areas and also our decision to appear before the Board to oppose the principle of apartheid and the injustices of any racial zoning proposal was correct.

In spite of the Minister of Interior's Guarantee at the time of the introduction of the Group Areas Bill in Parliament when he said "as regards the carrying out of this Bill it will be based on justice", this guarantee fell away for one reason, because it clashed with the Nationalist Government's policy of apartheid. The very nature of the act does not lend itself to fair play and justice; hence the Board cannot claim impartiality and judicial independence.

Under the circumstances there is no alternative for the Indian community but to oppose the application of the Group Areas Act. There can be no compromise on the policy of apartheid and on the policy of expatriation.



//.

GROUP AREAS IN JOHANNESBURG.

Group areas for members of white and coloured groups have been declared in certain townships in the western suburbs of Johannesburg according to a proclamation appearing in the Government Gazette of 3rd August 1956. In terms of this proclamation group areas for the members of the Indian group were declared at Farm Rietfontein No. 48, which includes the township of Lenasia and which is situated outside the municipal boundary of Johannesburg. A further proclamation in the same Gazette made the provisions of the Group Areas Development Act applicable to certain townships included in the notice. These proclamations were made in terms of Section 3(1)(a) and (b) and Section 3(2) and Section 3 bis (1) of the Group Areas Act, 1950, as amended and in terms of Proclamation 13/1956, which brought into operation the Group Areas Development Act, No. 69 of 1955.

The relevant Provisions of the Act:

The group areas, referred to above, were declared under Proclamation 153/1956, Government Gazette 5724, and the relevant Sections of the Act read as follows -

(a) Section 3(1)(a) and (2)

3 (1) The Governor-General may, whenever it is expedient, by proclamation in the Gazette -

(a) declare that, as from date specified in the proclamation, which shall be a date not less than one year after the date of the proclamation thereof, the area defined in the proclamation shall be an area for occupation by members of the race specified there in; or

(b) declare that, as from date specified in the proclamation, the area defined in the proclamation shall be an area for ownership by members of the group specified therein.

(2) Proclamations under paragraph (a) and (b) of sub-section (1) may be issued also in respect of the same areas.

(b) Section 3 bis (1)

3 bis (1) The Governor-General may by proclamation in the Gazette define any area which he proposes under paragraph (a) of sub-section (1) of Section Three to declare as an area for occupation by members of the group specified therein.

(2) The provisions of sub-section (3) of Section Three shall apply also in relation to any proclamation referred to in sub-section (1) of the section.

(3) (a) No person, other than a statutory body, who is the owner of any land situate in an area defined by a proclamation issued under sub-section (1), shall until the area in which his land is situate, is proclaimed as a group area for occupation except under the authority of a permit -

(i) subdivide any such land; - -

(ii) use the surface of such land for any purpose for which it was not being used on the date of the relevant proclamation under sub-section (1), or in the case of land in respect of which any such permit has been issued, for any purpose not authorised by the permit;

(iii) enter into any agreement whereby he purports to grant to any person the right to use land in contravention of the provisions of sub-paragraph (ii);

(b) for the purpose of this sub-section 'Land' does not include any building or other structure erected on the land.



- 2 -

The Group Areas Development Act, No. 69 of 1955, provides for the control of the disposal and for the acquisition of property in group areas and other areas defined under the Group Areas Act, 1950, and for proper development of such areas, and for the purposes to establish a Board and to define its functions, and provide for matters incidental thereto. According to Proclamation 154/1956 the provisions of this Act were made applicable to the townships of Sophiatown, Claremont, Newlands, Newlands Extension, Pageview and Albertsville. This, briefly, means:

- (a) The properties owned by non-whites in the above areas are now controlled and termed as 'affected property' as from the basic date, i.e. 3rd of August, 1956.
- (b) These properties will be dealt with by the Group Areas Development Board established under the Act and which came into operation on the 1st February, 1956; the Board shall compile a list of all 'affected properties', recording; descriptions and number of property, name and group character of owner, name of occupier and his race character, 'basic date', and 'basic value' of land and buildings.

As soon as the list is compiled the board shall publish a notice in a newspaper stating that the list is open for public inspection and calling upon the property owners to lodge any objection they may have to the inclusion of such property in the list. The board shall notify the owner and the registrar of deeds that listed properties shall not be transferred to any person without a certificate from the board.
- (c) The board shall have pre-emptive right in respect of every 'affected property'. Every owner and every bond-holder shall, from 30 days from 3rd August, 1956, submit a statement to the board in writing, giving details as prescribed in the regulations framed under the Act (see Government Gazette 5724, dated 3rd August, 1956). It is an offence not to comply with the requirements contained in schedules 'B' and 'D'. The owner may be required to furnish further information as per schedule 'C' and it is an offence not to comply with the board's request.
- (d) The race classification of the owner of a property, whose name appears on the list, shall be determined in terms of Population Registration Act of 1950.
- (e) The basic value of 'affected property' shall be determined by one or more valuers appointed by the Administrator of the province. The board, the owner and the bond-holder will be afforded a reasonable opportunity for making representations.
- (f) If the board waives its right to purchase an 'affected property' the owner may sell it on his own. In that case 50% of the money received in excess of the basic value shall be paid to the board. In the event of a loss the board shall make good 50% of any such loss.
- (g) The board can expropriate any 'affected property'. When any property is expropriated the board shall invite the owner to state his price. If the agreed price exceeds the basic value then 50% of such excess will be paid to the board and in the event of the price being below the basic value then the board shall make 80% of any such loss.
- (h) Any dispute between the owner and the board may be settled by three arbitrators appointed by the board.



