

**CENTRAL INFORMATION COMMISSION**

(Room No.313, CIC Bhawan, Baba Gangnath Marg, Munirka, New Delhi-110067)

**Before Prof. M. Sridhar Acharyulu (Madabhushi Sridhar), CIC**

**Second Appeal No.: CIC/KY/A/2015/000938/MOYAS**

ShriSubhash Chandra Agrawal

Appellant

**Versus**

CPIO, M/o Youth Affairs & Sports

Respondent

**Order Sheet:** RTI filed on 13.07.2015, CPIO replied on 31.08.2015, FAO on 15.10.2015, Second appeal filed on 26.10.2015, Hearing on 05.11.2018;

**Proceedings on 05.11.2018:** Appellant present at CIC, Public Authority represented by Mrs. Shyel Trehan, Advocate and Ms. Sonali Malik, Advocate at CIC;

**Date of Decision – 08.11.2018:** Directions issued, posted for compliance on 16.11.2018 at 12:00PM.

**ORDER**

**FACTS:**

1. The appellant in his RTI application dated 13.07.2015, sought the following information:

1. Complete information on government-facilities including also like funds, land etc. provided to (a) Hockey India (b) affiliated member-units in states (c) Hockey India League, either for organization and/or during conductance of matches
2. Complete information on annual budget (a) granted (b) spent for Hockey India separately for last three years, mentioning web-link on which budget-details are available
3. Complete information together with all related file-notings/correspondence/documents etc. on starting Hockey India League (HIL)
4. Complete information on major heads of incoming and outgoing funds (income and expenditure) for Hockey India League
5. Complete information together with all related correspondence/file-notings/documents etc. on inviting sponsors for Hockey India league matches
6. Complete information on commission or other monetary benefits, if any, having been paid to get sponsors for Hockey India League matches revealing complete details of sponsors, sponsorship-money received and commission/monetary-benefits paid to get sponsors

- 7.** Complete details about teams played under Hockey India League mentioning details of team-owners revealing if any of member and/or spouse of member was amongst the team-owners
- 8.** Complete information together with all related file-notings/correspondence/documents etc. on legal-expenses in last three years towards (a) Hockey India (b) towards Hockey India League mentioning if legal-bills were passed in accordance with rules/norms etc. of Department of Legal Affairs (Government of India)
- 9.** Complete information on norms/rules etc. prescribed by Department of Legal Affairs (Government of India) for legal-fees being paid by public-authorities like including Hockey India mentioning if permission for engaging lawyers by public-authorities has to be taken from Department of Legal Affairs
- 10.** Complete information on system of distribution of free complimentary tickets/passes etc. by and/or for Hockey India for different types of matches held including Hockey India League mentioning also total number of complimentary tickets/passes etc. in different categories available at discretion of sponsors and/or others
- 11.** Complete information on putting above sought information on website
- 12.** Any other related information
- 13.** File-notings on movement of this RTI petition as well

2. Ms. Ranjit Gill, CPIO in his response dated 31.08.2015 explained as under:

"Please refer to your RTI application dated 13.07.2015 received in the office of Hockey India on 16 July 2015. The delay in reply is due to me being busy with Hockey India commitments with foreign tours of teams and camps in India for the National Teams. The available information point wise is as under:-

1.	Complete information on government-facilities including also like funds, land etc. provided to (a) Hockey India (b) affiliated member-units in states (c) Hockey India League, either for organization and/or during conductance of matches	<p><b>a) Hockey India</b> – Ministry of Youth Affairs &amp; Sports/Sports Authority of India provide funds for participation of Indian Teams in the international tournaments towards boarding, lodging, air tickets, field charges, local transport, visa fee, medical insurance etc. Most of these payments and direct transfer by SAI to concerned.</p> <p><b>b) Affiliated member units in State</b> – Government does not provide any funds for affiliated member units in states.</p> <p><b>c) Hockey India League</b> – Government does not provide any funds.</p> <p><i>The details of all available information in respect of events conducted under</i></p>
----	---	---

		<p><i>aegis of Hockey India are already placed in the public domain by posting the annual report &amp; annual accounts and reports of each of the event at the website of Hockey India – <a href="http://hockeyindia.org">http://hockeyindia.org</a> and <a href="http://league.hockeyindia.org">http://league.hockeyindia.org</a>. As such you are requested to kindly seek the requisite information there from.</i></p>
2.	<p><i>Complete information on annual budget (a) granted (b) spent for Hockey India separately for last three years, mentioning web-link on which budget-details are available</i></p>	<p><i>The asked information is already in public domain as voluntary disclosure and may be seen from the website of the Hockey India (annual accounts) at: <a href="http://hockeyindia.org">http://hockeyindia.org</a></i></p>
3.	<p><i>Complete information together with all related file-notings/correspondence/documents etc. on starting Hockey India League (HIL)</i></p>	<p><i>All the information to be provided under RTI Act has already been placed in public domain both at the web site of Hockey India and Hockey India League as indicated in reply to Sl. No. 2 &amp; 3. It may be noted that the holding of the Hockey India League has commercial confidence &amp; trade angle and also involves third parties who have competitive positions. Kind attention is invited to Clause 8 (d) of the RTI Act which exempts from disclosures of information which are of commercial, trade secrets or intellectual property and disclosure of which would harm the competitive position of third party.</i></p> <p><i>I am as CPIO satisfied that the information asked is of commercial confidence., trade secret or intellectual property and disclosure of which would harm the competitive position of the third party – in this case the sponsors, strategies drawn by Hockey India.</i></p> <p><i>I am also satisfy that disclosure of such information will also not serve any public interest.</i></p>
4.	<p><i>Complete information on major heads of incoming and outgoing funds (income and expenditure) for Hockey India League</i></p>	<p><i>The asked for information has already placed in the public domain by posting the annual accounts and annual reports on the above mentioned website.</i></p>
5.	<p><i>Complete information together with all related correspondence/file-notings/documents etc. on inviting sponsors for Hockey India league matches</i></p>	<p><i>All the information to be provided under RTI Act has already been placed in public domain both at the web site of Hockey India and Hockey India League as indicated in reply to Sl. No.</i></p>

