

GOVERNMENT OF PUNJAB  
HOUSING AND URBAN DEVELOPMENT DEPARTMENT,  
(HOUSING BRANCH-1)

NOTIFICATION

No:10/38/2010-6HG1/49347/1

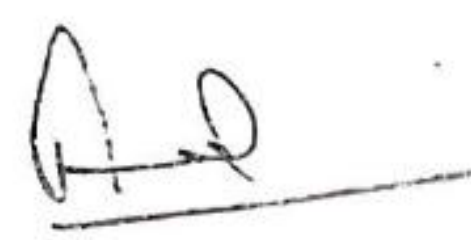
Dated, 9/5/13

A committee was constituted to prepare the draft of oustee policy in the light of orders issued by Hon'ble High Court in various writ petitions. On recommendation of the committee draft of oustee policy was prepared which was considered at the level of Government and approved by the Chief Minister, Punjab in his capacity as Minister-in-charge and a policy was issued vide Memo No. 10/38/2010-6MU-1/1554 dated 25-05-2011. Thereafter, keeping in view the order dated 28-01-2013 passed by the Hon'ble Punjab and Haryana High Court in C.W.P. No. 1714 of 2012 titled as Harmail Singh Versus State of Punjab and other related issues, this policy was re-considered by the State Government. Suggestions of General Public as well as concerned Development Authorities were also called and after considering the same, the Oustee Policy is revised as under:

1. This policy shall be applicable in cases where land is acquired for setting up of any Residential, Institutional, Industrial, or Integrated Mixed-Land Use Estate **irrespective of the use of land in the Urban Estate** by any Development Authority constituted under the Punjab Regional & Town Planning and Development Act, 1995. It shall also apply for land acquisitions undertaken for filling up any critical gaps to facilitate the development of any Residential, Institutional, Industrial or Integrated Mixed Land Use Estate by any private developer.

2.1 A landowner whose land has been acquired for the purposes mentioned in Para 1 above, shall be eligible for being allotted a residential plot, on preferential basis as per the following table subject to such conditions as may be fixed by the Authority:-

Sr.	Quantum of land acquired	Approximate Size of plot for which eligible
a	From ½ acre to 1 acre	33 sq. meters (100 Sq.Yds.)
b	Above 1 acre and upto 2 acres	167 sq. meters (200 Sq.Yds.)
c	Above 2 acres and upto 3 acres	250 sq. meters (300 Sq.Yds.)
d	Above 3 acres and upto 4 acres	334 sq. meters (400 Sq.Yds.)
e	Above 4 acres	418 sq. meters (500 Sq.Yds.)





**2.2** Where half an acre or more land of several joint owners has been acquired, each landowner of the land held under joint khaata shall be eligible for allotment of a separate plot or house, as the case may be, on preferential basis subject to his eligibility which shall be determined in view of his share in the land acquired. However, all the land owners or some of the land owners may jointly apply for a plot/house of bigger size subject to their eligibility, which shall be determined on the basis of their joint ownership.

**Illustrations:-**

a) A, B & C are joint owners of 0.6 acre of land in equal shares. They can only apply jointly for an 83 sq. meters plot.

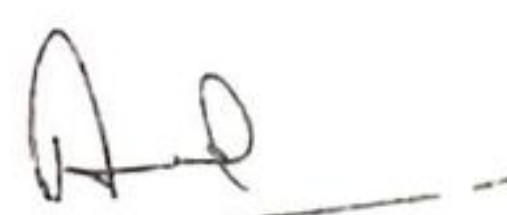
b) A, B & C are joint owners of 2.1 acres of land in equal shares. They may apply separately for three 83 sq. meters plots, OR two of them may apply jointly for a 167 sq. meters plot and one may apply for an 83 sq. meters plot, OR all three may jointly apply for a 250 sq. meters plot.

**2.3** Notwithstanding anything in para 2.1 above, if the acquired land of a land owner includes a "dwelling unit" having a minimum covered area of 20 sq meters, wherein the land owner or his family ordinarily resides, he shall be eligible for allotment of one built up house in a group housing scheme or a plot on preferential basis as per the following table even if the land acquired is less than half an acre, provided that he or any member of his family does not own any other house in any Urban area in the State of Punjab: -

Sr	Covered area of the dwelling unit acquired	Approximate Size/ category of plot/flat for which eligible.
a)	20 sq meters- 40 sq meters	EWS flat in not less than 40 sq meters super area
b)	Above 40 sq meters- 80 sq meters	LIG flat in not less than 60 sq meters super area
c)	Above 80 sq meters- 150 sq meters	83 sq meters plot
d)	Above 150 sq. meters- 250 sq meters	167 sq meters plot
e)	Above 250 sq meters or above	250 sq meters plot

An outstee who is eligible for allotment under Para 2.1 as well as under Para 2.3, may take the benefit either under Para 2.1 or under Para 2.3, but not under both.

**Explanation :**





(i) "Dwelling unit" means a functional residential premises in a "Pucca structure" with a permanent domestic electricity connection taken before the date of notification u/s 4 of the Land Acquisition Act.

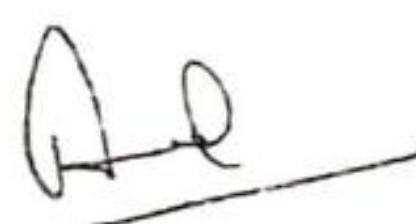
(ii) "Family" means husband, wife and minor children, whether living together or separately.