13

- 3 -

Group Areas for Members of the White Group:

The following areas have been declared group areas for the members of the white group in terms of Section 3(1)(a) and (b) and 3(2) of the Group Areas Act, 1950, as amended -

- A. (1) Westdene,  
(2) Sophiatown - portion east of Good Street and west of Best Street,  
(3) Albertskroon,  
(4) Pageview - portion south of 22nd street,  
(5) Claremont - west of Charles Street,  
(6) Greymont.

(According to the proclamation non-whites in the above areas must terminate their occupation of land and premises before 3rd August, 1957)

- B. (1) Newlands,  
(2) Newlands Extension

(According to the proclamation non-whites in the above areas must terminate their occupation of land or premises before 3rd August, 1958)

The following areas are defined as proposed group areas for the members of the white group under Section 3 bis (1) -

- (1) Sophiatown - portion east of Good Street west of Best Street,  
(2) Albertsville  
(3) Pageview - portion north of 22nd Street.

(According to the proclamation the present non-white occupants of land and premises in these townships will be able to continue their occupation under restrictions pending further proclamation by the Governor-General under Section 3 of the Act.)

Group Areas for members of the Coloured Group:

The following areas have been declared as group areas for the members of the Coloured group in terms of Section 3(1)(a) and (b) and 3(2) of the Group Areas Act, 1950, as amended -

- A. (1) Coronationville,  
(2) Newclare.

(According to the proclamation members of the non-Coloured groups, i.e. Malays, Indians, Chinese and Africans, shall terminate their occupation in the above areas before 3rd August 1957 and 3rd August 1958 respectively for Coronationville and Newclare)

- B. (1) Ebsmot,  
(2) New Monteleo.

(These areas are defined as Coloured group areas for occupation and will be treated as 'controlled areas' in terms of the Act.)

Group Areas for Members of the Indian Group:

In terms of Section 3(1)(a) and (b) and 3(2) of the Group Areas Act, 1950, as amended -

- (1) Lenasia  
has been declared a group area for ownership and occupation for members of the Indian group, and
- (2) Portion of Farm Rietfontein No. 1  
has been declared a proposed group area for the members of the Indian group under Section 3 bis (1) of the Group Areas Act, as amended.



14.

(Farm Rietfontein, which includes the township of Lenasia is outside the Municipal boundary of Johannesburg and is about 22 miles from the City.)

Facts about the Affected Townships:

(a) Pageview.

The township of Pageview is occupied exclusively by about 10,000 non-Europeans. Among them are approximately 5,000 Indians and Chinese (mostly Indians), 3,000 Coloureds and Malays and 2,000 Africans. Originally, it was declared a location under the provisions of Law 3 of 1885 and non-Europeans have occupied it for over fifty years.

Under the proclamation it is declared a group area for the white group. Portion to the south of 22nd Street is to be vacated by the non-Europeans by 3rd August, 1957 and the remaining portion is defined as a proposed group area for the whites. The provisions of the Group Areas Development Act is made applicable to the portion south of the 22nd Street, which means that properties in that portion are now controlled by the Group Areas Development Board and are liable to be expropriated.

The township comprises of 476 stands and the properties are almost exclusively owned by Indians and their valuation, with improvements, amount to over £1,500,000. In addition, it has over 200 Indian traders, who depend on commerce for their livelihood and have an additional investment of over £1,000,000 in stocks and goodwill.

The declaration of Pageview as a white group area and as a proposed white group area, apart from other very serious implications, clearly means:

- (1) depreciation of at least 85% of the value of the fixed properties;
- (2) total ruination of the 200 Indian traders and their dependents;
- (3) total loss of goodwill built over years of hard work;
- (4) uprooting of a settled community;
- (5) destruction of homes, and
- (6) impoverishment, degradation and humiliation.

(b) Westdene.

This township adjoins Sophiatown and is almost exclusively European except for about 20 shops and some homes occupied by Indians, Chinese, Coloured and Malays. Although the shops in Main Road are not included in the proclamation their position is as precarious as the others in the western areas. It appears from the pattern of the application of the Group Areas Act in the western suburbs that these shops will fall under a declaration which will make the area a buffer area and therefore, the 20 odd shop-keepers will face total ruination.

(c) Sophiatown.

The township of Sophiatown is almost exclusively owned and occupied by non-Europeans. Just prior to the removal of the African people under the Resettlement Scheme it contained over 50,000 persons. Among them are about 2,500 Indians, 1,000 Coloureds and Malays. The area has been occupied by the non-whites for over fifty years.

Under the proclamation, it is declared a white group area. The so-called buffer zones on the eastern and western sides of the township are defined as immediate group areas and the non-whites living there will have to leave before 3rd August, 1957. The portion between Good and Best Streets is declared a proposed group area and the provisions of the Group Areas Development Act are applied, thus properties in the township will become liable for expropriation.

Sophiatown comprises of over 1,600 stands and its value in stands and improvements is over £2,000,000. Of this amount properties belonging to Indians, Malays and Chinese (mostly Indian) is worth well near £750,000. In addition there are more than 200 Indian and about 50 Chinese traders and their investment in goodwill and stock is equal to the above figure.