		<p>2 &amp; 3. It may be noted that the holding of the Hockey India League has commercial confidence &amp; trade angle and also involves third parties who have competitive positions. Kind attention is invited to Clause 8 (d) of the RTI Act which exempts from disclosures of information which are of commercial confidence, trade secrets or intellectual property and disclosure of which would harm the competitive position of third party.</p> <p>I am as CPIO satisfied that the information asked is of commercial confidence, trade secret or intellectual property and disclosure of which would harm the competitive position of the third party – the sponsors.</p> <p>I am also satisfied that disclosure of such information will also not serve any public interest.</p>
6.	<p>Complete information on commission or other monetary benefits, if any, having been paid to get sponsors for Hockey India League matches revealing complete details of sponsors, sponsorship-money received and commission/monetary-benefits paid to get sponsors</p>	<p>All the information to be provided under RTI Act has already been placed in public domain both at the web site of Hockey India and Hockey India League as indicated in reply to Sl. No. 2 &amp; 3. It may be noted that the holding of the Hockey India League has commercial confidence &amp; trade angle and also involves third parties who have competitive positions. Kind attention is invited to Clause 8 (d) of the RTI Act which exempts from disclosures of information which are of commercial confidence, trade secrets or intellectual property and disclosure of which would harm the competitive position of third party.</p> <p>I am as CPIO satisfied that the information asked is of commercial confidence, trade secret or intellectual property and disclosure of which would harm the competitive position of the third party – the sponsors.</p> <p>I am also satisfied that disclosure of such information will also not serve any public interest.</p>
7.	<p>Complete details about teams played under Hockey India League mentioning details of team-owners revealing if any of member and/or</p>	<p>The details about team played under Hockey India League mentioning details of team-owners is already in public domain and place the website</p>

	<p>spouse of member was amongst the team-owners</p>	<p>of Hockey India/Hockey India League. Further Hockey India does not have any information about the second part of the query.</p>
8.	<p>Complete information together with all related file-notings/correspondence/documents etc. on legal-expenses in last three years towards (a) Hockey India (b) towards Hockey India League mentioning if legal-bills were passed in accordance with rules/norms etc. of Department of Legal Affairs (Government of India)</p>	<p>All the information to be provided under RTI Act has already been placed in public domain both at the web site of Hockey India and Hockey India League as indicated in reply to Sl. No. 2 &amp; 3. It may be noted that the holding of the Hockey India League has commercial confidence &amp; trade angle and also involves third parties who have competitive positions. Kind attention is invited to Clause 8 (d) of the RTI Act which exempts from disclosures of information which are of commercial confidence, trade secrets or intellectual property and disclosure of which would harm the competitive position of third party.</p> <p>I am as CPIO satisfied that the information asked is of commercial confidence, trade secret (strategies drawn for defending various legal cases) or intellectual property and disclosure of which would harm the competitive position of the third party – Legal experts, lawyers &amp; councils.</p> <p>I am also satisfied that disclosure of such information will also not serve any public interest.</p> <p>With regards to rules/norms of Department of Legal Affairs, Hockey India does not have knowledge of such rules/norms.</p>
9.	<p>Complete information on norms/rules etc. prescribed by Department of Legal Affairs (Government of India) for legal-fees being paid by public-authorities like including Hockey India mentioning if permission for engaging lawyers by public-authorities has to be taken from Department of Legal Affairs</p>	<p>Hockey India does not have knowledge of such rules/norms.</p>
10.	<p>Complete information on system of distribution of free complimentary tickets/passes etc. by and/or for Hockey India for different types of matches held including Hockey India League mentioning also total</p>	<p>All the information to be provided under RTI Act has already been placed in public domain both at the web site of Hockey India and Hockey India League as indicated in reply to Sl. No. 2 &amp; 3. It may be noted that the</p>

	<p>number of complimentary tickets/passses etc. in different categories available at discretion of sponsors and/or others</p>	<p>holding of the Hockey India League has commercial confidence &amp; trade angle and also involves third parties who have competitive positions. Kind attention is invited to Clause 8 (d) of the RTI Act which exempts from disclosures of information which are of commercial confidence, trade secrets or intellectual property and disclosure of which would harm the competitive position of third party.</p> <p>I am as CPIO satisfied that the information asked is of commercial confidence, trade secret (strategies drawn for defending various legal cases) or intellectual property and disclosure of which would harm the competitive position of the third party - the Sponsors since strategies/details are worked out in keeping in view various commercial angles.</p> <p>I am also satisfied that disclosure of such information will also not serve any public interest.</p>
11.	<p>Complete information on putting above sought information on website</p>	<p>Please visit the website of Hockey India - <a href="http://hockeyindia.org">http://hockeyindia.org</a>, it be seen there from that Hockey India has uploaded all required voluntary disclosure on it.</p>
12.	<p>Any other related information</p>	<p>No, Sir.</p>
13.	<p>File-notings on movement of this RTI petition as well</p>	<p>As a CPIO I am competent/empowered to draw the reply of the instance and as such there are no file notings in this regard.</p>

*With regard to transferring the queries to some other public-authority, it is stated I am not aware of any such public authorities who can provide the information sought.*

*Further most of the information asked for is not required to be maintained by the Federation as a public authority. Whatever information may be available will not be in the form in which it has been asked thus is required to be created. This exercise will also disproportionately divert the limited resources available with the public authority. In this regard attention to following decisions of Hon. Apex Court, Hon'ble CIC and related provisions of RTI Act, 2005 is drawn:-*

**a)** *Hon. Supreme Court in the matter of CBSE &AnrVs. Aditya Bandopadhyay&Ors. (Civil Appeal No.6454 of 2011) wherein Hon'ble Supreme Court has ruled ..... where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast any obligation*

*upon the public authority, to collect or collate such non-available information and then furnish it to the applicant.*

**b)** *CIC in judgement in CIC/SM/A/2011/00270 has ruled ..... While a citizen has every right to get the available information, he cannot get any information which does not exist and has to be created.*

**c)** *As per clause 7(9) of the RTI Act, 2005 all the information is to be provided unless it would disproportionately divert the resources of the public authority.*

*Nonetheless, the Hockey India has already suo-moto made public all the information as required under RTI Act which are available on the web site of Hockey India at following link:*

<http://hockeyindia.org/>

3. The appellant in his first appeal, wrote as under:

"...

