



THE ASSOCIATION OF PRIVATE DETECTIVES AND INVESTIGATORS, INDIA (CONDUCT) RULES – 2007

1.0 Short Title, Commencement & Application:

1.1 These Rules may be called the APDI (Conduct) Rules, 2007.

1.2 They shall come into force with immediate effect.

1.3 Save as otherwise provided in these rules, these rules shall apply to every member, enrolled in the APDI and/or persons appointed to a post in connection with the affairs of the APDI.

Provided further that an employee whose services are availed by any member of the APDI, for the purposes of these Rules, be deemed to be serving under the APDI notwithstanding that his salary is drawn from a source other than the funds of the APDI.

2.0 Definition and Classification of Posts:

2.1 Definitions: In the rules, unless the context otherwise requires,

a. "APDI" means Association of Private Detectives and Investigators, India.

b. "Member" means any person/company/agency enrolled by the APDI which would also include all branches and their employees whether regular, hired or casual.

c. "Members of family" in relation to a member includes: -

(i) The wife or husband, as the case may be of the member of the APDI, whether residing with the member or not, but does not include a wife or husband, as the case may be separated from the member by a decree or order of a competent court;

(ii) Son or daughter or step-son or step-daughter of the member and, wholly dependent upon him but does not include a child or step-child who is no longer in any way dependent on the member or of whose custody the member has been deprived by or under any law;

(iii) Any other person related, whether by blood or marriage, to the member of the APDI or to the member's wife or husband, and wholly dependent on the member.

(d) "Prescribed Authority" means

(i) The Chairman and the Board of Governors/Directors of the APDI.

(ii) The Chairman of the Ethics Committee and Chairman of other committees formed by APDI.

3.0 General:

3.1 Every member shall at all time

1. Maintain absolute integrity,
2. Maintain devotion to profession; and
3. Do nothing which is unbecoming of a member of APDI.

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- i. Every member shall take all possible steps to ensure the integrity and devotion to duty of all employees for the time being under his control and authority,
 - ii. No member shall, in the performance of his duties or in the exercise of powers conferred on him, act otherwise than in his best judgment except when he is acting under the direction of his client. He shall, where he is acting under such direction obtain the direction in Writing, wherever practicable, and where it is not practicable to obtain the direction in writing, he shall obtain written confirmation of the direction as soon thereafter as possible.
 - iii. Every member shall do his business and perform the task within the frame-work of Law of the Land and in conformity with the provisions of the Constitution of India.

4.0 Connection with Press or Radio:

4.1 No member shall, except with the previous sanction of the APDI own wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication.

4.2 No member shall, except with the previous sanction of the prescribed authority or except in the bonafide discharge of his duties participate in a radio, television broadcast or contribute an article or write a letter to a newspaper or periodical either in his own name or anonymously or pseudonymously or in the name of any other person;

Provided that no such sanction shall be required if such contribution, broadcast or writing is of a purely literary, artistic or scientific character for the general good of the profession and in accordance with the Law of the land.

5.0 Criticism of Government/APDI:

No member shall, in any radio/television broadcast or in any document published In his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion -

- (1) Which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or a State Government;
- (2) Which is capable of embarrassing the relations between the APDI, its members and its client/ associate; or the Government.

(3) Which is capable of embarrassing the relation between the Government and the Government of any foreign State or between the APDI and its foreign collaborator, partner, associate.

Provided that nothing in this rule shall apply to any statements made or views expressed by the prescribed authority in his official capacity or in the due performance of the duties assigned to him by APDI.

6.0 Private Trade or Employment:

- 6.1** No member shall, except with the previous sanction of the Company, engage directly or indirectly in any trade or business or negotiate for or undertake any other employment- which is not in conformity with the interests of APDI.
- 6.2** No APDI member shall permit his family member to accept any detective or investigative assignment of the rival/competitor firm, company, entity whose brief has already been accepted by the APDI member.

Provided that a member may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition that his duties do not thereby suffer; but he shall not undertake or shall discontinue work, if so directed by the APDI.

- 6.3** Every member shall report to the APDI if any member of his family is engaged in a trade or business or owns or manages an agency or commission agency which has dealings with APDI.

7.0 Investment, Lending and Borrowing:

- 7.1.** No member shall speculate in any stock, share or other activity which amounts to betting or gambling.
- 7.2.** No member shall make, or permit any member of his family or any person acting on his behalf to make, any investment which is likely to embarrass or influence him in the discharge of his duties.
- 7.3** If any question arises whether any transaction is of the nature referred to in sub-rule (1) or sub-rule (2) the decision of the APDI there on shall be final.

8.0 Insolvency and Habitual Indebtedness:

A member shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An employee against whom any legal proceeding is instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceedings to the APDI.

Note: The burden of proving that the insolvency or indebtedness was the result of circumstances which, with the exercise of ordinary diligence, the employee could not have foreseen, or over which he had no control and had not proceeded from extravagant or dissipated habits, shall be upon the member:

9.0 Vindication of Acts & Character of Member:

- 9.1** No member shall, except with the previous sanction of the APDI, have recourse to any court or to the press for the vindication of any act which has been the subject matter of adverse criticism or an attack of a defamatory character.
- 9.2** Nothing in this rule shall be deemed to prohibit a member from vindicating his private character or any act done by him in his private capacity, and where any action for vindicating his private character or any act done by him in private capacity is taken, the member shall submit a report to the prescribed authority regarding such action.
- 9.3** Canvassing of non-official or other outside influence:
No member shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his membership of APDI.

10.0 Publication of Books and Articles by the Member.

- 10.1.** No member shall publish a book or an article (except in the APDI's approved journals) without obtaining prior written permission of the APDI.
- 10.2** A member desirous of publishing a book etc. will make an application to the APDI seeking permission for publication, normally two months in advance of the intended date of publication. The application will be submitted through proper channel.
- 10.3** The member's request will be examined by an appropriate committee constituted by the APDI for the purpose. In examining the request the committee will take into account all relevant aspect, in particular (1) whether the text contains anything prejudicial to the interests of the APDI, and (2) whether, and if so, to what extent, the author has been aided by the knowledge acquired by him in the course of his membership. The committee will thereafter make recommendations to the management indicating (a) whether the text contains anything prejudicial to the interests of the APDI, and if so, what deletions/modification are called for before publications; (b) whether the effort reveals the author's scholarly study of the subject, and whether, and if so, to what extent, the author has been aided by the knowledge acquired by him in the course of his membership of APDI, and (c) whether the permission sought can be given, and if so, what conditions, if any, need be stipulated.