15

The removal of the African people under the Resettlement Scheme is complemented by the declaration of group areas for the white group. The application of the Group Areas Development Act will hasten the expropriation of non-white properties and tens of thousands of people - Africans, Indians, Chinese, Malays and Coloureds will be uprooted and displaced from this area and their life-time's earnings sacrificed at the altar of apartheid. The Indian and Chinese traders and their dependents will be deprived of their only means of livelihood.

(d) Newlands and Newlands Extension.

The townships have an European population of 6,000 and a non-European population of over two thousand. Their declaration as white group areas means that all non-whites living in the area must vacate their homes and places of business before 3rd August 1958. Among the 800 Indians living there are families that have been there for 20, 30, 40 and 50 years.

There are about 40 Indian traders and as many properties owned by Indians. Their investments in stock, property and goodwill is worth at least half a million pounds. The application of the provisions of the Group Areas Development Act and the general uprooting of this settled community will bring about untold misery. Hundreds more will join the ranks of destitutes with no means of livelihood.

(e) Martindale.

This township is adjacent to Sophiatown and comprises of 322 stands. On its main road are situated about 70 Indian shops on which more than 500 Indians are dependent. Although the area is not declared a group area it is evident from the general scheme that it will become a buffer area in which case investments worth over half a million pounds will be expropriated from the non-whites. In that event more Indian and Chinese traders will be uprooted with no other avenue open to them.

(f) Newclare

The township of Newclare is occupied by 1,500 Indians and Chinese (mostly Indians) about 100 Malays, 1,000 Coloureds and 13,000 Africans. Non-Europeans, particularly Indians have occupied this area since the turn of the century and they were encouraged by the Johannesburg Municipality to live there.

The township has been declared a group areas for members of the Coloured group and in terms of the notice all non-Coloureds i.e. Indians, Chinese, Malays and Africans will have to vacate it before 3rd August 1958. Newclare consists of 600 odd stands and members of the Indian community own over 75% of the properties. Indian investment in property and improvements amounts to £750,000.

In Newclare there are about 100 Indian and 50 Chinese traders, their investment in goodwill and stocks run into thousands of pounds. The owners of these businesses, together with their dependents and employees are threatened with economic extinction.

(g) Albertsville.

There are 1,497 stands in the township of Albertsville. It is exclusively owned and occupied by the members of the Coloured group. Hundreds of thousands of pounds have been invested there by the Coloured Community. It is now declared a white group area (proposed), and the provisions of the Group Areas Development Act applied.

The declaration will uproot 4,000 persons and deprive them of their homes, built with the labour and earnings of years.



16.

(h) Lenasia and Farm Rietfontein No. 48

About 1,600 morgens of land is set aside as group areas and proposed group area for members of the Indian group on Farm Rietfontein No. 48, which includes the township of Lenasia. This land is 22 miles from Johannesburg and is the only area made available to the members of the Indian group.

The township of Lenasia, now a group area for Indian occupation and ownership, consisting of 2,600 stands, is a privately owned township in which members of the City Council of Johannesburg have economic interests. Although the value of each stand is not worth more than £15 the selling price is £350!

The declaration of this area as a group area for Indians is significant from many points of view. Long before its declaration as such the Minister of the Interior granted a licence to the Lenz Industrial Township Co. (Pty) Ltd. to sell stands to the members of the Indian group. A high school was built there by the Department of Education over a year ago so as to force the members of the Indian community to take serious note of the area.

It is obvious that the connivance of the authorities is designed to bring about compulsory segregation of all Indians living in Johannesburg and its environs. To this end the City Council of Johannesburg has played no small roll. Almost the whole plan of group areas in the western suburbs of Johannesburg has had the tacit support of the Council.

Needless to say that the area is utterly unsuitable for the Indian people. What can thousands of displaced Indians do at Lenz? Compulsory segregation is clearly directed at achieving the declared aim of expelling Indians from the Country.

The Effects of the Declarations.

The Group Areas Act was passed in 1950 in the face of the unanimous opposition of the Non-European people of South Africa. It is one of the most important instruments of apartheid, designed for the purpose of perpetuating the herrenvolk ideology of white-baaskap. Its callous implementation in the western suburbs of the City involves:

- (1) Displacement and removal of tens of thousands of non-whites - Africans, Indians, Coloureds, Malays and Chinese.
- (2) Destruction of all social and cultural institutions of the non-whites in the affected areas.
- (3) Uprooting of homes.
- (4) Loss, in some cases up to 85%, of property investments of several million pounds.
- (5) Elimination of about 750 Indian traders, the deprivation of their means of livelihood and the destruction of their commercial interests of several million pounds.