*Learned CPIO vide a much delayed 'cosmetic' reply dated 31.08.2015 full of citations weather relevant or not, surprisingly and shockingly invoked section 8(1)(d) of alleged commercial confidence in response to query-numbers (3), (5), (6), (8) and (10) evidently to perhaps hide some serious irregularities. Your kind attention is also drawn towards section 8(2) of RTI Act which otherwise also overrides exemption-clauses under various sub-sections including also sub-section (d) of section 8(1) of RTI Act. Section 8(2) of RTI Act provides access to information in case public interest overweighs the harm protected. Your kind attention is drawn towards esteemed CIC-decision dated 23.02.2011 in petition-numbers CIC/SS/A/2010/000931 and 933 against Alliance Air where also directions were given to public-authority under provisions of section 8(2) of RTI Act while the public-authority claimed exemption under section 8(1)(d) of RTI Act. I appeal that the learned CPIO may kindly be directed to provide complete information on query-number (3), (5), (6), (8) and (10) with sought and related documents but now to be provided free-of-cost under section 7(6) of RTI Act.*

*Learned CPIO declined information on second part of query-number (7) as not available with him. I appeal that information to this part of the query may kindly be directed to be provided by procuring from concerned ones under provisions of RTI Act as Hockey India being a regulatory body authorized to procure information from concerned parties. In case some of these parties may be public-authorities, my RTI petition may kindly be directed to be transferred there under section 6(3) of RTI Act under due intimation to me. It is a matter of great public-interest also because of shocking exposures made in respect of BCCI and IPL relating to cricket.*

*Learned CPIO in respect of query-number (9) has revealed that it has no knowledge about information sought. It is indeed regretting that a public-authority like Hockey India is spending on legal-fees etc. without having knowledge about rules/norms etc.*

in this regard. Your honor otherwise also being a responsible office/office-bearer of Hockey India apart from RTI Act should look into the serious lapse. Your kind attention is drawn towards observations made during hearing of a petition against Reserve Bank of India (RBI) by the then Central Information Commissioner Shri Satyanandji Mishra on serious irregularities of a private Bank when the Honourable Commissioner required RBI authorities to take cognizance of serious irregularities emerged out thorough an RTI petition even if it did not technically was not covered by RTI Act.

In the meanwhile I appeal that my RTI petition may kindly be directed to be transferred under section 6(3) of RTI Act for response to query (9) to Department of Legal Affairs under due intimation to me when I will share information received from there with you because Hockey India does not have information which is rather mandatory for its spending on legal-matters.

Coming to concluding paragraphs of RTI response, I appeal that information may be provided in any format maintained by Hockey India without diversifying its resources as irrelevantly claimed by the learned CPIO citing various verdicts which are of no relevance to queries of my RTI petition. I am completely aware with cited verdicts and section 7(9) of RTI Act ass mentioned in RTI response. It is prayed accordingly."

4. Cdr. R.K. Srivastava, VSM, Appellate Authority in his order dated 15.10.2015, explained as under:

"1. I have as Appellate Authority of Hockey India, received the First Appeal under Section 19(1) of the RTI Act. I have gone through your RTI application dated 13.07.2015 which was received in the office of Hockey India on 16.07.2015. I have also reviewed the response you received from Hockey India dated 31.08.2015.

2. On perusal of the RTI application and reply given by CPIO as referred to above, information pursuant to 1, 2, 4, 11, 12 and 13 of your RTI application have been provided to you. It appears that the scope of your appeal therefore is with regard to 3, 5, 6, 7, 8, 9 & 10, for which information was denied by the CPIO. Therefore for the purposes of this appeal, we shall address each of these point separately.

a. Point 3 of the application:

You seek information with regard to the starting of the Hockey India League. The CPIO has denied disclosure of this information as being of commercial confidence, the disclosure of which would harm the competitive position of a third party. I agree with the decision of the CPIO in this regard, and hold that the information is exempt from disclosure under Section 8(1)(d). The Hockey India League does not received any grants or funds from the Government of India. It is a commercially funded enterprise, which raises funds through franchise holders, team owners and sponsorships. Since no public monies are



*involved in the Hockey India League, there can be no larger public interest that warrants such disclosure.*

*b. Point 5 of the application:*

*You seek information with regard to inviting sponsors for the Hockey India League. The CPIO has denied disclosure of this information as being of commercial confidence, the disclosure of which would harm the competitive position of a third party. I agree with the decision of the CPIO in this regard. The Hockey India League does not receive any grants or funds from the Government of India. It is a commercially funded enterprise, which raises funds through franchise holders, team owners and sponsorships. Since no public monies are involved in the Hockey India League, there can be no larger public interest that warrants such disclosure.*

*c. Point 6 of the application:*

*You seek information on commission or monetary benefits, if any, having been paid to sponsors, or to get sponsors. The CPIO has denied disclosure of this information as being of commercial confidence, the disclosure of which would harm the competitive position of a third party. I agree with the decision of the CPIO in this regard. The Hockey India League does not receive any grants or funds from the Government of India. It is a commercially funded enterprise, that raises funds through franchise holders, team owners and sponsorships. Since no public monies are involved in the Hockey India League, there can be no larger public interest that warrants such disclosure.*

*d. Point 7 of the application:*

*As already pointed out by the CPIO, the information with regard to team owners, which you seek, is available on the Hockey India website. There is no information available with Hockey India on the spouses of team owners.*

*e. Point 8 & 9 of the application:*

*You seek information with regard the legal expenses of Hockey India over the past 3 years. I find that the CPIO has already directed your attention to the website of Hockey India, wherein the annual accounts are published, and the overall legal expenses for each year are already disclosed. The CPIO has already clarified that she does not have knowledge of any rules or norms governing the passing of legal bills in Hockey India, akin to those of the Department of Legal Affairs (Government of India). I agree with the CPIO that the details of legal fees disclosing the names and fee charged by each lawyer/law firm cannot be disclosed as it constitutes information of commercial confidence to the legal professionals involved, and also to Hockey India. The CPIO has denied disclosure of this information as being of*

*commercial confidence, the disclosure of which would harm the competitive position of a third party. I agree with the decision of the CPIO in this regard, and hold that the information is exempt from disclosure under Section 8(1)(d). Further, none of Hockey India's legal expenses are met by grants or funds from the Government of India. Therefore, since no public monies are involved, there can be no larger public interest that warrants disclosure of information that is otherwise exempt under Section 8(1)(d).*

f. *Point 10 of the application:*

*You seek information with regard to free/complimentary passes for different matches including the Hockey India League. I find that there is no such system for which information available with Hockey India. Each set of matches or tournaments if governed by a different policy for free/complimentary passes, specific to that event. For instance, the Hockey India League matches entitle team owners and sponsors to certain quotas of complimentary passes. The position is similar for sponsors of tournaments such as the Olympic Qualifiers and the World Cup. The CPIO has denied disclosure of this information as being of commercial confidence, the disclosure of which would harm the competitive position of a third party. I agree with the decision of the CPIO in this regard. Since the Hockey India League does not receive any grants or funds from the Government of India. It is a commercially funded enterprise, that raises funds through franchise holders, team owners and sponsorships. Since no public monies are involved in the Hockey India League, or in the hosting of events as such, there can be no larger public interest that warrants such disclosure.*