**2.4** Where the Authority/ Developer is required to provide Group Houses for the oustees under para 2.3 above, it shall be the obligation of the Authority/ Developer to construct the houses within two years from the date of taking possession of the land. This obligation shall be irrespective of the fact that the Authority/Developer does not have a scheme to provide Group Housing to the General Public in the Estate.

**3.1** The Concerned Authority/ Developer shall as far as possible allot the plots/flats to the oustees in the Sector/Estate for which the land has been acquired. However, if due to unavoidable circumstances, plots/flats cannot be allotted within the Sector/Estate, the Authority/ Developer shall as far as possible adjust the oustees in the nearest Sector/Estate, **developed or to be developed** in future in the vicinity of the land acquired.

**3.2** Where land is acquired for setting up of any Estate by any Development Authority, Plots/Flats shall be allotted to the eligible landowners by the Concerned Authority **at the price determined by such authority for general public prevailing at the time of allotment for the particular scheme, where the plots are being allotted to them.** However, in case land is acquired for filling the critical gaps of an estate being developed by a private developer, plots/ flats shall be allotted to the eligible landowners by the private developer under supervision of the Authority having jurisdiction in the area.

**3.3** In future, all the oustees whose land shall be acquired for setting up of Urban Estate by any Development Authority, shall be considered for allotment of plots in the residential estates to be developed by the Concerned Authority on preferential basis. However, apart from this, 5% quota of the total residential plots shall also be kept reserved to adjust the old pending applicants of Oustee category, whose land has been acquired vide awards announced on or after 07.05.2001 and this 5% quota shall continue till all the old pending applications are settled.





**3.4** When making allotments to oustees in any sector/estate under this policy, first preference will be given to oustees whose land has been acquired for setting up that sector/estate. Thereafter, oustees of earlier land acquisitions who could not be adjusted in the sector/estate for which their land had been acquired will be adjusted in the chronological order of acquisition.

**3.5** Allotments under this policy will be made by the Estate Officer of the concerned Authority. Grievances, if any shall be settled by the Chief Administrator of the Authority. In case the grievance is still not redressed the aggrieved party can prefer an appeal before the Govt. of Punjab, in the Department Housing & Urban Development, which shall also be the final authority regarding the interpretation of this policy.

**4.1** The Concerned Authority shall endeavour to issue an Oustee Certificate to every land owner whose land has been acquired for the purposes mentioned in Para 1 above, within one month of taking possession of the land.

**4.2** The persons eligible to be allotted plots or houses shall apply to the concerned Authority within six months of the issue of the oustee certificate along with all other documents and application money as may be determined by the Authority. The Authority may, for reasons to be recorded in writing, extend the period for submission of applications through public notice as well as individual notices to the oustees. However, in no case shall the period of extension be more than two years.

**4.3** Any eligible landowner may, if he so desires, apply for a plot/house of a lesser size than the one he is entitled to.

**4.4** Notwithstanding anything in the foregoing paras, not more than one plot/flat shall be allotted to one family under this scheme.

**5.** The land owners whose land has been compulsorily acquired will be entitled to take benefit under this scheme according to the quantum of land compulsorily acquired even if they have taken one or more plots under the land pooling scheme. However, the land acquired/purchased under the Land Pooling Scheme will not be included for determining the eligibility for allotment of a particular category of plot under this scheme.





6. Since the allotment of the plots/houses is in addition to the monetary compensation paid to the landowner under the Land Acquisition Act, the price chargeable for allotment of plots/houses by an Authority to the eligible landowners under this scheme would be the same as for general category. However, in case the allotment of plots/houses is to be done by a private developer, the price chargeable shall be determined by the Authority in consultation with the developer.
7. The allotment of plots/flats to the oustees shall be by draw of lots wherein all the plots/flats of each category available at that time within the concerned Sector/Estate and which are to be sold through allotment as per policy of the Authority shall be included.
8. The LOI of plot/flat allotted under oustee quota shall be transferrable subject to payment of transfer fee and other charges under transfer policy of the Authority.
9. Other terms and conditions of allotment of plot/flat under this policy shall be the same as are prescribed for the applicants of General Category.
10. The Policy mentioned in the foregoing Paras shall be applicable to land acquisition awards announced after the date of issuance of this policy i.e 25-5-2011.
11. As regards the oustees, whose land has been acquired for an Urban Estate irrespective of the use of land, this policy shall also be applicable from the date of awards of such acquisitions announced on or after 07.05.2001.
12. As regards the oustees whose land was acquired through land acquisition awards announced on or after 7-5-2001 but before the notification of this policy, they shall continue to be governed by the policy hitherto in force. However, Para 2.2 and Para 5 of this policy shall also be applicable to such oustees
13. In view of the changes in existing policy for Oustees of Awards announced on or after 7.5.2001 as in para 11 above, a period of 6 months from the date of notification of this policy shall be given to them to apply afresh or to modify their applications

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14.The relocation policy proposed by the Executive Committee of GMADA in its 16<sup>th</sup> meeting held on 12.9.2011 vide Agenda Item No. 16.06, which has not been approved by the Government, is dispensed with and the applications received under the said proposed policy shall be considered, within the frame work of this oustee policy.



A.Venu Prasad

Secretary to Government of Punjab  
Department of Housing & Urban Development,  
Chandigarh

Date: 10/4/2013 .