GROUP AREAS ACT 1950

(ACT NO. 41, 1950 AS AMENDED BY ACT NO. 65,  
1952, ACT NO. 6, 1955, ACT NO. 68, 1955 &  
ACT NO. 29, 1956)

(Proclamations and Government Notices  
September 1950 - August 1956)

	Proclam. No	Govt. Gazette No	Date
<u>COMMENCEMENT OF THE ACT</u>			
Proclamations under Section 37(1)			
LAND TENURE ADVISORY BOARD & INSPECTORS	242	4468	29.9.50
ANY OTHER MATTER -			
in so far as they relate to, in the provinces of the CAPE OF GOOD HOPE	71	Ex4570	30.3.51
NATAL and TRANSVAAL and in the province of ORANGE FREE STATE	225	4951	31.10.52
Group Areas Further Amendment Act (Act 68/ 1955); Proclamation Under Section 28 Act came into operation on 17.10.55	230	Ex5563	14.10.55
<u>CONTROLLED AREA</u>			
Proclamations under Sections 37(1), 10(2)(h), 10(2)(h) bis & 10(2)(n)			
CAPE OF GOOD HOPE, NATAL & TRANSVAAL -	71	Ex4570	30.3.51
In regard to the acquisition of immovable property, the Cape of Good Hope, Natal & Transvaal became Controlled Area, with effect from the date of coming into operation of the Act.			
ORANGE FREE STATE -	255	4951	31.10.52
declared Controlled Area with effect from 31.10.52, and is subject to occupational and acquisitional control of immovable property.			
CAPE OF GOOD HOPE, NATAL & TRANSVAAL -	256	4951	31.10.52
Provisions of Section 10 apply in rural areas - Urban & Defined Areas in the said provinces and certain townships in Transvaal remain specified areas.			



	Proclam. No	Govt. Gazette No	Date
BCNA FIDE EMPLOYEE -	257	4951	31.10.52
restriction of application of Section 10(2)(h) and application of Section 10(2)(h) bis Proclamation withdrawn See pro 118/54			
Restriction of the application in controlled area of Section 10(2)(h) and application of Section 10(2)(h) bis in certain areas Procl. 257/52 withdrawn See Procl. 231/1955.	118	5306	9. 7.54
1) application of Section 10(2)(h) in urban area or rural township ii) application of Section 10(2)(h) bis in areas other than urban area, rural townships or agricultural holdings iii) application of Section 10(2)(n) in whole of controlled area iv) definition in this proclamation of "Agricultural holding". Alteration tailor, butcher, clerk, "storeman", "trade or business", urban area, rural township, etc. etc. v) Proclamation No. 118/1954 withdrawn	231	Ex5563	14.10.55
<u>RACIAL GROUPS</u>			
Proclamations under Section 2(2)			
INDIAN, CHINESE & MALAY -	73	Ex4570	30. 3.51
Indian and Chinese population of the Cape of Good Hope, Natal and Transvaal declared groups for the purposes of the Act; and Malay population declared a group in the districts of Cape, Simonstown, Wynberg, Bellville, Somerset West, Stellenbosch, Paarl, Worcester, Port Elizabeth and Kimberley in the Province of the Cape of Good Hope			
MALAY -	240	4721	2.11.51
Shall be a group in certain districts of TRANSVAAL, NATAL & CAPE Proclamation withdrawn See procl 258/1952			
MALAY -	258	4951	31.10.52
1) declared a group in the following districts: The Cape of Good Hope: East London and Uitenhage Natal: Durban and Pietermaritzburg Transvaal: B. noni, Germi on.			



	Proclam. No	Govt. Gazette No	Date
INDIAN, CHINESE & MALAY -  European male loses his group character by marriage or cohabitation with Indian, Chinese or Malay woman Proclamation 73/51 amended	87	5282	28. 5.54
<u>OPEN AREA</u>			
Proclamation under Section 10(3)			
CAPE OF GOOD HOPE -  excluded from the provisions of Section 10(1). Proclamation withdrawn. See procl. 220/51	72	Ex4570	30. 3.51
<u>SPECIFIED AREA</u>			
Proclamations under Section 11(1) Application of Sections 12 and 13			
NATAL & TRANSVAAL -  occupation of land or premises becomes under control subject to the provisions of Sections 12 and 13 from the date of coming into operation of the Act. See also Proclamations 71/51 & 256/52	74	Ex4570	30. 3.51
FISH HOEK - CAPE -  Proclamation withdrawn See procl. 220/51	208	4695	21. 9.51
CAPE OF GOOD HOPE -  application of the provisions of Sections 12 and 13. Proclamations 72/51 and 208/51 withdrawn	220	Ex4710	18.10.51
Magisterial District VEREENIGING			
(i) farm Hartzenbergfontein	270	4965	21.11.52
(ii) De Deur, Evaton small farm & Witkop 66	43	5247	26. 3.54
Divisional Council of STELLENBOSCH	285	4979	19.12.52
Magisterial District POTCHEFSTROOM			
(i) Welverdiend	48	5109	6. 3.53
(ii) Buffeldoorn 143	43	5247	26. 3.53
Magisterial District PIETERMARITZBURG			
Farms Bishopstowe & Sherts Retreat	169	5110	7. 8.53
Magisterial District GERMISTON			
Rietfontein No. 9	233	5174	6.11.53



