

Bill Summary

The Code of Civil Procedure (Rajasthan Amendment) Bill, 2020

- The Code of Civil Procedure (Rajasthan Amendment) Bill, 2020 was introduced in and passed by the Rajasthan Assembly on November 2, 2020. The Bill amends the Code of Civil Procedure, 1908, in its application to the state of Rajasthan, to provide exemption to agricultural land from attachment of property in recovery proceedings.
- **Attachment and sale of property:** The 1908 Code provides for the attachment and sale of various moveable and immoveable properties belonging to a person in execution of a decree. A decree is an official order, in which the court determines the rights of the parties with regard to all or any of the subject matters of the suit. The types of properties liable for attachment include land, houses or other buildings, goods, money, and bonds or other securities, among others.
- The Code exempts certain properties from such attachment or sale. These include: (i) tools of artisans, including husbandry implements of agriculturists, cattle, and seed grains necessary to enable him to earn his livelihood, and (ii) houses and other buildings belonging to an agriculturist or a labourer and occupied by him, among others. The Bill adds agricultural land up to five acres to the list of properties exempted from attachment.

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