

1. What is the mandate of the National Investigation Agency (NIA)? Do you think India's federal polity creates a hinderance in the effective working of the NIA?**Approach**

Introduce with when and why was National Investigation Agency formed. In body part write what are the mandates of NIA and then provide arguments on how the states hinder its efficient functioning but balance it with what are the reasons for states to act in this manner. In conclusion take a balanced and reform oriented stand.

Introduction

After 26/11 Mumbai attack, there was felt a need for an apex investigation agency at federal level which will be like FBI for investigating crimes which have a pan India effect. Therefore they National Investigation Agency, NIA was constituted by the NIA Act, 2008 for the investigation and prosecution of offences affecting the national security, sovereignty and integrity of the nation.

Body**Mandate of the National Investigation 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.
- After investigation, the cases are placed before the NIA Special Court.
- For prosecuting the accused under the Unlawful Activities (Prevention) Act, 1967 (UAPA) and certain other scheduled offences, 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.
- It is empowered to deal with terror-related crimes across states without special permission from the states.
- To investigate serious offences related to terrorist activities affecting the sovereignty, security and integrity of the Country. For example : NIA had investigated the Pulwama attack case, which was a terrorist attack.
- To investigate terror crimes relating to Indians and Indian interests abroad. For example NIA investigated issues of radicalisation which was being used to lure Indian citizens for war in Syria.
- To investigate and prosecute offences against atomic and nuclear facilities.
- The NIA (Amendment) Act, 2019 gave additional mandate to NIA to investigate the offences related to Human trafficking, Offences related to counterfeit currency or banknotes, Manufacture or sale of prohibited arms, Cyber-terrorism, and Offences under the Explosive Substances Act, 1908.

Federalism and NIA

- Issue with division of power: Although ‘national security’ security comes under central list and criminal laws come under concurrent list, NIA directing police forces does not go well with states as maintenance of public order and police forces come under state list.
- Politicization: It has been repeatedly seen that the functioning of the investigation and prosecution agencies depend on political mandate. This raises serious doubts on the credibility on national institutions. The different government at state and centre create hindrances in efficient working of NIA.
- Undue Delay: NIA act does not compel state government to provide report on a Scheduled Offence to Central government in a short or fixed interval, this may cause undue delays.

Issues of state governments

- Firstly, the heavy politicisation of the intelligence agencies has allowed the ruling parties, both at the centre and the states, to use the agencies to pry on or harass the leaders of opposition parties. Allegation have been made, for example, that the NIA has been used for political purposes to probe the blasts in 2006 in Malegaon and the bombing of the Samjhauta Express in 2007.
- Secondly, the scepticism springs from the alleged biases in the security agencies against the minority communities and allegations of the agencies’ involvement in human rights violations, particularly during CT operations.

Conclusion

Although such a powerful central agency may appear to contravene the federal spirit, it is a necessary step from the perspective of countering terrorism. India is among the countries that are most affected by terrorist violence. Therefore both centre and states should work together for better working of the National Investigation Agency. For that there is an urgent need to make the agency autonomous, professional and impartial in its investigation.

2. What is NATGRID? Examine its significance for India's internal security? Why hasn't the NATGRID project really taken off? Analyse.

Approach

Introduce with what is the role of NATGRID and when was it created. In body mention the significance of such agency for nation. In next part write what are the issues which are hindering its adoption. In conclusion make an affirmative argument for such an agency in India.

Introduction

The National Intelligence Grid or NATGRID is the integrated intelligence master database structure for counter-terrorism purpose connecting databases of various core security agencies under Government of India collecting comprehensive patterns procured from 21 different organizations that can be readily accessed by security agencies round the clock. NATGRID came into existence after the 2008 Mumbai attacks.

Body

Recently, the National Intelligence Grid (NATGRID) has signed a Memorandum of Understanding (MoU) with the National Crime Records Bureau (NCRB) to access the centralised online database on FIRs and stolen vehicles.

Significance of NATGRID for India's internal security

- NATGRID is a post Mumbai 26/11 attack measure. It aims to mitigate a vital deficiency- lack of real time information, which was considered to be one of the major hurdles in detecting terror activities.
- NATGRID will become a secure centralised database to stream sensitive information from 21 sets of data sources such as banks, credit cards, visa, immigration and train and air travel details, as well as from various intelligence agencies.
- It will utilise technologies like Big Data and analytics to study and analyse the huge amounts of data from various intelligence and enforcement agencies to help track suspected terrorists and prevent terrorist attacks.
- It will connect, in different phases, data providing organisations and users besides developing a legal structure through which information can be accessed by the law enforcement agencies.
- The database would be accessible to authorised persons from 11 agencies on a case-to-case basis, and only for professional investigations into suspected cases of terrorism.
- Unlike the NCTC and the NIA which are central organisations, the NATGRID is essentially a tool that enables security agencies to locate and obtain relevant information on terror suspects from pooled data of various organisations and

services in the country. It will help identify, capture and prosecute terrorists and help preempt terrorist plots.