	Proclam. No	Govt. Gazette No	Date
Magisterial District BENONI			
farm Rietpan No. 1	43	5247	26. 3.54
Magisterial District JOHANNESBURG			
a) Inanda b) Kensington "B" Township	43	5247	26. 3.54
Nancefield	95	4285	4. 6.54
Nancefield	230	4376	19.11.54
Magisterial District RANDFONTEIN			
farms Oog van Wonderfontein 39 and Venterspost 33	43	5247	26. 3.54
Magisterial District ROODEPOORT			
Mid-Ennerdale Township	43	5247	26. 3.54
Magisterial District ERMELO			
farm Smitsoog 143	95	5285	4. 6.54
Magisterial District OBERHOLZER			
farm Oog van Wonderfontein district of Wonderfontein and Uitspanning	229	5376	19.11.54
	46	5643	9. 3.56
Magisterial District of WARMBATHS			
farms Buiskop 71 & Roodepoort 74	240	5380	26.11.54
Magisterial District WOLMARANSSTAD			
farm Kliphuil	49	5643	9. 3.56
Magisterial District LETABA			
Farm Rietrivier 461	156	5724	3. 8.56
Magisterial District BENONI	33	5421	18. 2.55
Health Committee Area CATO RIDGE	90	5449	15. 4.55
Magisterial District MARICQ & RUSTENBURG	81	5437	25. 3.55
Magisterial District IMPENDHLE	104	5697	15. 6.56
<u>DEFINED AREAS</u>			
Proclamations under Section 13(3)(a) for the purposes of Section 13(3)(b)			
In the Province of TRANSVAAL -			
Alberton	243	4947	24.10.52
Amersfoort	239	5380	26.11.54
Amsterdam	239	5380	26.11.54
Bethal	161	4906	15. 8.52
Bronkhorstspuit	244	4947	24.10.52
Bloemhof	277	4972	5.12.52



	Proclam. No	Govt. Gazette No	Date
Balfour	277	4972	5.12.52
Brits	24	5004	13. 2.53
Boksburg :-	232	5174	6.11.53
farm Klipfontein No 6			
farm Leeuwoort No 4			
Zindabad Township			
farm Vogelfontein No 5			
Asiatic Bazaar			
Breyton	94	5285	4. 6.54
Benoni Magisterial Dist Vlakfontein	32	5421	18. 2.55
do farm Rietpan	43	5247	26. 3.54
do Municipal area	32	5421	18. 2.55
Belfast	242	5380	26.11.54
Miemiesvlei	42	5643	9. 3.56
Carolina	169	4910	22. 8.52
Coligny	277	4972	5.12.52
Christiana	91	5449	15. 4.55
Duiwelskloof	24	5004	13.12.53
Delmas	261	5199	18.12.53
Dullstroom	57	5426	4. 3.55
Elsburg	161	4906	15. 8.52
Ernelo Magisterial District farm	95	5285	4. 6.54
Smutssoog			
Ernelo	167	5338	10. 9.54
Edenvale	167	5338	10. 9.54
Evaton	32	5421	18. 2.55
Germiston	277	4972	5.12.52
Magisterial dist Rietfontein 9	233	5174	6.11.53
Germiston: Elandsfontein, Rietfontein			
9, Roodekop 14 & Rooikop 15	100	5288	11. 6.54
Groot Marico	147	5332	27. 8.54
Magisterial dist of Marico	81	5437	25. 3.55
Heidelberg	169	4910	22. 8.52
Hartebeestfontein	43	5643	9. 3.56
JOHANNESBURG:-			
Farm Waterval	75	Ex4570	30. 3.51
Turfontein	277	4972	5.12.52
Pageview (Malay Location)	205	5143	25. 9.53
Inanda	43	5247	26. 3.54
Kensington "B" Township			
Klipriviersoog do	44	5247	26. 3.54
Kliptown do			
Racecourse do			
Wynburg do			
Nancefield	95	5285	4. 6.54
do	230	5376	19.11.54
Krugersdorp, and includes	25	5004	13. 2.53
Burgersdorp			
Luipaardsvlei Township			
Applepark Township			
Kempton Park	234	5174	6.11.53
Klerksdorp	234	5174	6.11.53
Koster	116	5306	9. 7.54
Kinross	34	5421	18. 2.55
Louis Trichardt	161	4906	15. 8.52
do Erf 304	167	5338	10. 9.54
Lydenburg	161	4906	15. 8.52
Lichtenburg	49	5019	6. 3.53
Lealie	115	5701	22. 6.56
Letaba - magisterial Dist.	156	5724	3. 8.56
Middelburg	169	4910	22. 8.52
Machadadorp	34	5421	18. 2.55



	Proclam. No	Govt. Gazette No	Date
Meyerton	143	5504	1. 7.55
Nylstroom	277	4972	5.12.52
Nigel	196	5364	29.10.54
Oeffholzer; Magisterial Dist.			
farm oog van Wonderfontein	229	5376	19.11.54
farm Wonderfontein	46	5643	9. 3.56
Potchefstroom	265	5199	18.12.53
do Magisterial Dist.			
farm Buffelsdoorn	43	5247	26. 3.54
Potgietersrust	244	4947	24.10.52
Pretoria North and includes Wolmer	244		
Pretoria North Extension 1 farm Wonderboom 311			
Pietersburg & Anlindale Township	277	4972	5.12.52
PRETORIA:-	24	5004	13. 2.53
In the Municipal areas:			
(a) Pretoria Central			
(b) Claremont			
(c) Hermanstad			
(d) Parktown Estates			
(e) Mayville			
(f) Wonderboom South			
(g) Gezina			
(h) Rietfontein			
(i) Villieria			
(j) Arcadia			
(k) Daspoort			
(l) Sunnyside			
Pretoria	261	5199	18.12.53
a. Erf. 1853 Central			
b. Erf 39 Claremont			
in the Magisterial District	44	5247	26. 3.54
Eastwood Township			
Eersterust Township			
Highlands Township			
Riverside Township			
lot 291 Riverside	239	5380	26.11.54
Piet Retief	261	5774	6.11.53
do Erf 97 - SG No 4 482/28	250	5385	3.12.54
Paardekop	113	5303	2. 7.54
Rustenburg	277	4972	5.12.52
Rodeen	185	5126	28. 8.53
Randfontein	115	5306	9. 7.54
do Magisterial District			
farm Oog van Wonderfontein & Venterspost	43	5247	26. 3.54
Roodepoort Dist.			
Mid-Ennerdale	43	5247	26. 3.54
Rensberg-dorp	231	5376	19.11.54
Rustenburg magisterial dist.	81	5437	25. 3.55
In the magisterial dist & Municipal area of Roodepoort	2	5609	6. 1.56
Silverton	161	4906	15. 8.52
do Erf 63 Bellevue	178	5116	14. 8.53
Springs	205	5143	25. 9.53
Schweizer Reneke Erf 41	115	5306	9. 7.54
do do	143	5504	1. 7.55
Standerton	80	5437	25. 3.55
Sabie	41	5643	9. 3.56
Trichardt	242	5380	26.11.54
Ventersdorp	2	4764	11. 1.52



