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Fair Competition
For Greater Good

COMPETITION COMMISSION OF INDIA

Case No. 37 of 2023

In Re:

Prem Kumar G.

82, Sri Krishna Avenue
Thenishwarar Nagar
Vellallur, Coimbatore
Tamil Nadu

Informant

And

Mrs. T. Karpagavalli

General Secretary
Thoothukudi District Chess Association
Thoothukudi, Tamil Nadu

Opposite Party No. 1

Mr. G.P. Joe Prakash

President
Thoothukudi District Chess Association
Thoothukudi, Tamil Nadu

Opposite Party No. 2

Mr. P. Stephen Palasamy

General Secretary
Tamil Nadu State Chess Association
Chennai, Tamil Nadu

Opposite Party No. 3

CORAM

Ms. Ravneet Kaur
Chairperson

Mr. Anil Agrawal
Member

Ms. Sweta Kakkad
Member

Mr. Deepak Anurag
Member



Order under Section 26(2) of the Competition Act, 2002

1. The present Information has been filed by Mr. Prem Kumar G. (“**Informant**”) under Section 19(1)(a) of the Competition Act, 2002 (“**Act**”) alleging contravention of provisions of the Act by Mrs. T. Karpagavalli, General Secretary, Thoothukudi District Chess Association (TDCA) (“**Opposite Party No.1/OP-1**”), Mr. G.P. Joe Prakash, President, TDCA (“**Opposite Party No.2/OP-2**”) and Mr. P. Stephen Palasamy, General Secretary, Tamil Nadu State Chess Association (TNSCA) (“**Opposite Party No.3/OP-3**”) (hereinafter OP-1, OP-2 and OP-3 are collectively referred to as the “**Opposite Parties**”).
2. The Informant has stated that he was the Joint Secretary of TDCA in the year 2018 and had conducted a ‘friendly’ match of inter taluk chess teams *i.e.* Tiruchendur and Thoothukudi on 19.08.2018, which was alleged by TDCA to be an ‘unauthorized’ tournament. The Informant has stated that he had got oral concurrence from Mr. Manuel Aaron, Vice President of TDCA for the said match.
3. It has been stated that an email dated 20.08.2018 was sent by Vice President, TDCA to the Informant wherein it was stated that the Vice President of TDCA had suggested friendly matches between taluks with no entry fees; however, the tournament conducted by the Informant was commercial, which was not acceptable to TDCA. The Informant was recommended to organize such events only with the prior approval of TDCA and pay dues as per the Financial Regulations. In response, an email dated 21.08.2018 was sent by the Informant to the Vice President, TDCA stating that the Informant misunderstood the directions given by the Vice President, TDCA and reassured to follow the rules and take prior approval from TDCA through email in future.
4. The Informant has further stated that due to personal vengeance, Secretary, TDCA served a show cause notice (“**SCN**”) on 04.09.2018 to the Informant seeking an explanation of the circumstances under which the said ‘unauthorized’ chess tournament was organized. Through the said SCN, the Informant was directed to reply within seven days of receipt of



the said notice. He was also informed that the said reply would be placed before the Executive Committee for necessary action.

5. Thereafter, an email dated 10.09.2018 was sent by the Informant responding to SCN. In the said email it has been stated that the tournament conducted by him was not an unauthorized tournament and was purely an inter-taluk friendly match. It has also been stated that the Informant got a permission from Vice President of TDCA and there was a problem of miscommunication in this regard. The Informant has also stated that he has been conducting district level tournament with proper permission since 2013 and his intention was not to conduct any unauthorized tournament. It has also been stated that he posted about the said tournament in the WhatsApp group six days before its commencement. In the said reply, he agreed to get prior permission from the association in future.
6. An email/letter dated 04.10.2018 was sent by OP-1 to the Informant giving information about the decision of the Extra-Ordinary General Body Meeting of the Association held on 25.09.2018 stating that the Informant was suspended with immediate effect from all chess activities for a period of two years and cannot participate in any chess tournament in any capacity (organizing, playing, working as an arbiter, *etc.*).
7. *Vide* letter dated 12.10.2018, the Informant requested TNSCA to set aside the order of suspension issued by TDCA. A letter dated 08.01.2019 was sent by OP-3 to the Informant informing that TNSCA Executive Committee Meeting would be held on 20.01.2019 in Chennai wherein the issue of the Informant would be discussed and the Informant would be given an opportunity to explain his case.
8. The Informant has further stated that he has undergone mental agony, financial loss and damage to his reputation for the last four years due to the illegal action taken by the Secretary, TDCA. It has also been stated that the Informant has been deprived from playing chess due to suspension and his daughter also stopped playing chess due to depression.



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9. The Informant has also stated that in 2023, Dr. U. Chockalingam Balaji was also suspended for similar personal vengeance as that of Informant by the Secretary of the Association for asking details of accounts of the Association.
10. The Informant has stated that he has also filed a case before Principal District Munsif Court, Thootukudi District, Tamil Nadu seeking similar relief.
11. The Informant has also placed reliance upon the case of *Hemant Sharma & others and All India Chess Federation* (Case No. 79 of 2011) in support of his contentions.
12. Based on the above, the Informant has prayed to the Commission that the illegal suspension order passed by TDCA and TNSCA be set aside and the Informant be allowed to be the Joint Secretary of TDCA. The Informant has further prayed to the Commission to grant financial compensation of a sum of Rs. 60,00,000 from both TDCA and TNSCA and unconditional apology from Secretary of TNSCA. Further, the Informant has sought severe action against Secretary of TDCA against the Informant for an arbitrary order of suspension passed by the TDCA and circulating the same without proper enquiry by the TNSCA.
13. The Commission, in its ordinary meeting held on 13.03.2024, considered the Information and decided to pass an appropriate order in due course.
14. The Commission notes that the primary grievance of the Informant in the present matter is that he was suspended from playing chess, arbitering and organizing tournaments as he organized an allegedly unauthorized friendly match on 19.08.2018 at Kamaraj Somasundari school at Arumuganeri between Tiruchendur and Thoothukudi chess teams. The Informant has alleged to have been victimized by the Secretary, TDCA due to ulterior motives and personal vengeance.
15. The Commission, upon consideration of the Information, notes that the case appears to be in the nature of disciplinary proceedings initiated by the Opposite Parties against the Informant in the capacity of his being the Joint Secretary of TDCA and organizing an



allegedly unauthorized inter-taluk chess tournament, which was not in accordance with the regulations issued by TDCA and TNSCA. *Prima facie*, this does not appear to raise any competition concern under the provisions of the Competition Act, 2002.

16. In view of the foregoing, the Commission notes that no case of contravention of provisions of the Act warranting an investigation into the matter is made out and the matter is directed to be closed forthwith under Section 26(2) of the Act. Consequently, there is no case for grant of interim relief under Section 33 of the Act.

17. The Secretary is directed to communicate to the Informant, accordingly.

Sd/-
(Ravneet Kaur)
Chairperson

Sd/-
(Anil Agrawal)
Member

Sd/-
(Sweta Kakkad)
Member

Sd/-
(Deepak Anurag)
Member

New Delhi
Date:05.04.2024