

**Anti Doping Disciplinary Panel**  
Jawaharlal Nehru Stadium, 1<sup>st</sup> Floor, Hall No.104  
Lodhi Road, New Delhi, 110003  
Tele. 011-24368274

To,

Mr. Sankar S.  
S/o Mr. Subramanian  
Vaikkal Street, Pangur,  
Puducherry 605102

Date: 17<sup>th</sup> February, 2020

**Subject: Decision of the Anti Doping Disciplinary Panel Case No.-148.ADDP.01.2019**

**NADA VS SANKAR S.**

The order containing the decision of the Anti-Doping Disciplinary Panel dated 14/02/2020 in respect of final hearing of the above case held on 31/01/2020 is enclosed.

It may please be noted that according to Article 13.7.2 of Anti Doping Rules of NADA 2015, **the time to file an appeal to the National Anti-Doping Appeal Panel shall be twenty one (21) days from the date of receipt of this decision by the appealing party.** The appeal may be filed at the abovementioned address.

Also please note that according of Article 10.6.1- (**Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations**)- Any period of Ineligibility imposed may be partially suspended if you assist NADA in uncovering and/or establishing an ADRV by another Athlete or Athlete Support Personnel pursuant to Article 10.6.1.1 ADR. Further, the athlete is subjected to doping control test during the ineligibility period, therefore, athlete is required to update his residential address to the NADA Office as and when changed.

Copy of the NADA Anti Doping Rules 2015 may be downloaded from NADA website at the following link:-[www.nadaindia.org/en/anti-doping-rule-of-nada](http://www.nadaindia.org/en/anti-doping-rule-of-nada)

The receipt of this communication may be acknowledged.

Encl: 04 sheets.

  
(Yasir Arafat)

Copy forwarded together with the copy of the order containing the decision of the Anti Doping Disciplinary Panel for information and action deemed necessary:

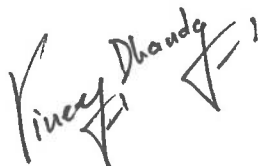
1. Indian Olympic Association, Olympic Bhawan, B-29, Qutab Institutional Area, New Delhi- 110016.
2. World Anti Doping Agency, Stock Exchange Tower, 800 Place Victoria (Suit 1700) P. O. Box 180, Montreal (Quebec), H4Z 1B7, Canada
3. General Secretary, Indian Body Builders Federation, Pathare Gymco, 280/A, Javalkar Mansion, Dr. B.A. Road, Parel, Mumbai-12.
4. World Bodybuilding and Physique Sports Federation, # 32D, Jalan Tani, Singapore 455876.
5. National Anti-Doping Agency, J.L.N Stadium, 1<sup>st</sup> Floor, Hall No. 104, Lodhi Road, New Delhi, 110003

**IN THE CHAMBER OF ANTI DOPING DISCIPLINARY PANEL**

Jawaharlal Nehru Stadium  
Lodhi Road New Delhi - 110 003  
Telefax : 011-24368274

In the Matter of **Mr. Shankar S S/o Mr. Subramanian R/o Vaikkal Street, Pangur Pondicherry 605102** for the violation of Article 2.1 of Anti-Doping Rules of NADA Code 2015.

1.	Event	Bodybuilding
2.	Name of Competition	9 <sup>th</sup> Jr./Divyang/Masters National Bodybuilding Championship 2019
3.	Date of Sample Collection	30/01/2019
4.	Nature of sample	Urine
5.	Urine sample Code Number	6364811
6.	Name of Sample Witness	Mr. Nikhlesh Kumar
7.	Name of Dope Control Officer	Mr. Promod Kumar Chauhan
8.	Date of testing 'A' Sample	16/04/2019
9.	Result of 'A' sample	Adverse Analytical Finding for: <b>Drostanolone Metabolite (2a-Methyl-5a Androstan-3a-ol-17-One), Androgenic Anabolic Steroid</b> <b>3-OH-Stanozolol &amp; 16b- OH- Stanozolol (Stanozolol Metabolite), Androgenic Anabolic Steroid</b> <b>Furosemide, Diuretic</b> <b>Mephentermine and its metabolite</b> <b>Phentermine, Stimulant</b>
10.	Date of Initial Review	25/04/2019
11.	Date of provisional suspension	26/04/2019
12.	Date of first notice	26/04/2019
13.	Date of testing 'B' sample	Not opted
14.	Result of 'B' Sample	Not opted
15.	Date of second Notice	N.A.
16.	Date of Notification	12/12/2019
17.	Date of hearing	27/01/2020 & 31/01/2020