*I do not find that the case law you rely on supports your case.*

*Please note that information of commercial confidence to sponsors, franchise owners, team owners, vendors and service providers to Hockey India is exempt from disclosure under Section 8(1)(d) of the RTI Act. I do not find that you have made out any case of larger public interest warranting its disclosure.*

*I find that all other information as sought by you has been provided either by the CPIO or is available at the website of Hockey India and Indian Hockey League <http://hockeyindia.org> and <http://league.hockeyindia.org>."*

5. Being dissatisfied, the appellant approached this Commission on 26.10.2015 praying for direction to the respondents to provide information as requested by him free of cost in terms of Section 7(6) of the RTI Act. On the recommendation of a single member bench of the Commission, the CIC had constituted the following full bench to hear the matter: Shri Sharat Sabharwal, former Information Commissioner; Shri M. Sridhar Acharyulu, Information Commissioner and Shri Sudhir Bhargava, Information Commissioner. The matter came up for hearing on

18.07.2017 and an interim order was passed on 27.07.2017. During the hearing, the appellant was present in person and on behalf of the respondents Ms. Ranjit Gill, CPIO, Mr. Sandeep Sethi, Advocate, Mrs. ShyelTrehan, Advocate and Mr. Nikhil Ratti Kapoor, Advocate were present in the Commission. The operating portion of the order dated 27.07.2017 is verbatim reproduced hereunder:

"7. *The Appellant stated that a good deal of information was denied under Section 8 (1) (d) of the RTI Act even though Hockey India faces no competition. He further submitted that in response to point no. 9 of his RTI application, the CPIO stated that the Respondents did not have knowledge of any norms / rules prescribed by the Department of Legal Affairs, Government of India, for legal fees being paid by public authorities, including Hockey India and mentioning whether permission for engaging lawyers has to be taken from Department of Legal Affairs. He regretted that a public authority like Hockey India is spending on legal fees without having knowledge about rules / norms concerning the same. He prayed that the Respondents be directed to transfer point No. 9 of his RTI application to the Department of Legal Affairs, Government of India, under Section 6 (3) of the RTI Act. He also prayed that the Respondents be directed to file their written submissions concerning their response to his RTI application, whereafter he be allowed to file his rejoinder. Finally, he stated that he would wish to pursue points No. 3, 5, 6, 7, 8, 9 and 10 of his RTI application.*

8. *Speaking on behalf of the Respondents, Advocate ShyelTrehan stated that Hockey India was not required to follow the norms / rules prescribed by any department of the Government for engagement of lawyers and does not have a Department of Legal Affairs of its own. She further submitted Hockey India League is a commercial body and how its products are priced by it is a matter of commercial confidence. In response to a query from the bench, she stated that Hockey India is a society registered under the Societies Registration Act in Delhi and Hockey India League was started by Hockey India for promotion of sport of Hockey. She also stated that Hockey India League can face competition from rival leagues floated by sports TV channels etc. She stated that a good deal of information that is disclosable has already been made public by Hockey India and they were willing to provide such information to the Appellant.*

9. *Advocate ShyelTrehan referred to the Commission's decision No. CIC/KY/A/2016/001025 dated 1.9.2016 in Shri Kirti Azad vs. The CPIO, Ministry of Youth Affairs and Sports and Hockey India and stated that vide its order dated 3.10.2016 [W.P. (C) 8997/2016], the High Court of Delhi had stayed the above order in so far as it related to paragraphs (iii) and (v) of the information sought in that case. She further submitted that the information sought at the above two points is similar to the information sought at two points of the RTI application dated 13.7.2015 of the Appellant in this case.*

10. *Having considered the submissions of both the parties, we direct the Respondents to file their written submissions in the matter, particularly in respect of points No. 3, 5, 6, 7, 8, 9 and 10 of his RTI application, pressed by the Appellant.*

*The written submissions should reach the Commission, with a copy to the Appellant, latest by 16.8.2017. The CPIO of the Respondents is further directed to provide to the Appellant, in hardcopy and free of charge, the information in response to his RTI application that is disclosable and, as stated by Advocate ShyelTrehan, has already been placed in the public domain by the Respondents. The written submissions of the Respondents to the Commission, with a copy to the Appellant, should include a list of the information so provided to the Appellant.*

*11. The Appellant may file his rejoinder to the written submissions of the Respondents so as to reach the Commission latest by 31.8.2017. A copy of such rejoinder should also be made available to the Respondents by the above date.*

*12. The CPIO of Hockey India is directed to submit the following documents for perusal by the Commission latest by 31.8.2017:-*

*(i) A copy of the memorandum and articles of association of Hockey India/terms and conditions governing their registration as a society under the Societies Registration Act.*

*(ii) Copy of the resolution(s)/document vide which decision was taken by Hockey India to constitute Hockey India League, outlining aims and objectives of the League.*

*13. The CPIO of Hockey India should transfer point No. 9 of the RTI application dated 13.7.2015 to the Department of Legal Affairs, Government of India, under Section 6 (3) of the RTI Act, for provision of the information by them as per their records. The CPIO should comply with the above directive, within five days of the receipt of this order, under intimation to the Appellant and the Commission.*

*14. Copies of this order be given free of cost to the parties."*

6. Mr. B.N. Bhushan, Joint Director in his submissions on behalf of the Respondent Hockey India, explained as under:

"...

