

MONTHLY MEETING OF ASSOCIATION OF PRIVATE DETECTIVES & INVESTIGATORS (APDI) (DELHI CHAPTER).



The Delhi Chapter held its monthly meeting on 23rd January, 2015 at the office of Mr. V.M Pandit, President APDI. The meeting was attended by 10 executive members of Delhi Chapter. Many important issues were raised in this meeting which is as follows:-

CLARIFICATIONS ON MEMBERSHIP OF APDI/ACPI.

One of the important issues which needed instant confirmation pertains to the newly formed **ACPI (Association of Certified Professional Investigators)**. Pursuant to the receipt of many

queries and to obliterate misconceptions, it was clarified by Mr. Pandit that APDI will retain its identity and will serve as a screening point or the first point of entry for new members who wish to be recognized as being accredited with the membership of ACPI. As soon as the antecedents of the new entrants (designated as Associate Member) to APDI have been verified and found to be in line with the requirements of ACPI, they will be accorded membership of ACPI by the Screening Committee. This will ensure that the prestigious membership of ACPI is given only to those who have been thoroughly screened and vetted.

This method of graduating to the membership of ACPI in a two-phase manner found broad consensus among the Members. Mr. V.M. Pandit divulged that a few members, who included some top notch individuals, were apprehensive that the nomenclature “Professional Investigators” did not entirely convey their line of business since their companies included the word “Detective”, which registers more readily in the average individual’s mind.

**LICENSE IN THE NAME OF
INDIVIDUALS OR IN THE NAME
OF COMPANY? – UNDER
PROPOSED PDA(R) BILL.**

Another issue raised was whether the License under the proposed PDAR Bill would be issued in the name of individuals or in the name of the company. Mr. Naman Jain, Secretary, Delhi Chapter-APDI, raised this issue and urged that the license should be in the company's name for which a higher fee structure may be stipulated. Mr. Pandit clarified that initially the license would be issued to individuals since a company may have 2-9 Directors, all of who may not qualify for the license. Mr. Ashwinder Lamba, Secretary, Delhi Chapter-APDI, who has long years of experience as an investigator in the Insurance Sector, suggested to the members that each Insurance Surveyor has to obtain a license in his or her name by passing certain qualifying tests, in accordance with the Insurance Regulatory Act. Since the role of a Detective, which is similar though not identical, also needs professional skills and expertise of a certain level, it is the individual who will be eligible for the license, and not the company. Mr. V.M. Pandit advised members to go through the provisions of the PDAR bill which gives clear definitions of Agencies, Private Detectives and

Schedules of Do's and Don'ts for Investigation.

**CLARIFICATION ON ANNUAL
MEMBERSHIP FEES- APDI/ACPI.**

Another point that was animatedly discussed was the increase in the annual membership fees. Members objected to having to take fresh membership of ACPI when they already hold APDI membership for the last eight years. In other words, ACPI makes no distinction between senior and fresh members. Mr. V.M. Pandit clarified the need for levying of membership fee to all members who join ACPI. He informed that each membership application will be vetted and certified by a high power independent team comprising eminent persons from I.B., CBI, Police and Army.

**STRICTER NORMS FOR GAINING
ENTRY.**

Members were dismayed to find that certain persons blacklisted by their parent agencies could get membership of APDI, taking advantage of the loophole which allows membership without proper preliminary checks.

Mr. Baldev Puri, Vice-President, Delhi Chapter-APDI, expressed his anguish at the lack of any mechanism to check new members at the entry point. In order to prevent undesirable elements from

gaining entry, it was suggested that some sort of preemptive measures should be put in place. A reference with the previous employer should be mandatory and the name of the applicant should be put on the net. Other checks and balances can also be considered to weed out any undesirable applicants.

STEPS TO UPGRADE THE SKILLS OF INVESTIGATORS.

At the end of the meeting, Mr. Pandit informed members of a proposal to conduct regular monthly seminars on topics of mutual interest at which eminent and knowledgeable personalities can be invited to share their views on issues relevant to Private Investigators. A record of these seminars can then be compiled and recorded in the Annual Calendar to bring to the notice of the Govt. the steps being taken by APDI to upgrade the skills of the investigators.

