

J&K's State Investigation Agency

February 17, 2022

In news— The State Investigation Agency (SIA) has carried out multiple raids in Kashmir valley and arrested 10 alleged militant supporters of the Jaish-e-Muhammad (JeM) recently.

About State Investigation Agency(SIA) of J & K-

- It was **in November 2021** that the Jammu and Kashmir government's Home Department granted sanction for the **creation of this specialized investigating body on the lines of the National Investigation Agency (NIA).**
- The SIA has been constituted as a specialised, **nodal agency for "coordinating with NIA and other central agencies"** to take measures as required for speedy and effective investigation and prosecution of terrorism related cases.
- The agency was set up aside from the CID and other allied agencies working in the UT.
- **The need for setting up a new agency was felt "for specialised investigation" into terror cases,** not referred to the NIA.
- An SIA Directorate is set up in J&K with the head of the **CID wing as its ex-officio Director.**
- **All the officers in-charge of the police stations have to mandatorily intimate the SIA immediately on registration of terrorism related cases,** and also about such cases where any terrorism linkage surfaces during the investigation.
- In cases where the investigation of an offence is not taken up by the NIA, the DGP of J&K, "having regard to the gravity of the offence, progress of investigation and other relevant factors," will determine in consultation with the SIA whether the case is fit to be

investigated by SIA.

- The Home Department notes **various offences under different acts and provisions that direct the purview of the SIA. These include–**
 - The Explosive Substances Act, 1908 (6 of 1908).
 - The Unlawful Activities (Prevention) Act, 1967 (37 of 1967).
 - Offences having terrorism linkage.
 - All terrorist acts including terrorist financing and circulation of high quality fake Indian currency notes cases.
 - Terrorism related larger conspiracy cases.
 - Terrorist financing and terrorism linked NDPS cases.
- Other offences include, terrorism linked kidnapping and murder cases; terrorism linked weapon snatching/robbery cases and cases relating to terrorism linked propaganda, false narrative, large scale incitement, spreading disaffection, enmity against the Indian Union.

About National Investigation Agency (NIA)-

- It was established under the **National Investigation Agency Act, 2008**, which is a central legislation under Article 131 of the Constitution.
- It is India's premier counter-terror agency and is headquartered in New Delhi.
- It was introduced in the wake of the 26/11 Mumbai terrorist attacks.
- The law gives the NIA powers:
 - To take suo motu cognisance of terror activities in any part of India and register a case.
 - To enter any state without permission from the state government, and to investigate and arrest people.
- The **2019 NIA Amendment Act** expanded the type of offences

that the investigative body could investigate and prosecute, to include offences related to human trafficking, counterfeit currency, manufacture or sale of prohibited arms, cyber-terrorism offences under the Explosive Substances Act, 1908.

- The amendment also enables the central government to designate sessions courts as special courts for NIA trials.
- Further, **officers of the NIA will have the power to investigate scheduled offences committed outside India, subject to international treaties and domestic laws of other countries.**
- The central government may direct the NIA to investigate such cases, as if the offence has been committed in India and the Special Court in New Delhi will have jurisdiction over these cases.

Further

reading:

<https://journalsofindia.com/national-investigation-agency/>