*F. Pursuant to the Order dated 27.7.2017, Hockey India has provided the Appellant herein print outs of all information available on its website. Specifically, the following information has been provided:*

- 1. Memorandum and rules and regulations of Hockey India*
- 2. Hockey India Constitution*
- 3. Recognition Letter from MYAS*
- 4. Recognition Letter of FIH*
- 5. Election of Office Bearers and Members of Executive Board, 2014 – Hockey India*
- 6. Certificate of Registration – Hockey India*
- 7. Hockey India Member Units Registration Certificate*
- 8. Guidelines for Hockey India Member – Selection Trials*

9. *Guidelines for Hockey India Selection Committee Meetings*
10. *HI/HIL Financial Standard Operating Procedure*
11. *HI Finance and Audit Committee Rules*
12. *HI Purchase and Tender Committee Rules*
13. *Conflict of Interest/Confidentiality Policy*
14. *HI Anti Doping Policy*
15. *HI & HIL Ticket Guidelines*
16. *ALPHA (Athlete Learning Program about Health and Anti-Doping)*
17. *Sexual Harassment Policy*
18. *Policy On Age Fraud*
19. *Anti Racism Policy*
20. *Anti Corruption Policy*
21. *Hockey India Ethics Commission*
22. *Player Transfer Policy*
23. *Permanent Transfer Request Application Form*
24. *Temporary Transfer Request & NOC Application Form*
25. *HI Election Bye-Laws*
26. *HI Code of Conduct Players & Officials*
27. *HI Code of Conduct Coaches & Support Staff*
28. *Sanctioned and Unsanctioned Events Regulations Hockey India*
29. *Host Obligations HI National Championships*
30. *HI Obligations of Hosts – HI Sanctioned All India Tournaments*
31. *HI Agent Registration Form*
32. *TA / DA Policy*
33. *TA / DA Form*
34. *Hockey India Annual Grants to Member Units*
35. *Hockey India Academy Registration Application Form*
36. *Hockey India Associate Membership Application Form*
37. *Hockey India Hockey Registration Application Form*
38. *Hockey India Office Bearers*
39. *Hockey India Member units*
40. *Hockey India Committees*
41. *Right to Information*
42. *Audited statement of accounts from 2012/13, 2013/14 and 2014/15*
43. *FIH rules of Hockey*
44. *Rules of Hockey 5's including explanations*
45. *FIH tournament regulations outdoor competitions*
46. *World Anti – Doping code – International Standard*
47. *FIH Anti – doping rules based on WADA's models of best practice for International federations and world anti – doping code*
48. *Pitch and field information*
49. *Player registration detail*
50. *Report and feedback template*
51. *List of umpires, match officials and coaches*
52. *Disciplinary communications*
53. *Tournament schedules*
54. *New and media coverage*
55. *Newsletters published by Hockey India – Volume 1 to 29*

56. Match schedules of Hockey India League
57. Venues of Hockey India League
58. Teams participating in Hockey India League and its related information
59. Rules and regulations of Hockey India League
60. Code of conduct of Hockey India League
61. Points table of Hockey India League
62. Guidance notes of Hockey India League
63. Forms – Hockey India League
64. Hockey India League Medical guidelines
65. Hockey India Anti – doping policy
66. WADA list of prohibited substances
67. Hockey India League Injury Report form
68. Therapeutic use exemption form – Hockey India League
69. Official communications of Hockey India League
70. Tournament handbooks of Hockey India League
71. Result Handbook of Hockey India League – 2013 / 2014 / 2015

- G. Pursuant to, and in compliance of Order dated 27.07.2017, it is submitted that point 9 of the RTI Application has been transferred to the Department of Legal Affairs, Government of India vide letter dated 11.08.2017.

**BRIEF FACTS:**

1. Hockey India is a registered society engaged in the promotion, organization and development of hockey in India and is responsible for governance of the sport of hockey in India. Hockey India has been granted recognition by the Government of India, Ministry of Youth Affairs and Sports ("**MYAS**") as the National Sports Federation ("**NSF**") for the sport of Hockey in India. Hockey India was granted affiliation with the Fédération Internationale de Hockey on 14.06.2009 and is recognized by the FIH as the national association for hockey in India. Hockey India is also recognized by the Indian Olympic Association as the central authority responsible for all matters relating to hockey in India. Hockey India is responsible for fielding in the Indian hockey team for both men and women, in all major international events, such as the Olympics, the Asian Games, the Commonwealth Games and the World Cup. Hockey India enjoys an international reputation for good governance, transparency and has been successful in revitalizing hockey in India. In addition to its role in governance of the sport as the National Sports Federation, Hockey India has also conceptualized and organized the "Hockey India League", which is a professional field hockey league. Players from 14 countries have participated in this league, which has not completed its fifth season.
2. It is submitted that Hockey India is an autonomous organization. As per the requirements of the Olympic Charter, the management of Hockey India is independent of Government and political influence. This is a necessary pre-requisite for all NSF's to maintain their membership of their respective international federation for their sport. For this, they must be free of government interference. The Olympic Charter provides:
  - 1.3 The IOC admits its new members at a ceremony during which they agree to fulfil their obligations by taking the following oath: "Granted the honour of

becoming a member of the International Olympic Committee, and declaring myself aware of my responsibilities in such capacity, I undertake to serve the Olympic Movement to the very best of my ability; to respect and ensure 35 Olympic Charter In force as from 2 August 2015 the respect of all the provisions of the Olympic Charter and the decisions of the International Olympic Committee, which I consider as not subject to appeal on my part; to comply with the Code of Ethics; to keep myself free from any political or commercial influence and from any racial or religious consideration; to fight against all other forms of discrimination; and to promote in all circumstances the interests of the International Olympic Committee and those of the Olympic Movement.

1.5 Members of the IOC will not accept from governments, organisations, or other parties, any mandate or instructions liable to interfere with the freedom of their action and vote."

3. While Hockey India is an autonomous body, it is also bound by the National Sports Development Code of India, 2011. As per Section 15 (j) of the National Sports Development Code, 2011, NSFs fall under the purview of the RTI Act. Hence, while it is not an instrumentality of the government, since Hockey India avails of facilities for the national team, e.g. travel expenses, access to government owned training centers, nutritional supplements, the RTI Act is applicable to Hockey India. However, it is important to point out that the relationship with the Government is largely cashless. Hockey India receives facilities, but not money from the Government. In fact, the MYAS has noted that, unlike in other sports, "Hockey India is self sufficient in terms of coaches, infrastructure, equipment, sports science support etc." The Secretary of sports has also noted, "Hockey India has emerged as a role model for the other federations to emulate." Hence, Hockey India is not challenging the applicability of the RTI Act to it.

