

National Investigation Agency Amendment Act

May 17, 2020

What is the NIA Act?

- The Act provides for a national-level agency to investigate and prosecute offences listed in a schedule (scheduled offences). Further, the Act allows for creation of Special Courts for the trial of scheduled offences.

What are the amendments to the Act?

- The schedule to the Act specifies a list of offences which are to be investigated and prosecuted by the NIA. These include offences under Acts such as the Atomic Energy Act, 1962, and the Unlawful Activities Prevention Act, 1967. The amendment seeks to allow the NIA to investigate the following offences, **in addition: (i) human trafficking, (ii) offences related to counterfeit currency or bank notes, (iii) manufacture or sale of prohibited arms, (iv) cyber-terrorism, and (v) offences under the Explosive Substances Act, 1908.**
- The Act provides for the creation of the NIA to investigate and prosecute offences specified in the schedule. The officers of the NIA have the same powers as other police officers in relation to investigation of such offences, across India.
- The amendment states that in addition, 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. The Special Court in New Delhi will have jurisdiction over these cases.

- The Act allows the central government to constitute Special Courts for the trial of scheduled offences. The amendment states that the central government may designate **Sessions Courts as Special Courts** for the trial of scheduled offences. Further, state governments may also designate Sessions Courts as Special Courts for the trial of scheduled offences.