

- Huge vacancies.
- Poor infrastructure.
- Accountability and operational freedom issues.
- Psychological Pressure.

## 5. National Investigation Agency (NIA)

- It was constituted under the **National Investigation Agency (NI A) Act, 2008.**
- The **Ministry of Home Affairs (MHA)** reviews the manpower, financial and infrastructure requirements of NIA from time to time.
- It is a central agency to investigate and prosecute offenses:
  - Affecting the sovereignty, security and integrity of India
  - Security of State
  - Friendly relations with foreign States.
  - Against atomic and nuclear facilities.
  - Smuggling in High-Quality Counterfeit Indian Currency.
- It implements international treaties, agreements, conventions and resolutions of the United Nations, its agencies and other international organizations.
- Its objective is to **combat terror in India.**
- It acts as the **Central Counter-Terrorism Law Enforcement Agency.**
- The cases are assigned to the NIA by the Central Government in accordance with **section VI of the NIA Act, 2008.**
- The investigation of the cases is done by the Agency independently, cases are then placed before the NIA Special Court.
- For prosecuting the accused under the **Unlawful Activities (Prevention) Act, 1967 (UAPA)** and certain other scheduled offenses, the Agency **seeks the sanction of the Central Government.** The sanction is granted under the UAPA based on the report of the 'Authority' constituted under **section 45 (2) of the UAPA.**
- The amendments to the NIA Act has brought the offences related to the smuggling in **High-Quality Counterfeit Indian Currency** under the definition of a terrorist Act.
- To curb various aspects of **terrorist financing**, a **Terror Funding and Fake Currency Cell (TFFC)** has been created in the NIA.
- The Central Government for the trial of Scheduled Offenses, constitutes **one or more Special Courts under Section 11 and 22 of the NIA Act 2008.**
- The Special Court shall be **presided over by a judge to be appointed by the Central Government on the recommendation of the Chief Justice of the High Court.**

The Supreme Court had pulled up **the Tripura Police** and **the government** for repeated notices under **UAPA** sent to journalists, activists, and people who tweeted the articles on alleged violence in the state.

### **Background:**

Towards the end of October 2021, a mosque, some shops and houses belonging to the minority Muslim community in Tripura were allegedly vandalised. The communal violence was purportedly triggered by anti-Hindu violence in neighbouring Bangladesh.

The petitioners have asked the court to restrict the vague and wide definition given to what amounts to **"unlawful activity" under the UAPA.** The definition gave a free hand to the State to crush dissent and free speech with the threat of UAPA, it argued.

Special court on May 25 sentenced Kashmiri separatist leader Yasin Malik to life imprisonment in a terror funding case.

The **National Investigation Agency (NIA)** court charged him to life term under **Section 17 of the Unlawful Activities (Prevention) Act (UAPA)** and **Section 121 of the Indian Penal Code (IPC).**

**Unlawful Activities (Prevention) Act (UAPA):**