23

	Proclam. No	Town Gazette No	Date
Vereeniging	234	5174	6.11.53
do Magisterial District			
farm Vyffontein 3 & Zuurfontein 31	244	4947	24.10.52
farm Hartzenbergfontein 38	270	4965	21.11.52
De Deur Estates Ltd.	43	5247	26. 3.54
Evaton Small Farms Township			
Witkop			
Volkerust	49	5019	6. 3.53
do Erf 746	177	5116	14. 8.53
Wolmaranstad	277	4972	5.12.52
do farm Klipkool	49	5643	9. 3.56
Welverdiend	48	5019	6. 3.53
Westonaria	106	5073	24. 4.53
Wakkerstroom	241	5350	26.11.54
Warmbaths	242	5380	26.11.54
Witpoort	91	5449	15. 4.55
White River	142	5504	1. 7.55
Zeerust	161	4906	15. 8.52

In the Province of THE CAPE OF GOOD HOPE -

Arniston Local Area	251	5385	3.12.54
Aliwal North	45	5424	25. 2.55
Adendorp	48	5643	9. 3.56
Bellville	234	5174	6.11.53
Bellville South	234	5174	6.11.53
Burgersdorp	265	5199	18.12.53
do Erf 576	228	5376	19.11.54
Brandylei	197	5364	29.10.54
Bitterworth	124	5712	6. 7.56
Beaufort West	198	5364	29.10.54
do do	188	5544	9. 9.55
Bellville	198	5364	29.10.54
Barkley West	34	5421	18. 2.55
Barrydale	266	5583	25.11.55
Cape Town (withdrawn) x	102	4849	23. 5.52
Carnarvon	166	5338	10. 9.54
Caledon	254	5389	10.12.54
Clanwilliam	268	5583	25.11.55
Divisional Council of Cape Area	218	4929	26. 9.52
Cape Town	56	5426	4. 3.55
Cape Town x	59	5426	4. 3.55
Ceres	45	5424	25. 2.55
Durbanville	80	5057	24. 4.53
Dordrecht	205	5143	25. 9.53
Delportshoop	57	5426	4. 3.55
De Aar	81	5680	18. 5.56
East London	265	5199	18.12.53
Eengoobc	232	5564	21.10.55
Fransch Hoek	286	4979	19.12.52
Fraserburg	267	5583	25.11.55
George	170	5338	10. 9.54
Goodwood	113	5476	20. 5.55
Graafwater	189	5544	9. 9.55
Hopefield	234	5174	6.11.53
do Dist. Langbaan	254	5389	10.12.54
Keimos	166	5338	10. 9.54
Kimberley	167	5338	10. 9.54
Kingsbury	114	5701	22. 6.56
Kuilsrivier	251	5385	3.12.54
Ladismith	57	5653	22. 3.56
Mafeking	45	5643	9. 3.56
Marydale Village Board	251	5385	3.12.54
Malmesbury	58	5426	4. 3.55