4. Hockey India prides itself in upholding the highest standards of good governance and transparency. The annual accounts for each year are uploaded on the website. The policies and procedures governing the organization are publicly available, as are the details of all team owners of the Hockey India League. Hockey India is compliant with all its obligations under the RTI Act, and in fact provides all information it is required to disclose on its website, which is accessible to the general public. Printouts of the entire website have now also been provided. The remaining information, which is the subject matter of the present appeal pertain to Point No. 3, 5, 6, 8 and 10 of the RTI Application, and are dealt with herein below:

a. **Point 3 requests disclosure of complete information together with all related file notings/correspondence/documents on starting the Hockey India League.**

i. It is submitted that the HIL is a professional field hockey in India. It is not a separate legal entity but a concept developed by Hockey India. It is self sustaining and does not receive any money from the Government or any public funds. Funding of the League is through sale of sponsorships for the league and from raising money through inducting franchise owners (i.e.

team owners). It is submitted that disclosure of discussions relating to the HIL would affect the competitive position of the HIL. It has been incorrectly argued that no other league exists. In fact, the World Series Hockey, by Nimbus Sports was held in 2012. There are various other leagues held across the world such as National Hockey League, Kontinental Hockey League, Swedish Hockey League etc. therefore disclosure of any information/ file notings/ correspondent etc. relating to the conceptualization of the league would adversely affect the competitive position of Hockey India. Apart from the other leagues posing competition, it would disadvantage the negotiating position of Hockey India with other sponsors and team owners in the future, if the outcome of all discussions and negotiations was disclosed. Hence, it is respectfully submitted that the information sought at Point 3 is of commercial confidence, disclosure of which would harm the competitive position of Hockey India and the concerned stakeholders, and is therefore exempt from disclosure under Section 8(1)(d) of the Right to Information Act.

**b. Point 5 & 6 request disclosure of complete information on inviting sponsors for the Hockey India League, and complete information on commission or monetary benefits paid to get sponsors, complete details of sponsors and sponsorship money received.**

- i. The overall amounts received as sponsorship are reflected in the annual accounts of Hockey India, which are disclosed on the Hockey India website. Pursuant to Order dated 27.7.2017 passed by this Hon'ble Commission, print outs of the annual accounts reflecting the overall sponsorship amounts received have been shared with the Applicant. However, the break-up of what each sponsor or team owner paid, or commissions paid for getting sponsors, are matters of commercial confidence. The amounts paid by each sponsor and team owners for purchasing their rights in the HIL are confidential in nature, disclosure of which would hurt the competition position of both Hockey India and the relevant sponsor. It is important to point out that the HIL does not receive any public funds, government grants or government subsidies. The HIL is funded solely by way of sponsorships and franchise fees. Therefore, there can be no public interest cited so as to warrant the disclosure of commercially sensitive information of this nature. The sponsorships determine the commercial and financial viability of any sports league, including the HIL.
- ii. It is well settled in law, that any information relating to business affairs, the disclosure which would harm the competitive position of an entity, is confidential information, and exempted from disclosure under Section 8(1)(d) of the Act. Further, it has been settled in the case of **Mr. K.V. Krishnan v. CPIO/Deputy Commissioner of Income Tax, 2015 SCC Online CIC 12643**, that if the nature of information is confidential information relating to the affairs of a private entity that is not obliged to be placed in public domain, then it is necessary to consider whether its disclosure can have an adverse affect on third parties. It is submitted that disclosure of information sought at



points 5 and 6 of the RTI Application would adversely affect the competitive positions of sponsors and sponsorship agencies who are private entities, and of the League itself. The disclosure of such information to the Appellant is exempt under Section 8 (1)(d) of the RTI Act.

- iii. It is submitted that the disclosure of such information is warranted only if there is an over-riding public interest involved. Matters of public interest have been defined by this Hon'ble Commission in a catena of its decisions to mean those matters in which a class of the community has pecuniary interest or some interest by which its legal rights or liabilities are affected. It is submitted that no public interest has been demonstrated by the Appellant warranting the disclosure of such sensitive and confidential commercial information. Further, given the fact that the League receives no public funds, there can be no overriding public interest warranting such disclosure.
- iv. It is submitted that this Hon'ble Commission has held, in the case of **Pramod Kumar Agarwal v. Container Corporation of India, (2010) CIC 8781**, that information relating to pricing policy is highly sensitive and are matters of commercial confidence and as such is exempt from disclosure under Section 8 (1)(d) of the RTI Act. Similarly in the case of **Shri Banarsi Rai v. Rajasthan Drugs & Pharmaceuticals Ltd., (2013) CIC 16102** it has also been held that disclosure of information relating to price scheme and invoice would affect the competitive position of the parties and as such the information is exempt from disclosure under Section 8(1)(d) of the RTI Act. It is most respectfully submitted that the price of a category of sponsorship in the league is the pricing information and policy of the league. Therefore, disclosure of any information relating to the sponsorship amount received by each sponsor or monies paid to procure sponsors is commercially sensitive information belonging to both the HIL and its sponsors, who have competitive positions. Hence, the information sought is exempt from disclosure under Section 8(1)(d) of the RTI Act.
- v. It is further submitted that the sponsorship agreements entered into by Hockey India and its sponsors contain confidentiality clauses, demonstrating the intention to keep such information confidential. The confidentiality clause in one such agreement is extracted for the convenience of this Hon'ble Commission, "The Parties undertake to keep strictly confidential matters disclosed to the other Party in relation to this Agreement. Confidential matters will include but not be limited to the terms and conditions of this Agreement. The Parties are allowed to disclose the afore referenced confidential matters to its employees or agents to the extents necessary for them for the purposed of performing its obligations or exercising its rights under this Agreement, subject to such employees or agents undertaking a similar confidentiality obligation. Without prejudice to any other rights or remedies that a Party may have, it acknowledges and agrees that if the confidential information is used or disclosed other than in accordance with the terms of this Agreement, such Party shall, without proof of special damage, be entitled to an injunction

or other equitable relief for any threatened or actual breach of the provisions of these terms, in addition to any damages or other remedy to which it may be entitled." A clause of this nature is part of every agreement entered into between Hockey India and its sponsors.

- vi. The position in law is well settled by this Hon'ble Commission in the case of **Shri Anil Kumar v. Indian Telephone Industries Ltd. (Appeal No. 25/ICPB/2006)**, that no information in breach of confidentiality clause should be disclosed. In the said case, disclosure was denied on the ground that, "The information sought by the appellant, if furnished, would be in breach of the said confidentiality clause and as such the CPIO and the appellate authority rightly declined to furnish the information." Further, in the case of **P. Suresh v. Central Public Information Officer, GAIL India Limited, CIC/SH/A/2016/000755**, this Hon'ble Commission held that since there is a confidentiality clause contained in the agreement between the parties, the information sought is matter of commercial confidence between the two parties, the disclosure of which could harm the competitive position of a third party and therefore, its disclosure is exempted.
- vii. It is submitted that disclosure of the aforementioned sensitive and confidential commercial information would also be violative of Hockey India's right to conduct trade and business, enshrined under 19(1)(g) in the Constitution of India.