Do's and Don'ts vis-à-vis Legal Provisions - By V.M .Pandit

It is a wishful thinking on the part of Private Detective Agents that status-quo be maintained without any Enactment to regulate (or curb) our activities. We the professionals may desire a free playing field

without hindrances. But even on playground rules of the game have to be followed by players. The concept of free-for-all and no-holds-barred loses sanctity or else even the field would become "jungle" with might-is-right doctrine. We are a civilized society and there are customary do's and don'ts.

Customs and practices are the forces behind law of the land. Elected representatives of the nation form the Government. And Government brings in legislation to regulate the society in conformity with customs and practices. The Private Detective Agencies (Regulation) Bill, 2007, since its introduction has undergone scrutiny by competent authorities. And the amendments suggested by high-powered committee of Ministry of Home Affairs are rather restrictive in nature than regulatory in concept. But let us be prepared to face the inevitable.

If stringent measures are to be incorporated in the amended Bill, we have to anticipate the restrictions and be prepared to safe guard for the profession. We are service providers to the society and we do have to come up to expectations of end-users (our clients). But in the process of delivery we must not be caught in the legalities and demands of clients bordering on illegalities. How do we

strike a balance? By understanding the Law and abiding by the provisions and thereby coining our own “vocabulary”, skirting the judicial and Police terminologies. For that matter let us take a look at words like investigation, inquiry, surveillance, evidence, interrogation, video and audio, infidelity, discord, extra-marital relationships, adultery, forensics, expert opinion, under-cover operations, crimes, FIR’s, source information privacy, fundamental rights etc. These words are extensively used by Police and Judiciary with reference to provision of Indian Penal Code, Code of Criminal Procedure, Indian Evidence Act, The Constitution of India, and a plethora of legislations. Likewise, some of these words also figure in the list of “do’s” and “don’ts” proposed as amendments in the PDA(R), Bill, 2007. Clause 3 of the Bill empowers the Central government to constitute the Central Private Detective Regulatory Board. Clause 4 defines powers and functions of the Central Board to grant, renew, suspend, revoke License, lay down training standards, prescribe code-of-ethics and conduct, advice the Government in any matter of Police concerning PDA’s and practically “any other matter” for carrying out the provisions of PDA(R) Bill. The Board in accordance with provisions of clause 10(4) of the Bill, may make such inquiries as it considers

necessary and by obtaining no objection certificate from the concerned Police authority to grant or refuse to grant a license to PDA. Majority of the Board members would have the background of Police and Civil Services. It is, therefore to be expected that the local Police and the other Law Enforcement agencies would be playing significant roles in processing of applications for Licenses to be granted. And not only in India, but in most of the countries where licensing laws are applicable, the local police considers the existence of Private Detective Agents as encroachment on their turfs-to say the least. Conflict of interest defines the hostility towards PDA’s.

As a first measure let us find and coin terminology to convey the same meaning but in an oblique and permissible way. Our web-sites, our literatures and our reports to clients must avoid the legislative terminology for the professional services we provide. Adoptable and similar words are galore and every PDA must use such replaceable words in all their ventures.

We, the Private Detective Agents are members of APDI and a new entity ACPI has been approved by the Governing body of APDI. This new Association is aimed at providing credentials of certified Professional Investigators to its members. The

need for creating ACPI and the modalities to be adopted are being discussed in an extraordinary meeting of Governing body today. The outcome of deliberations would be notified immediately.

Let us realize that there is a lot at stake for all members of APDI in the wake of proposed amendments in the PDA (R) Bill, 2007 and we, at the helm of affairs of APDI want to assure our members that best possible measures would be adopted to thwart the aggression of any legislation. We are neither instrumental nor desirous of inviting any stringent measures to curb activities but we must prepare ourselves if the law does come into effect.

ASIS CSO ROUNDTABLE IN INDIA

It is with great pride and honor that the ASIS International New Delhi India Chapter hosted a CSO Roundtable on November 13 and 14 at ITC Maurya, New Delhi. The Roundtable analyzed risks and opportunities on the Indian Subcontinent.

