

Various security agencies and their mandate

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Intelligence Agencies in India

The intelligence bureau

IB was founded on December 23, 1887, as the "Central Special Branch" by the Secretary of State for India in London. It is renamed as Intelligence Bureau in 1920. The Intelligence Bureau (IB), considered the oldest surviving intelligence organization in the world, serves as India's internal security agency responsible for detecting domestic threats.

Functions of Intelligence Bureau

- Counterintelligence: IB is tasked with identifying and neutralizing threats posed by foreign intelligence agencies and espionage activities within India.
- Counterterrorism: IB plays a crucial role in identifying and thwarting terrorist threats within the country, working closely with law enforcement agencies to prevent terrorist attacks.
- VIP Security: IB is responsible for providing security assessments and protection to designated VIPs, including political leaders, government officials, and visiting dignitaries.
- Anti-secession Activities: IB monitors and counters activities aimed at promoting secessionist movements or undermining the integrity of the nation.
- Intelligence Collection in Border Areas: IB gathers intelligence from India's border regions to assess security threats and prevent infiltration by hostile elements.
- Infrastructure Protection: IB assesses and protects critical infrastructure assets vital to national security, such as transportation networks, energy facilities, and communication systems.

In addition to its domestic responsibilities, the Intelligence Bureau maintains collaborative relationships with foreign intelligence agencies, including counterparts in the United States, United Kingdom, and Israel. These partnerships facilitate information sharing and cooperation on matters of mutual interest, including counterterrorism and cybersecurity.

Overall, the Intelligence Bureau serves as a vital component of India's national security architecture, working tirelessly to safeguard the country's interests and protect its citizens from internal and external threats.

Research and Analysis Wing (R&AW)

RAW, or the Research and Analysis Wing, stands as one of India's premier intelligence agencies, playing a critical role in safeguarding the nation's security interests. Established in 1968, RAW was created primarily to focus on external intelligence gathering, especially concerning India's neighboring countries, particularly Pakistan and China.

Before the formation of RAW, the Intelligence Bureau (IB) handled both internal and external intelligence matters. However, recognizing the need for a dedicated agency to address the complexities of external threats, RAW was established under the leadership of then-Prime Minister Indira Gandhi.

- External Intelligence Gathering: RAW's primary mandate revolves around gathering intelligence pertaining to India's external security threats, particularly from neighboring countries like Pakistan and China. It monitors political, military, and strategic developments in these nations, providing critical insights to policymakers.

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- Counterterrorism Operations: RAW also plays a significant role in gathering intelligence related to terrorist activities and extremist organizations operating in the region. Its efforts contribute to India's counterterrorism strategies and initiatives.
- Foreign Policy Support: RAW's intelligence assessments serve as a cornerstone for India's foreign policy formulation. By monitoring political and military developments in neighboring countries, RAW helps shape India's strategic engagements and responses to regional challenges.
- Strategic Analysis: RAW conducts in-depth analysis of geopolitical trends, regional conflicts, and emerging threats to India's security interests. Its assessments guide policymakers in making informed decisions on matters of national security and defense.
- Covert Operations: RAW is known for its ability to conduct covert operations to gather intelligence and disrupt hostile activities aimed at India's interests. These operations are conducted with utmost secrecy and precision, often in collaboration with other intelligence agencies and special forces units.
- Parliamentary Oversight: Unlike other government agencies, RAW operates with a degree of autonomy and is not subject to direct parliamentary oversight on many issues. This independence allows RAW to maintain secrecy and operational flexibility in carrying out its missions.

NTRO

The National Technical Research Organisation (NTRO) stands as a crucial component of India's intelligence apparatus, focusing on technical intelligence gathering and analysis. Established in 2004 under the National Security Advisor in the Prime Minister's Office, NTRO plays a pivotal role in enhancing India's technological capabilities to address emerging security challenges.

Functions and Responsibilities:

- Aviation and remote sensing: Uses advanced technologies to gather intelligence from aerial platforms.
- Data gathering and processing: Collects and analyzes data from various sources, including satellite imagery.
- Cyber security: Safeguards India's cyberspace from threats.
- Cryptology systems: Develops secure communications systems.
- Strategic hardware and software development: Designs and deploys strategic hardware and software solutions.
- Strategic monitoring: Conducts strategic monitoring of global events and emerging threats.
- Satellite access and utilization: Accesses data from satellites for intelligence gathering.

Shortcomings in the functioning of intelligence agencies

- Internal rivalries and lack of cooperation among Indian intelligence agencies hamper collective efforts and compromise security.
- Lack of coordination, information sharing, and joint operations result in gaps in intelligence gathering and analysis.

