



Mains Practice Question

Q. Examine the efficacy of the National Investigation Agency (NIA) in addressing national security challenges. Has it strengthened India's federal structure? **(250 words)**

18 Mar, 2025 GS Paper 2 Polity & Governance

Approach

- Introduce the answer by briefing about National Investigation Agency
- Delve into the Efficacy of NIA in Addressing National Security Challenges
- Highlight how NIA has Strengthened India's Federal Structure:
- Conclude suitably.

Introduction

The **National Investigation Agency (NIA)** was established under the **NIA Act, 2008**, following the **26/11 Mumbai attacks** to act as India's premier **counter-terrorism law enforcement agency**.

- While the NIA has been **effective in tackling terrorism**, its growing powers—particularly after the **2019 Amendment**—have raised concerns about its impact on **India's federal structure**.

Body

Efficacy of NIA in Addressing National Security Challenges:

- **Strengthening Counter-Terrorism Mechanisms**
 - It has registered 640 cases since its inception, has recorded a conviction rate of **95.23%** in 147 cases which have been decided by courts
 - **Expansion of mandate** under the **2019 Amendment** has empowered NIA to investigate cases beyond Indian borders, bolstering India's counter-terrorism efforts globally.
- **Enhancing Investigation and Prosecution Capabilities**
 - The establishment of **51 Special NIA Courts**, including exclusive courts in **Ranchi and Jammu**, has ensured **faster trials** in terrorism-related cases.
 - Use of **advanced forensic techniques and big data analytics** through the **National Terror Data Fusion & Analysis Centre (NTDFAC)** has enhanced investigative efficiency.
- **Tackling Terror Financing and Fake Currency Networks**
 - As the **nodal agency** for investigating **terror financing and fake currency**, NIA has cracked down on illicit money flows that fund terrorism.
 - The **Terror Funding and Fake Currency (TFFC) Cell** has been instrumental in **dismantling hawala networks** and **seizing terror-linked assets**.
 - **International cooperation** through Joint Task Forces (JTFs) with **Bangladesh and Nepal** has helped curb **cross-border financial crimes**.
- **Expanding International Cooperation**

- Participation in **Joint Working Groups (JWGs) on counter-terrorism with 26 countries** has facilitated **intelligence sharing and training programs**.
 - Hosted the '**No Money for Terror**' (NMFT) Conference in 2022, bringing together **78 countries and 16 multilateral organizations** to discuss **global terror financing threats**.

NIA has strengthened India's federal structure:

- **Improved National Security Coordination:**
 - NIA complements **state law enforcement agencies** in handling complex terrorism cases, ensuring a **unified national security approach**.
 - **Capacity building initiatives** for state police forces enhance local **counter-terrorism capabilities**.
- **Speedier Investigation and Trials:**
 - Establishment of **Special NIA Courts** has reduced **delays in prosecution**.
 - Standardized investigation protocols ensure **consistency and professionalism** in handling terrorism-related cases.
- **Reduction in Political Interference in Terror Cases:**
 - Terrorism cases are often **cross-border and inter-state**, requiring a **centralized agency** like NIA to avoid jurisdictional conflicts.

However, concerns remain about erosion of federalism:

- **Bypassing State Governments:**
 - The **2019 Amendment** allows NIA to **take over cases from state police without state consent**, diluting state autonomy.
 - NIA can **attach properties linked to terror funding** without requiring state government approval.
- **Over-Centralization of Power:**
 - The **Central Government alone decides** which cases the NIA will investigate, raising concerns of **political bias in case selection**.
 - Lack of **independent oversight** raises the risk of **misuse of power**.
- **Limited Role for State Law Enforcement:**
 - NIA's direct intervention in state matters **weakens local law enforcement**, creating an **imbalance in federal responsibilities**.
 - Unlike CBI, which requires **state government consent** for investigations, NIA has **unilateral authority** under the **NIA Act**.

Conclusion

The **NIA has significantly bolstered India's counter-terrorism framework** through high conviction rates, international collaboration, and advanced investigative tools. However, concerns over federalism, stemming from limited state authority in investigations, can be mitigated through **well-structured institutional reforms and enhanced accountability mechanisms**.