The Roundtable began with a lamp lighting by special guest R. K. Shukla, Advisor, Security ONGC; Peter Piazza, ASIS Vice President of Strategic Operations; Sanjay Kaushik, Chair of the New Delhi

Chapter; Vivek Ahlawat, ASIS Assistant Regional Vice President, Region 13-A; and Rajan Luthra, Chairman's Office, Corporate Security, Reliance Industries. The lamp lighting was followed by the national anthem.

More than 125 CSOs and security experts from all over the region attended the CSO Roundtable. The conference was insightful and enabled attendees to brainstorm during many panel discussions and presentations by CSOs from both public- and private-sector organizations. There were interesting, informative, interactive, and intellectual panel discussions, with panelists sharing their vast experience on various relevant subjects such as "Corporate Security 2.0," "Indian CSO: A Different Recipe," "Adding Value When Security Budgets are Tight," "What Keeps a CSO Awake?", and "Developing and Working with Global Teams".



ASIS President Dave N. Tyson, CPP, made a keynote address at the Roundtable

During these discussions, speakers and panelists highlighted the importance of technology in the security industry and laid emphasis on the importance of the CSO in business. The conference also addressed the the challenges and opportunities for next generation of CSOs.

ASIS President Dave N. Tyson, CPP, Piazza, and other CSOs and Security Professionals added value to the event by expressing keen interest in discussions and delivering the keynote addresses. We hope that the conference takes the security industry in India to greater heights in the years to come.



Mr. Sanjay Khaushik is Chair of the ASIS New Chapter and General Secy, APDI.



CONGRATULATIONS! BIRTHDAY WISHES TO OUR MEMBERS

| |
|--|
| Capt.Supriyo Mukherjee-1st January |
| Lt.Col.Darshan Bal (Retd.)-7th January |
| Mr. K Manjunath- 7th January |
| Mr. S. Mohan Raj- 9th January |
| Mr. Bharat Singh Rathore-10th January |
| Mr. Abhay Aggarwal- 10th January |
| Mr. Sunil Kumar Singh- 12th January |
| Mr. Soumitra Banerjee- 13th January |
| Capt. Santosh Sharma- 15th January |
| Mr. M.John Punnen- 19th January |
| Mr. P.Sameer- 19th January |
| Mr. Navzar Jamshed Maneckshaw- 19th January |
| Mr.H.K Guruprasad- 20th January |
| Mr. Ashish Mathur- 25th January |
| Mr. Diwakar Aggarwal- 25th January |
| Mr. Arun Sharma- 26th January |
| Mr. Daniel Essex- 26th January |
| Col.R.K. Kurup- 26th January |
| Mr. Nayan Dilipbhai Trivedi- 26th January |
| Mr. James John- 28th January |
| Mr. Raj Kumar Santra- 28th January |



MARRIAGE ANNIVERSARY WISHES

| |
|---------------------------------------|
| Dr. Raman Khanna- 18th January |
|---------------------------------------|

| |
|--|
| Mr. Indranil Mondal- 25th January |
|--|

| |
|--|
| Lt.Col. Santokh Singh (Retd.)- 30th January |
|--|

| |
|-------------------------------------|
| Mr. Ajit Singh- 31st January |
|-------------------------------------|

| |
|---------------------------------------|
| Mr. Sachit Kumar- 31st January |
|---------------------------------------|

**WE WELCOME OUR NEW MEMBERS WHO HAVE
JOINED THE APDI IN JANUARY, 2015.**

| |
|---|
| Alpha Risk Control Services, New Delhi |
|---|

| |
|--|
| Crime Identification & Protective Services, Bihar |
|--|

| |
|--|
| Al Right Investigation Pvt. Ltd., New Delhi |
|--|

| |
|-------------------------------------|
| H.R.Investigation, New Delhi |
|-------------------------------------|

| |
|---|
| Lynx Security & Detective, Maharashtra |
|---|

| |
|--|
| Mr.Dodla Naveen Kumar, Individual Member, Telangana |
|--|

| |
|---|
| Maj.R.P.S. Malhotra, Individual Member, Punjab |
|---|