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- Limited oversight, accountability, and transparency mechanisms increase the risk of abuse of power and undermine public trust.
- Secrecy and lack of disclosure erode public confidence and hinder accountability.
- Political interference compromises the neutrality and objectivity of intelligence agencies, eroding public confidence.
- Resource constraints, including funding, technology, and manpower shortages, limit the effectiveness and operational capabilities of intelligence agencies.

Reforms needed in Intelligence Agencies

- Intelligence agencies in India must be provided a legal-framework for their existence and functioning and their functioning must be under Parliamentary oversight and scrutiny
- Reforms in the recruitment and training processes of their personnel, their pay structures and career progression to attract the best talent available in the country.
- Recruitment to these agencies should be broad-based so as experts from myriad fields, such as Science and Technology, IT, Communications etc could be brought, in rather than reserving these agencies exclusively for the Police Sector.
- There should be a single authority exercising supervisory and other control over the intelligence agencies. It could be the National Security Advisor (NSA) in a modified role, Director of National Intelligence or even a minister for national Intelligence, answerable to the Parliament.
- Culture of Transparency should be promoted and inculcated as in the case of MI5
- Greater empowerment of intelligence officials should be accompanied by a simultaneous strengthening of oversight.

Reforms needed in CAPF

The Committee on Estimates (Chairperson: Dr. Murlidhar Manohar Joshi) submitted its report on 'Central Armed Police Forces and Internal Security Challenges – Evaluation and Response Mechanism' on March 16, 2018.

1. Deployment of CAPFs:

Problem: The Committee observed that there was heavy dependence of states on central armed police forces (CAPFs), even for everyday law and order issues. This was likely to affect the anti-insurgency and border guarding operations, besides curtailing the training needs of these forces.

Recommendations: The Committee recommended that states must develop their own systems, and augment their police forces by providing adequate training and equipment. The central government should supplement the efforts of state governments by providing financial assistance and other help needed by states for capacity building of their forces.

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2. Training of CAPFs:

Problem: The Committee noted that there is an urgent need to update the curriculum and infrastructure in training institutes for CAPFs.

Recommendations: It recommended that while purchasing state-of-the-art equipment, government should ensure that training needs are taken care of and if needed, it may be included in the purchase agreement itself. Further, it recommended that the training should be a mix of conventional matters and latest technology like IT, cyber security, and cyber crime.

3. Modernization of CAPFs:

Problem: The Modernization Plan II (2012-17), approved by the Cabinet Committee on Security, aims at providing financial support to CAPFs for modernizing arms, clothing, and equipment. However, the Committee observed that the procurement process under the Plan was cumbersome and time consuming.

Recommendations: It recommended that bottlenecks in procurement should be identified and corrective action taken. Further, the Ministry of Home Affairs and CAPFs should hold negotiations with ordnance factories and manufacturers in public or private sector to ensure uninterrupted supply of equipment and other infrastructure.

4. Promotion of CAPFs:

Problem: The Committee observed that top positions in CAPFs are occupied by IPS officers. This has a demoralizing effect on the officers of the CAPFs, and impacts the effectiveness of the forces.

Recommendations: The Committee recommended that top positions should be filled from the respective cadre of the CAPF. In addition, there was frustration in CAPFs due to stagnation in promotions and lack of cadre review. The Committee recommended that cadre review of all the CAPFs should be carried out within a defined timeline.

5. Housing for CAPFs:

Problem: The Committee noted that during the 12th Five Year Plan, as against the target of 24,206 houses for CAPFs, only 11,884 houses were constructed till March 31, 2016 (49%).

Recommendations: It recommended that the Ministry of Home Affairs and CAPFs should hold regular consultations with state governments, and impress upon them the need for allocation of land for construction of houses for CAPF personnel.

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6. Intelligence gathering:

Problem: The Committee noted that there is a need to improve the intelligence gathering mechanism, which should be strengthened and modernized within the shortest possible timeframe.

Recommendations: It recommended that agencies involved in intelligence gathering should be given autonomy in the recruitment of their personnel. Further, an effective intelligence gathering mechanism should be developed, with synchronization between agencies and no delays in sharing of information.

7. Stress among CAPF personnel:

Problem: The Committee noted that a number of personnel among the CAPFs have committed suicide.

Recommendation: It recommended that workshops on stress management should regularly be undertaken, and yoga and meditation be made part of the daily exercise for CAPF personnel. Further, the Committee emphasized the need of accommodation near the deployment of the respective force, to enable personnel to meet their family members

8. Left Wing Extremism (LWE):

Problem: The Committee observed that casualty of security forces in LWE affected areas are taking place due to mine blasts. Further there was non availability of technology to detect deeply planted mines.

