



## National Investigation Agency

**For Prelims:** [Human Trafficking](#), [Counterfeit currency or banknotes](#), [Cyber-terrorism](#), NIA, Scheduled Offence, [Terrorism](#), [LWE](#), Insurgency, [Radicalization](#), [NIA Act 2008](#).

**For Mains:** National Investigation Agency, its function and scope of Jurisdiction, [Radicalization](#) - Issue, challenges, solution.

### Why in News?

Recently, the [National Investigation Agency \(NIA\)](#) has registered an [FIR \(First Information Report\)](#) against two men who were previously arrested for **allegedly Radicalizing youth**.

- The NIA has charged the two men under various sections of the **Indian Penal Code and the Unlawful Activities Prevention Act (UAPA), 1967**.

**Note:** [Radicalization](#) is the process by which an individual or group **adopts extreme beliefs and ideologies that reject** or oppose the values, norms, and laws of mainstream society. It often involves exposure to propaganda, persuasive rhetoric, and persuasive individuals or groups who promote **extremist views and ideologies**.

### What is the National Investigation Agency (NIA)?

- **About:**
  - The NIA is a **federal agency of the Indian government** responsible for investigating and prosecuting crimes related to [Terrorism](#), [Insurgency](#), and **other national security matters**.
    - Federal agencies in a country typically have jurisdiction over matters that affect the country as a whole, rather than just individual states or provinces.
  - It was **established in 2009 following the Mumbai terrorist attacks in 2008**, under the [National Investigation Agency \(NIA\) Act, 2008](#), operates under the Ministry of Home Affairs.
    - The National Investigation Agency (Amendment) Act, 2019 was passed in July 2019, amending the NIA Act, 2008.
  - The NIA has the power to take over investigations of terrorism-related cases from state police forces and other agencies. It also has the authority to investigate cases across **state boundaries without obtaining prior permission from state governments**.
- **Functions:**
  - Collecting, analyzing, and **disseminating intelligence related to terrorism** and other national security matters.
  - Coordinating with other law enforcement agencies, both within India and internationally, in matters related to **terrorism** and national security.

- Conducting capacity building programs for **law enforcement agencies and other stakeholders.**
- **Probe:**
  - The NIA can take up a probe in different ways. The State government can refer cases related to **scheduled offences to the Central government** for NIA investigation under **Section 6 of the NIA Act 2008.**
  - The Central government can also direct the NIA to investigate a scheduled offence, either within or outside India, on its own accord.
  - For prosecuting the accused under the UAPA and certain other scheduled offences, the NIA seeks the **sanction of the Central government.**
  - There is a special cell to deal with **LWE (Left Wing Extremism) cases related to terror financing.** During the investigation of a scheduled offence, the NIA can also investigate any other offence connected to it. Finally, after investigation, the cases are presented before the NIA Special Court.

## What are the Changes Made under NIA (Amendment) Act 2019?

- **Offenses Outside India:**
  - The NIA originally had the power to investigate crimes within India, but the amended Act now **allows it to investigate crimes committed outside of India,** as long as it follows **international treaties and the laws** of the countries involved.
  - If the Central Government believes a crime has been committed outside of India but falls under the **jurisdiction of the Act,** it can instruct the NIA to investigate the case as if it was committed in India.
- **Widened Scope of the Law:**
  - The NIA can investigate crimes listed in the **Schedule of the NIA Act.**
    - The Schedule originally included Acts like **The Atomic Energy Act, 1962,** The Unlawful Activities (Prevention) Act, 1967, and The Anti-Hijacking Act, 1982, among others.
  - With the amendment, the NIA can now also investigate cases related to,
    - **Human Trafficking.**
    - **Counterfeit currency or banknotes.**
    - Prohibited arms,
    - **Cyber-terrorism.**
    - Crimes under the Explosive Substances Act, 1908.
- **Special Courts:**
  - The 2008 Act created Special Courts to try **cases under the Act.**
  - The 2019 amendment allows the central government to designate Sessions Courts as Special Courts to try **Scheduled Offences under the Act.**
  - Before doing so, the central government must consult with the Chief Justice of the relevant High Court. If multiple Special Courts exist in an area, the most **senior judge will assign cases.**
  - State governments can also designate Sessions Courts as Special Courts for trying scheduled offences.

## What are Scheduled Offences?

- The schedule for the Act specifies a list of offences which are to be investigated and prosecuted by the NIA.
- The list includes
  - **Explosive Substances Act**
  - **Atomic Energy Act**
  - **Unlawful Activities (Prevention) Act**
  - **Anti-Hijacking Act**
  - **Suppression of Unlawful Acts against Safety of Civil Aviation Act**
  - **SAARC Convention (Suppression of Terrorism) Act**
  - **Suppression of Unlawful Acts Against Safety of Maritime Navigation and Fixed Platforms on Continental Shelf Act**
  - **Weapons of Mass Destruction and their Delivery Systems (Prohibition of**

**Unlawful Activities) Act**

- **Any other relevant offences under the Indian Penal Code, Arms Act and the Information Technology Act.**
- **Narcotic Drugs and Psychotropic Substances Act**

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