**c. Point 8 requires complete information relating to legal expenses of Hockey India and the Hockey India League.**

- i. The overall amounts of expenses incurred on legal fees are disclosed in the annual accounts of Hockey India, which are available on the website. Print outs of the annual accounts, reflecting overall payments have already been supplied to the Applicant.
- ii. However, the break-up of fees, including the amounts paid to individual lawyers and law firms, is exempt from disclosure under Section 8(1)(d), 8(1)(e) and 8(1)(j).
- iii. The information regarding how much a legal professional has charged constitutes information of commercial confidence to that legal professional. The information is therefore exempt from disclosure under Section 8(1)(d).
- iv. Further, the memos of fee generated from an attorney client relationship, are the product of a fiduciary relationship, and therefore exempt from disclosure under Section 8(1)(e). It is important to point out that invoices raised by legal professionals not only include the amount charged, but also provide details on the work/services provided and the subject matter and details of the interaction with their client.
- v. It has been held in **Maj. J.S. Johli (Retd.) v. Telecom Regulatory Authority of India, Shri Mathew Palamattam CPIO, and Shri Sudhir Gupta, Appeal No. 41/ICPB/2006**, that "when a counsel is engaged, the doctrine of legal professional privilege come into existence automatically creating a fiduciary relationship between the client and the advocate... In other words, the doctrine of legal professional privilege is

- sacred and as such any information given by the client and received from the counsel need not be disclosed”.
- vi. Further, the information regarding legal practitioners and consultants concerned, and is exempt from disclosure under Section 8(1)(j). It has been well settled in the case of **B.N.P. Srivastava v. Life Insurance Corporation of India [2009] CIC 1304**, that “About Legal Fees, respondents have contended that this information, besides being personal to those third-parties, it constituted the third-parties’ commercial confidence and is, therefore, exempted from disclosure under Section 8(1)(j) and 8(1)(d) of the RTI Act respectively. The respondents’ contention is valid, which is upheld. There shall be no disclosure as regards this item of the query.” In connection with a similar RTI application, the Respondent wrote letters to many of its legal counsel, seeking permission to disclose their invoices. A majority of counsels responded stating that they would not like the details of their fees disclosed to a third party.
- vii. It is also important to point out that no public funds have been utilized in the payment of any legal fees. Therefore, no overriding public interest can be cited to justify disclosure of information that is otherwise exempt under Sections 8(1)(d), 8(1)(e) and 8(1)(j).

Two of the three issues that remain in the present application, i.e. payments relating to sponsorships and legal fees, are currently sub-judice before the Hon’ble Delhi High Court in a similar matter, i.e. Hockey India v. Central Information Commissioner and Anr, W.P. (C) 8997/2016. In the aforesaid Writ Petition, the Hon’ble High Court passed an Interim Order dated 03.10.2016 staying the direction for disclosure. That stay continues to operate and the next date of hearing is 14.03.2018.

It is submitted that the said Writ Petition was brought to the notice of this Hon’ble Commission. The Appellant however had stated at the hearing on 18.7.2017 that the proceedings are not related. However, Sh. Kirti Azad (the applicant in the similar case) has, in a television interview, publicly stated that he is pursuing RTI applications with the help of his “good friend” Sh. S.C. Agrawal, the Appellant herein. Hence, the denial of any nexus between the two proceedings appears disingenuous, given the fact that the information sought is substantially similar.

It is apparent from the nature of the repeated requests for identical information, that resources Hockey India are being expended on proceedings of this nature, while the applications are not bona fide in nature.

Aside from the two issues mentioned and addressed above, a third issue remains as with regard to the distribution of complimentary ticket.

**d. Point 10 requests information on the system of distribution of free/complimentary tickets/passes for the matches**

- i. *It is submitted that each set of matches in the HIL, and other tournaments, is governed by a different policy for free/complimentary passes, specific to that event. For instance, certain quotas of complimentary tickets are available to sponsors and team owners. The number of tickets and/passes and their entitlement is a matter of commercial confidence and forms part of the sponsorship and franchise agreements entered into between Hockey India and the third parties. Such information is thus protected by Section 8 (1)(d) of the Right to Information Act, as also the confidentiality clause contained in the agreements.*

*In light of the above, it is respectfully submitted that the present appeal therefore deserves to be dismissed, as the information sought, other than that already provided, is exempt from disclosure under Sections 8(1)(d), 8(1)(e) and 8(1)(j).*

**Proceedings on 31<sup>st</sup> October 2018**

7. The instant case was posted for hearing on 31.10.2018. But Ms. Sonali Malik, Advocate from the standing counsel office of the respondents had requested CIC a day before the hearing i.e. on 30.10.2018 for fixing any other day convenient to the Commission as the Counsel was travelling to Jaipur on that date. It was accordingly posted on 5<sup>th</sup> November 2018 at 12PM. But Ms. Sonali Malik, Advocate has personally represented the Commission on 30.10.2018 requesting the Commission to post the instant appeal on 09.11.2018. Then the CIC has cancelled that proposal and retained the date of hearing on 31<sup>st</sup> October 2018 itself. Subsequently, she wrote an undertaking mentioning that the respondents would attend the hearing on 05.11.2018. As it was not possible to postpone further a day before scheduled date the Commission went ahead with hearing on 31.10.2018, wherein the appellant Mr. Subhash Chandra Agarwal appeared and presented initial submissions, which was taken on record.

8. Some of the points of RTI application of this applicant are substantially the covered by second appeal filed by Mr. Kirti Azad against Hockey India vide file no. **CIC/KY/A/2016/001025**, in which this CIC passed orders after hearing the standing counsel for Hockey India on 22.10.2018, upon which the HI approached Delhi High Court and obtained an interim order of suspension.

9. There are some more points in this RTI request which are not covered by the appeal no. **CIC/KY/A/2016/001025** between Shri Kirti Azad vs. Ministry of Youth Affairs and Sports, hence, the Commission needs to hear the parties on remaining points i.e., 3, 7, 9 and 10 on 05.11.2018 at 12PM. The appellant got information on points 1, 2, 4, and 11. he insisted on complete information on points 3, 7, 9 and 10.

10. During the hearing, the appellant says that the Team India was once the World Champions in Field Hockey for a continuous duration from 1928 to 1956, 1964 and 1980 winning Gold medals and in the year 1960 it secured Silver medal followed by Bronze medal for the year 1968 and 1972. He further submitted that India lost its top position because of the affairs in management of Hockey by the authorities and due to opaqueness. Hence, he demanded complete transparency in the functioning of the Hockey India. The appellant stated that he has already made his submissions at length in his second appeal and he does not wish to file any written submission on this.

