

# Top court forms SIT to probe workings of Noida Authority

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**NEW DELHI:** The Supreme Court on Thursday constituted a special investigation team (SIT) of the Uttar Pradesh Police to probe the functioning of the Noida Authority and the possible involvement of senior officials in a case where landowners were disbursed compensation worth ₹12 crore more than they were entitled to.

The three-member SIT led by additional director general of police (ADGP) SB Shirodkar, along with inspector general Modak Rajesh D Rao and senior superintendent of police Hemant Kutiyal, was directed to complete its investigation within two months and submit a report to the court in sealed cover.

The case involves legal officer Dinesh Kumar Singh and assistant legal officer Virender Singh Nagar, both employed with the Noida Authority, who are facing criminal probe for causing wrongful loss to the authority after it came to light in 2021 that they sanctioned a compensation of ₹7.28 crore in a land acquisition case 22 years after it stood paid to the landowner.

A bench of justices Surya Kant and N Kotiswar Singh said, "Allegations pertain to release of huge amounts of compensation in favour of some landowners, who, it is alleged, were not entitled to seek such higher compensation for acquisition of their lands."

The allegations against the two accused were not limited to one solitary case as the authority informed the court in September 2023 that the two officials recommended the release of higher compensation to other landowners as well, causing the authority losses of about ₹12 crore.

Seeking a deeper probe into a larger conspiracy, the bench said, "The SIT shall look into the issue whether overall functioning of Noida [Authority] lacks transparency, fairness and objectivity and whether there

## Misuse of power?

### THE ALLEGATION(S)

**2021:** Two officials sanctioned a compensation of ₹7.28 crore in a land acquisition case 22 years after it was paid to the landowner.

**2023:** The two officials recommended the release of higher compensation to other landowners as well, causing the authority losses of about ₹12 cr

### OFFICIALS UNDER LENS

**Dinesh Kumar Singh,** legal officer

**Virender Singh Nagar,** assistant legal officer

### COURT OBSERVATIONS

In our view, this cannot be done at the instance of one or two officers... the entire setup seems to be involved... refer the matter to an independent agency

The (UP govt fact-finding) committee had no jurisdiction to sit over judicial mandates and conveniently deviate from the real issues of propriety and probity of officials

### COURT DIRECTIONS

The SIT shall look into the whether overall functioning of Noida lacks transparency... whether there was collusion or connivance between officials and landowners.

SIT to examine whether the quantum of compensation paid to landowners was higher than their entitlement in terms of court judgments, and if so, officials who were responsible

was collusion or connivance between officials and landowners." It also asked the SIT to examine whether the quantum of compensation paid to landowners was higher than their entitlement in terms of judgments passed by the courts, and if so, the officials who were responsible for making such excess payment.

The SIT was given the liberty to look into any other allied issue in relation to the above terms of reference.

At the same time, the court protected farmers and landowners who received higher compensation from any coercive action, and said that any penal action against them would require court's permission.

In the past, too, the court had expressed its desire to have an independent probe into the affairs of Noida. In an order passed in September 2023, the court had held: "In our view, this cannot be done at the instance of one or two officers. Prima facie,

the entire setup seems to be involved. It appears to us to refer the matter to some independent agency for a deeper probe to unearth the truth."

Following this, the UP government constituted a fact-finding committee, which concluded that except for the two accused, no other official in Noida Authority was involved. It even went on to examine the correctness of some of the judgments passed by the top court in connection with grant of higher compensation to landowners.

Commenting on the fact-finding committee's probe, the bench on Thursday said, "The committee had no jurisdiction to sit over judicial mandates and conveniently deviate from the real issues of propriety and probity of Noida officials." It was at this point that the court devised a way to handpick a team of senior IPS officers from the state, not belonging to the state cadre, to carry out an independent probe.