Recommendations: The Committee recommended that the government should take up the matter with concerned research organizations, like Defence Research and Development Organisation, to develop technology to counter threats in LWE affected areas.

Investigation agencies

1. National Investigating Agency:

The NIA Act was enacted on 31-12-08 and the National Investigation Agency (NIA) was born. At present NIA is functioning as the Central Counter Terrorism Law Enforcement Agency in India. The NIA assists all the states and other agencies in investigating terrorism-related cases and works in close cooperation with them.

Mission

- In-depth Professional Investigation: NIA conducts thorough investigations of scheduled offences using the latest scientific methods, aiming to ensure the detection of all cases entrusted to it.

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- Professional Workforce Development: NIA emphasizes the development of a professional workforce through regular training and exposure to best practices and procedures.
- Cordial Relations with States and Law Enforcement: NIA maintains professional and cordial relations with state governments, Union Territories, and other law enforcement agencies, in compliance with legal provisions.
- Assistance to States and Investigating Agencies: NIA assists all states and investigating agencies in the investigation of terrorist cases, fostering cooperation and collaboration.
- Building a Terrorist Database: NIA builds and maintains a comprehensive database on all terrorist-related information, sharing it with states and other agencies for enhanced security measures.
- Analysis of Terrorism Laws: NIA studies and analyzes terrorism laws in other countries, regularly evaluating the adequacy of existing laws in India and proposing changes as necessary for effective counterterrorism measures.

2. Central Bureau of Investigation:

The **Central Bureau of Investigation (CBI)** is the premier investigating agency of India. Operating under the jurisdiction of the Ministry of Personnel, Public Grievances and Pensions, the CBI is headed by the Director. It is headed by a cabinet minister who reports directly to the Prime Minister.

Founded in 1943 as the Special Police Establishment (war department) and later established permanently under the Delhi Special Police Establishment Act 1946, the CBI has expanded significantly to meet growing demands for its services.

Functions

- Investigative Authority: The CBI is empowered to investigate notified offences such as prevention of corruption independently. For other offences like murder in any state, it requires the consent of the concerned states or orders from higher courts to investigate.
- Scope of Investigations: The CBI is renowned for investigating economic crimes, special crimes, cases of corruption, and other high-profile cases. It handles cases of national importance and significance.
- Role in National Security: The CBI's role extends beyond conventional crime investigation to matters of national security, including counterterrorism and intelligence gathering.
- Collaboration and Coordination: The CBI collaborates with other law enforcement agencies, both domestically and internationally, to address transnational crimes and enhance investigative capabilities.

Problems associated with CBI:

- Loss of Public Confidence: The Supreme Court's scathing characterization of the CBI as a 'caged parrot' significantly tarnished its reputation and integrity. Political pressure and interference have further eroded public trust in the organization.

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- **Delays and Inefficiencies:** The CBI has been criticized for extensive delays in concluding investigations, leading to perceptions of ineffectiveness. Former Central Vigilance Commissioner likened the CBI to a 'black hole' where cases seemingly disappear without resolution.
- **Reports of Misconduct:** Numerous reports have surfaced alleging dishonesty and harassment of the public by CBI personnel, casting doubts on the agency's ethical standards and professionalism.
- **Dependence on State Governments:** Despite being a central agency, the CBI relies on state governments to invoke its authority to investigate cases within their jurisdiction. This dependency poses significant challenges, particularly when investigating cases involving central government employees.
- **Lack of Autonomy and Cadre:** The CBI lacks functional autonomy, relying on the home ministry for staffing and the law ministry for legal support. Its dependence on IPS officers, who are susceptible to government influence, further undermines its autonomy and impartiality.
- **Vulnerability to Government Influence:** The CBI's structure, run by IPS officers on deputation, makes it susceptible to manipulation by the government, which holds control over senior officer postings and career advancement.
- **Jurisdictional Constraints:** While the CBI operates under the provisions of the Code of Criminal Procedure (CrPC), its jurisdiction is subject to the consent of state governments, hindering its ability to operate effectively across the country.

Way forward

- CBI needs an autonomous legal framework and quality supervision.
- Political interference in CBI appointments must end.
- CBI should have its own cadre of officers, free from transfers.
- Granting autonomy to CBI and other agencies with parliamentary oversight can ensure accountability.
- Improve service conditions and emoluments for direct recruits to attract skilled people.