	Proclam. No.	Govt. Gazette No.	Date
Napier	267	5583	25.11.55
Oakdale	234	5174	6.11.53
Paarl	141	5504	1. 7.55
Port Elizabeth	205	5143	25. 9.53
Prince Albert	47	5643	9. 3.56
Piketburg	197	5364	29.10.54
Porterville	265	5199	18.12.53
Do. Erf 1156	254	5389	10.12.54
Prieska	261	5394	24.12.54
Ritchie	117	5306	9. 7.54
Richmond	43	5424	25. 2.55
Stellenbosch - divisional council	285	4979	19.12.52
Sterkstroom	196	5364	29.10.54
Stanford	187	5544	9. 9.55
Still Bay East	125	5712	6. 7.56
Tsomo	73	5272	7. 5.54
Venterstad	107	5073	29. 5.53
Vryburg	216	5164	16.10.53
do Erf	18	5222	12. 2.54
Velddrift	140	5504	1. 7.55
Vanrhynsdorp	268	5583	25.11.55
Victoria West,	268	5583	25.11.55
Wolmer	79	5057	24. 4.53
Warrenton	205	5143	25. 9.53
Williston	251	5385	3.12.54
Wolseley	45	5424	25. 2.55
Windsorton	44	5643	9. 3.56
In the Province of NATAL -			
Albert Falls	119	5481	27. 5.55
Bergville	63	5264	23. 9.54
Bilwer	63	5264	23. 9.54
Oato Ridge	90	5449	15. 4.55
Camperdown	75	Ex4570	30. 3.51
Colenso	32	4799	7. 3.52
Charlestown	166	5338	19.11.54
Durban	75	Ex4570	30. 3.51
Estcourt	75	Ex4570	30. 3.51
Estcourt	5	5399	7. 1.55
Glencoe	120	5481	27. 5.55
Greytown	75	Ex4570	30. 3.51
do.	178	5116	14. 8.53
Hattingspruit	118	5481	27. 5.55
Isipingo Rail	5	5399	7. 1.55
Impendhle Magisterial dist.	104	5697	15. 6.56
do Health Committee	105	5697	15. 6.56
Ladysmith	75	Ex4570	30. 3.51
Malvern	75	Ex4570	30. 3.51
Melmoth	75	Ex4570	30. 3.51
Marburg	197	5364	29.10.54
New Germany	265	5199	18.12.53
Newcastle	190	5544	9. 9.55
Pinetown	75	Ex4570	30. 3.51
Pietermaritzburg	75	Ex4570	30. 3.51
do.	70	5046	2. 4.53
do. Magisterial District	168	5110	7. 8.53
do do	169	5110	7. 8.53
Park Rynie	118	5481	27. 5.55
Richmond	265	5199	18.12.53
Rosetta	63	5264	26. 4.54



	Proclam. No.	Govt. Gazette No.	Date
Umkomaas	75	Ex4570	30. 3.51
Westville	75	Ex4570	30. 3.51
Westville	5	5399	7. 1.55
In the Province of ORANGE FREE STATE -			
Heilbron	60	5426	4. 3.55
<u>GROUP AREA</u>			
Proclamation under Section 3(1) and (2)			
TRANSVAAL -			
<u>DAVIDSONVILLE</u> - Roodepoort	57	5032	20. 3.53
for occupation (as from 20.3.54) and ownership (with effect from 20.3.53) by members of the <u>COLOURED GROUP</u>			
<u>BRITS</u> : in the Municipal Area of	265	5583	25.11.55
i) for occupation (as from 25.11.56) and ownership (as from 25.11.55) by members of the <u>WHITE GROUP</u>			
ii) for occupation (as from 25.11.56) and ownership (as from 25.11.55) by members of the <u>INDIAN GROUP</u>			
<u>JOHANNESBURG</u> : in the Municipal Area of 193		5724	3. 8.56
1. In the Townships:-			
i) Sophiatown: portion east of Good St.			
ii) Sophiatown: portion west of Best St.			
iii) Claremont			
iv) Greymont			
v) Albertskroon			
vi) Westdene			
vii) Pageview: portion south of 22nd St.			
a) for occupation (as from 3.8.57)			
b) and ownership (as from 3.8.56) by members of the <u>WHITE GROUP</u>			
2. In the Townships	do	do	do
Newlands and Newlands Extension			
a) for occupation (as from 3.8.58)			
b) for ownership (as from 3.8.56) by members of the <u>WHITE GROUP</u>			
3. Undated GROUP AREAS (3 bis)	do	do	do
1) Sophiatown: portion between Good and Best Streets			
ii) Albertsville			
iii) Pageview: portion North of 22nd St.			
for occupation by members of the <u>WHITE GROUP</u>			



	Proclam. No	Govt. Gazette No.	Date
4. in the Township of Coronationville a) for occupation (as from 3.8.57) b) for ownership (as from 3.8.56) by members of the <u>COLOURED GROUP</u>	do	do	do
5. in the Township of Newclare a) for occupation (as from 3.8.56) b) for ownership (as from 3.8.56) by members of the <u>COLOURED GROUP</u>	do	do	do
6. Bosmot and New Monteleo, in the area Roodepoort-Maraisburg for occupation (as from 3.8.57) by members of the <u>COLOURED GROUP</u>	do	do	do
<u>JOHANNESBURG</u> : in the district of	154	5724	3. 8.56
1. Lenasia a) for occupation (as from 3.8.57) b) for ownership (as from 3.8.56) by members of the <u>INDIAN GROUP</u>			
2. Undated Group Areas (3 bis). Rietfontein 45 for occupation by members of the <u>INDIAN GROUP</u>	do	do	do
CAPE --			
<u>CARNARVON</u> : in the Municipal area of according to the schedule A and B a) for occupation (8.7.57) and ownership (8.7.55) by members of the <u>WHITE GROUP</u> b) for occupation (as from 8.7.57) and ownership (as from 8.7.55) by members of the <u>COLOURED GROUP</u>	152	5514	8. 7.55
<u>AMALINDA</u> : in the District of East London - municipal area of East London for occupation (as from 7.10.56) and ownership (as from 7.10.55) by members of the <u>WHITE GROUP</u>	219	5558	7.10.55
<u>BRANDVLEI</u> : in the township of - in the district of Calvinia - areas defined according to the schedule a) for occupation (as from 7.10.57) and ownership (as from 7.10.55) by members of the <u>WHITE GROUP</u>	221	5558	7.10.55



