



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**

Source: IE

Buy Now

PDF Refernece URL: <https://www.drishtiiias.com/printpdf/national-investigation-agency-3>