Issues which are hindering its take off:

- NATGRID is facing opposition on charges of possible violations of privacy and leakage of confidential personal information.
- Its efficacy in preventing terror has also been questioned given that no state agency or police force has access to its database thus reducing chances of immediate, effective action.
- According to few experts, digital databases such as NATGRID can be misused. Over the last two decades, the very digital tools that terrorists use have also become great weapons to fight the ideologies of violence.
- The ambitious National Intelligence Grid (NATGRID) project wants to link social media accounts to the huge database of records related to immigration entry and exit, banking and telephone details among others.
- The Snowden files have already revealed the widespread misuse in recent years of surveillance capabilities to compromise individual privacy and even violate national sovereignty.

Conclusion

A robust and secure NATGRID is of the vital interest to the nation. Issues related to privacy and access can be addressed by strict regulatory and authentication norms or by introducing a privacy law regarding that. But considering the present situation it is important that the data with various agencies must be integrated to check terror, corruption, black money and other crimes.

3. What is the mandate of the National Security Guard (NSG)? What makes NSG an elite security agency? Discuss.**Approach**

Introduce with when and why NSG was formed. In next part write what are its mandates and why it is an elite security agency. In conclusion summarise its role and give future direction.

Introduction

The National Security Guard (NSG) is an elite counter-terrorism unit under the Indian Ministry of Home Affairs (MHA). It was founded on 22 September 1986 under the National Security Guard Act, 1986, following Operation Blue Star, the Golden Temple attack and the assassination of Indian Prime Minister Indira Gandhi, "for combating terrorist activities and protect states against internal disturbances. Recently the force had neutralised terrorist in Pathankot attack.

Body

Mandate of National Security Guard:

- NSG's primary mandate is to "engage and neutralize terrorist threats in specific situations and to undertake counter hijacking and hostage rescue missions." Initial duties of the NSG were limited in scope.
- In 1986-87, the scope was expanded to include "VVIP security, anti-sabotage checks at venues of VVIP public meetings and anti-hijack duties in international and domestic flights." It is for this reason that NSG is considered India's premier counter-terrorist force.
- The force undertakes unilateral missions as well as assists the central paramilitary forces. The expansion of their duties delegated to the NSG the role of Sky Marshals on select domestic and international flights.
- The Guards are further responsible for the mitigation of threats to vital and sensitive installations, including India's nuclear facilities. While the force has expanded its regional reach after the 26/11 attacks, the main area of operation remains New Delhi.
- In addition to the offensive operational role, the Guards also play a defensive security role. This is nowhere more evident than the use of SRG personnel for VVIP protection.
- NSG commando protection is reserved individuals deemed most at risk. This includes people who are provided the Z+ security cover, the highest protection cover of the Indian government. VVIP protection is carried out by SRG personnel and constitutes one of the biggest drains on the NSG.
- Additionally, NSG personnel are also deployed to provide security on special occasions such as the Independence Day and Republic Day celebrations and during visits by heads of states.

- Other capabilities and duties of the NSG include bomb disposal, creation and management of bomb data centers, and training of local, state, and federal police personnel in NSG core capabilities and specialties.
- A good example of this is NSG's role in training the Special Operations Group (SOG) of Jammu & Kashmir police. The inability of the conventional Indian Army to execute specialized missions and the limited strength of the NSG resulted in the establishment of the SOG. By most accounts, the force has performed well and it considered to have relieved NSG and other units in certain areas.

Elite Security Force:

- Deputationist force: Multi service recruitment through Indian Army, Central armed police force and state police force with world class zero error force standards.
- International Standard: The NSG was modeled on the pattern of the SAS of United Kingdom and GSG-9 of Germany.
- Task oriented force: Counter terrorism and anti-hijacking has been the main focus for the NSG. The diversion of NSG to VIP protection removed recently.
- Specialized Training: Rigorous training ensure all personnel of the Force are extremely physically fit, perfect in shooting skills, have the requisite technical skills and are highly motivated, aggressive and mentally alert at all times.
- Foreign collaboration: The National Security Guard has conducted international exchanges and joint training with foreign Special Forces, including those from Germany, Russia, United States, France, Israel and Australia.
- However, there were questions over lack of terrain information to NSG in different geographies led to delay in conclusion of operation in Pathankot Attack. There are also issues with the intelligence and coordination among stakeholders in counter-terror operation.

Conclusion

A Force like the NSG is indispensable in view of the growing terrorist violence in different forms. In future, the dependence on the NSG is likely to increase with long term comprehensive policy against terrorism. There is a need to create more centres in the growing threat of terrorism.