	Proclam. No	Govt Gazette No	Date
b) for occupation (as from 7.10.57) and ownership (as from 7.10.55) by members of the <u>COLOURED GROUP</u>			
<u>IMMOVABLE PROPERTY</u>			
Proclamation under Section 1(xi)			
RIGHT OF WAY etc.	274	4969	28.11.52
Certain real rights in immovable property excluded			
<u>WITHDRAWAL AND AMENDMENT OF PROCLAMATIONS</u>			
Proclamations under Section 33			
<u>OPEN AREA -</u>			
Proclamation 72/1951 withdrawn	220	Ex4710	18.10.51
<u>RACIAL GROUP -</u>			
i) Proclamation 73/1951 amended	37	5282	28.5.54
ii) Proclamation 240/1951 withdrawn	258	4951	31.10.52
<u>SPECIFIED AREA -</u>			
i) Proclamations 74/51 and 220/51 are partly withdrawn.	256	4951	31.10.52
ii) Proclamation 208/51 withdrawn	220	4710	18.10.51
<u>CONTROLLED AREA -</u>			
Re Bonafide employe -			
Proclamation 257/52 withdrawn	118	5306	1.7.54
Proclamation 118/54 withdrawn	231	5353	14.10.55
<u>DEFINED AREA -</u>			
Proclamation 167/54 by substitution of words "office of the town clerk"	38	5452	24.4.55
Proclamation 45/55 substitution of Erf No	153	5524	8.7.55
Proclamation 102/52 withdrawn	59	5426	
Proclamation 45/55 deletion Erven Aliwal North	94	5687	1.7.56
Proclamation 205/53 deletion of lot no.	155	5724	3.8.56
<u>GROUP AREAS -</u>			
Proclamation 152/55 amendment of boundary	278	5600	23.12.55
Proclamation 221/55 substitution of Erven	113	5701	22.6.56



	Proclam. No	Govt. Gazette No	Date
<u>GOVERNMENT NOTICES</u>			
In terms of Sections 24, 30, 31 and 36			
<u>LAND TENURE ADVISORY BOARD -</u>			
Appointment of Members	2385	4468	29. 9. 50
Appointment of Member	2804	4498	10. 11. 50
Appointment of Member	2297	4588	7. 9. 51
Appointment of Members	1363	5087	26. 6. 53
Appointment of Members	516	5434	18. 3. 55
Assignment of Secretary & Assistant Secretary	2385	4468	29. 9. 50
<u>INSPECTORS -</u>			
Appointment of	2386	4468	29. 9. 50
<u>REGULATIONS -</u>			
Deeds office regulations	2468	4695	21. 9. 51
Form D.I. 325 Re Trading Licences	2747	4369	28. 11. 52
Under Section 36 :-	2074	EX 5563	14. 10. 55
i) Notice No. 2747 withdrawn			
ii) Further regulation made:			
a) Form D.I. 325 (Trading)			
b) Form D.I. 337 do			



9

GROUP AREAS DEVELOPMENT ACT, 1955

( ACT 59 OF 1955 )

\* \* \*

Proclamations and Government Notices

#	Proclam. No	Govt. Gazette No.	Remarks
1956			
<u>Date of Commencement of The Group Areas Development Act, 1955</u>	13	Ex5621	Act comes into operation on 1.2.56
<u>Government Notice</u>			
<u>Group Areas Development Board :</u>	159	Ex5621	1.2.56
Appointment of Members			1.2.56
Regulations in terms of Section 36	1419	5724	3.8.56
<u>Application of the Provisions of the Act</u>	154	5724	3.8.56
1. In the Municipal Area of Johannesburg :			
i) Sophiatown: portion East of Good Street			
ii) Sophiatown: portion West of Best Street			
iii) Claremont: portion West of Charles Street			
iv) Newlands			
v) Newlands Extension			
vi) Pageview: portion South of 22nd Street			
vii) Albertsville			
2. In the District of Johannesburg:			
i) Farm Rietfontein 48			



**Collection Number: AD1812**

**RECORDS RELATING TO THE 'TREASON TRIAL' (REGINA vs F. ADAMS AND OTHERS ON CHARGE OF HIGH TREASON, ETC.), 1956 1961**

**TREASON TRIAL, 1956 1961**

***PUBLISHER:***

*Publisher:- Historical Papers, University of the Witwatersrand*

*Location:- Johannesburg*

*©2012*

***LEGAL NOTICES:***

**Copyright Notice:** All materials on the Historical Papers website are protected by South African copyright law and may not be reproduced, distributed, transmitted, displayed, or otherwise published in any format, without the prior written permission of the copyright owner.

**Disclaimer and Terms of Use:** Provided that you maintain all copyright and other notices contained therein, you may download material (one machine readable copy and one print copy per page) for your personal and/or educational non-commercial use only.

People using these records relating to the archives of Historical Papers, The Library, University of the Witwatersrand, Johannesburg, are reminded that such records sometimes contain material which is uncorroborated, inaccurate, distorted or untrue. While these digital records are true facsimiles of the collection records and the information contained herein is obtained from sources believed to be accurate and reliable, Historical Papers, University of the Witwatersrand has not independently verified their content. Consequently, the University is not responsible for any errors or omissions and excludes any and all liability for any errors in or omissions from the information on the website or any related information on third party websites accessible from this website.

This document is part of a private collection deposited with Historical Papers at The University of the Witwatersrand.