



## COMPETITION COMMISSION OF INDIA

23.05.2017

### Case No. 79/2011

**Informants** : Mr. Hemant Sharma (Informant 1)  
Mr. Devendra Bajpai (Informant 2)  
Mr. Gurpreet Pal Singh (Informant 3)  
Mr. Karun Duggal (Informant 4)

**Opposite Party** : All India Chess Federation

### Appearance:

**For Informants** : Mr. Vaibhav Gaggar, Advocate  
Ms. Shivani Lakhanpal, Advocate  
Mr. Gurpreet Pal Singh, the Informant 3

**For Opposite Party** : Mr. J. Sivanandaraaj, Sr. Advocate  
Ms. Shalini Kaul, Advocate  
Ms. Ridhima Sharma, Advocate



### ORDER

1. The Commission, *vide* order dated 9<sup>th</sup> February, 2012 passed under Section 26(1) of the Competition Act, 2002 (Act), referred the instant matter to the Director General (DG) for investigation. Accordingly, the DG submitted the investigation report on 12<sup>th</sup> October, 2012. On 8<sup>th</sup> November, 2012, the Commission considered the investigation report of the DG and decided to forward copies of the same along with its Annexures to the parties.
2. On 13<sup>th</sup> April, 2017, the Commission directed the Opposite Party to file its reply latest by 12<sup>th</sup> May, 2017 with advance copy to the Informants along with its audited Balance Sheet and Profit & Loss Account for years 2009-10, 2010-11 and 2011-12. The Commission also directed the Informants to file their responses to the investigation report and the submission of the Opposite Party by 19<sup>th</sup> May, 2017. The Commission also directed the parties to appear before the Commission on 23<sup>rd</sup> May, 2017 for hearing. Subsequently, on 12<sup>th</sup> May, 2017, the Opposite Party filed its written submission.
3. Today, during the hearing, the Informants submitted their response to investigation report and to aforesaid written submissions filed by the Opposite Party. On the direction of the Commission, the Informants also served a copy of their written submissions to the Opposite Party. After examining the submissions of the Informants, Mr. J. Sivanandaraaj, Sr. Advocate, appearing on behalf of the Opposite Party objected some of the annexures in submissions of



the Informants which are completely new documents and he would require instruction from the Opposite Party in this regard. Hence, Mr. Sivanandaraaj requested the Commission to postpone the hearing to another date. Considering this issue, Mr. Vaibhav Gaggar, Advocate for the Informants agreed on not to argue on new annexures and same was also accepted by the Opposite Party.


- Thereafter, the Commission heard the learned counsels for the Informants and Opposite Party. Mr. Sivanandaraaj reiterated the written submissions of the Opposite Party. He further submitted that as of now, all the chess players are free to participate in all chess tournament including tournaments not authorised / recognised by them as long as the organisation do not use the nomenclature of 'India' and 'National' in the title of the said tournament and that the Opposite Party will not take any adverse action against them and they will not be restricted from participating in the tournaments authorised / approved by the Opposite Party. Accordingly, the Commission directed the Opposite Party to file an undertaking / affidavit for the same latest by 26<sup>th</sup> May, 2017. The Commission further directed the Opposite Party to file its Long Term Development Plan for the development of chess in India before the stipulated date.
- The Secretary is directed to inform the parties accordingly.

Sd/-  
Member (B)

Sd/-  
Member (SM)

Sd/-  
Member (M)

Certified True Copy

Sd/-  
Chairperson  
  
08/06/2017  
Sd/- S.R. GAHLAUT  
सहायक निदेशक / Assistant Director  
आरक्षीय प्रतियर्षा आयोग  
Competition Commission of India  
नई दिल्ली/New Delhi