

THE ABOLITION OF SHISHAK ACT, 1973

(Balm Act X of 1973)

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¹THE ABOLITION OF SHISHAK ACT, 1973

(Balochistan Act X of 1973)

[10th October, 1973]

An Act to provide for the abolition of Shishak in the Province of Balochistan².

Preamble.

WHEREAS the peasantry in the Province has long been subjected to cruel customs and has been exploited;

AND WHEREAS it is necessary to improve the economic well-being of the peasantry and to provide some relief to the tenants with immediate effect;

NOW, THEREFORE, it is hereby enacted as follows:

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Short title, extent and commencement.

1. (1) This Act may be called the Abolition of Shishak Act, 1973.

(2) It extends to the whole of the Province of Balochistan except Tribal Areas.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context: —

(1) "Shishak" means that portion of the total produce of a crop which is paid to a Sardar under the local custom or usage as Sardari Tax, but does not include proprietary rights, also known as Haq-e-Malikana (batai), *and*

(2) "Sardar" means a person to whom Shishak is paid under local custom or usage and includes a Khan, Jagirdar, Malik or a Motabir.

Abolition of Shishak.

3. The system of "Shishak", which is based on custom and is now being practised in the Province, shall be discontinued forthwith.

Act to override

4. The provisions of this Act shall have effect

¹ This Act, was passed by the Balochistan Assembly on 29th September, 1973; assented to by the Governor of Balochistan on 5th October, 1973; and published in the Balochistan Gazette (Extraordinary) No. 55, dated 10th October, 1973.

² Spelling of the word "Baluchistan", wherever it appears in this Act, is corrected by insertion of letter "o" instead of "u"; as per Government of Balochistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18th June, 1989.

- other laws. notwithstanding any law, custom or usage.
- Offences and penalty. 5. Whoever contravenes or abets or incites such contravention or conspires in that behalf or fails to comply with any of the provisions of this Act, shall be punished with rigorous imprisonment which may extend to seven years, or with fine, or with both.
- Repeal. 6. The Abolition of Shishak Ordinance, 1973¹ (Balochistan Ordinance No. III of 1973) is hereby repealed.
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¹ An Ordinance made by the Governor of Balochistan; and published in the Balochistan Gazette, Extraordinary, dated 21st March, 1973. Now repealed. S. 6.