**Proceedings on 05.11.2018:**

11. Learned Advocate Mrs. Shyel Trehan submitted that points no. 5, 6 and 8 are noticeably concerned with matter pertaining to Shri Kirti Azad vs. Ministry of Youth Affairs and Sports vide file no. CIC/KY/A/2016/001025 decided on 22.10.2018. She produced an order of High Court of Delhi vide W.P. (C) 11761/2018 before Hockey India vs. Central Information Commission and Anr., which order is verbatim reproduced as under:

**CM APPL.No. 45560/2018 (Exemption)**

*Allowed, subject to all just exceptions.*

*This application is, accordingly, disposed of.*

**CM APPL. No. 45559/2018**

*Application is allowed.*

*List of dates and synopsis taken on record.*

**W.P.(C) 11761/2018 & CM APPL. No. 45558/2018**

*Learned counsel for the respondent seeks time to file counter affidavit.*

*Let the needful be done within a period of three weeks. Rejoinder thereto, if any, be filed within one week thereafter.*

*Renotify on 18.01.2019.*

*Till further orders the order dated 22.10.2018 shall remain stayed.  
Order dasti under signatures of Court Master.*

12. With regard to point no. 3, the learned Advocate submitted complete information was provided to the appellant on 31.08.2017 after redacting a few information, which is nowhere related to the subject-matter in question. With regard to point no. 7, she submitted that complete information was provided to the appellant, however, she assured that she will once again verify with the concerned authorities that whether any of the member/player's spouse was amongst the team owners. On point no. 9, she submitted that in compliance of the Commission's Order dated 27.07.2017, the RTI application of this appellant was transferred under Section 6(3) on 11.08.2017 by the then CPIO Ms. Ranjit Gill to Shri Surender Kumar, Assistant Legal Adviser, CPIO, Judicial Section, Ministry of Law and Justice, Department of Legal Affairs. The relevant portion of the letter dated 11.08.2017, is reproduced as under:

*"I am directed to refer to the Hon'ble Central Information Commission's Order No. CIC/KY/A/2015/000938 dated 27.07.2017 wherein vide para 13 the Hon'ble CIC has directed as under:-*

*"13. The CPIO of Hockey India should transfer point No. 9 of the RTI application dated 13.07.2015 to the Department of Legal Affairs, Government of India under Section 6(3) of the RTI Act for provision of the information by them as per their record. The CPIO should comply with the above directive within five days of the receipt of this order under intimation to the Appellant and the Commission."*

2. Accordingly point No. 9, wherein the applicant has sought following information:-

***"Complete information on norm rules etc. prescribed by the Department of Legal Affairs (Government of India) for legal fees being paid by the public authorities like including Hockey India mentioning if permissions for engaging lawyers by public authorities has to be taken from the Department of Legal Affairs."***

3. This is to submit that the Hockey India, is a registered Society under Societies Registration Act, 1860 and is a public authority. On receipt of above RTI application, Hockey India informed the applicant that Hockey India does not have knowledge of such rules/norms.

4. Accordingly point No.9 as mentioned in para 2 above is transferred to CPIO (Judicial Section) with the request to provide the suitable information to the applicant, i.e. Shri Subhas Chandra Agrawal, 1775 Kucha Lattushah, Dariba, Chandni Chowk, Delhi-110006 as directed by CIC under intimation to Hockey India.”

13. With regard to point no. 10, she invoked section 8(1)(d) to denied the information regarding complimentary tickets permitted by HI to the sponsorers saying that formed part of their negotiation and hence could not be given. When pointed out by the Commission, she agreed that the complimentary tickets given by the HI and HIL could not come under that exception and hence has undertaken to verify the record and provide information about the same. The Commission finds the contention that even complimentary tickets permitted to sponsorers as confidential with competitive commercial element is absolutely baseless and reflects the intention of the HI not to give any bit of information about the favours they are doling out to their favourites. Especially when the HI and HIL are not inviting sponsorers openly but confined to a limited or single most choice through a marketing agent, the competitive commercial interest question does not arise at all. This is unacceptable excuse for which clause 8(1)(d) cannot be invoked. Hence the Commission directs the respondent authority to put in public domain, every time when they permit the complimentary passes for the hockey matches, in the interest of transparency and prevention of corruption along with detailed break up of distribution of complementary passes. The people have a right to know for each match how many complimentaries are given, and whether anybody is making any money over distribution of those complimentary passes. The Commission feels that the HI has to give the break up and other details of the complimentary passes for each sponsorer in each match also.

14. The appellant wanted to know whether any spouse of the playing team member is in the management of HI or HIL (point number 7). The Commission found that this information would be relevant to rule out the possibility of conflict of interest and directs the respondent authority to provide such information, to which the learned Counsel agreed.

15. The Commission directs the respondent authority to provide complete and revised information pertaining to point no. 3 of RTI application and further directs the CPIO, Ministry of Law and Justice, Department of Legal Affairs to provide

complete and revised information pertaining to rules/norms relating the fee to be paid by the public authority to their counsel, to the Appellant, within 7 days from the date of receipt of this Order. The standing counsel claimed that since they were autonomous body they need not follow the norms prescribed for paying fee to lawyers by the Ministry of Law.

16. The appellant alleged that he had to spend Rs. 25,000/- extra just to cut-short his visit to Dhanbad and return to Delhi for attending the hearing on 31.10.2018, in the absence of the respondents because the counsels for respondents did not furnish him a copy of their request to adjournment. The appellant submitted that the adjournment was not necessary. Hence he demanded a compensation of Rs. 25,000/-. The appellant has also produced a copy of boarding pass, which shows he has cut short the trip from Dhanbad to Delhi via Ranchi. On his request, the counsel for respondent assured to share a copy of writ petition challenging the order of CIC (i.e., in the matter of Shri Kirti Azad vs. Ministry of Youth Affairs and Sports), the Commission directs accordingly. The counsel for respondent also apologized to the appellant for not being able to furnish a copy of their request to the Commission for adjourning the hearing. However, since the hearing went on as per schedule i.e., 05.11.2018, Commission finds no scope for compensation.

17. The Commission posts this matter to 16<sup>th</sup> November 2018, at 12 noon for compliance of the directions.

SD/-  
(M.Sridhar Acharyulu)  
Central Information Commissioner