18. Plea of the athlete Denied Charges  
19. Date of decision 14/02/2020

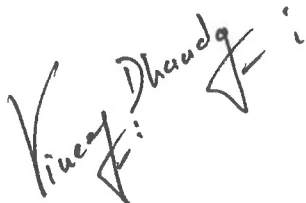
NADA notified its assertion relating to violation of Anti-Doping Rule 2.1 by **Mr. Shankar S** (Sports discipline – **Bodybuilding**).

**Factual Background:**

1. A urine sample (“**Sample**”) of the athlete, Mr. Shankar S (“**Athlete**”) was collected at Meerut, Uttar Pradesh by the Doping Control Officer of NADA on 31 January 2019. As per procedure, the Sample was split into two separate bottles, hereinafter referred to as Sample A6364811 and Sample B6364811.
2. Sample A6364811 was tested at the National Dope Testing Laboratory, New Delhi and was returned with an Adverse Analytical Finding (“**AAF**”) **Drostanolone Metabolite (2a-Methyl-5a Androstan-3a-ol-17-One), Androgenic Anabolic Steroid 3-OH-Stanozolol & 16b- OH- Stanozolol (Stanozolol Metabolite), Androgenic Anabolic Steroid Furosemide, Diuretic Mephentermine and its metabolite Phentermine, Stimulant.** The WADA’s 2019 Prohibited List enlists Drostanolone, Stanozolol under S6 and Mephentermine as Stimulant under S1 as non-specified substance. Furosemide is listed as diuretics and masking agent under S5 as a specified substance.
3. Consequently, NADA issued a notice of charge dated 26.04.2019 (“**Notice of Charge**”) for violation of Rule 2.1 of the NADA Anti-Doping Rules (“**Rules**”). The notice of charge was also accompanied by a Mandatory provisional suspension, with effect from the date of notice.
4. Oral hearing was conducted on 31.01.2019 by the Hearing Panel constituted under Rule 8.3.2. The hearing was attended by Yasir Arafat Law Officer, NADA. The Athlete has appeared before the Panel in person.

**Submissions of the Athlete**

5. Upon notice, the athlete appeared in person before the Hearing Panel and denied the intentional use of the substance. The Athlete stated that he has consumed supplements and no idea as to how the Prohibited Substance entered into his body.



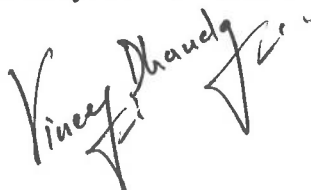
## Submissions of NADA

6. It is submitted by NADA that under Article 2.1.1 of the Rules, it is the personal duty of each Athlete to ensure that no Prohibited Substance enters his/her body. Accordingly, it is not necessary that intent, fault, negligence or knowing use on the part of the Athlete is to be demonstrated so as to establish a case of anti-doping rule violation under Article 2.1.
7. In the above background, it is submitted by NADA that the Athlete has failed to furnish any explanation as to how the prohibited substance came to be found in the Sample. Furthermore, NADA submits that the presence of diuretics / masking substance further goes to show that the Athlete had deliberately consumed performance enhancing prohibited substances and attempted to evade detection by consuming masking substances over the same.

## Observations and Findings of the Panel

After considering the facts placed before the Panel, it is observed as under:

8. It is undisputed that the Athlete's Sample has tested positive for **Drostanolone Metabolite (2a-Methyl-5a Androstan-3a-ol-17-One), Androgenic Anabolic Steroid 3-OH-Stanozolol & 16b- OH- Stanozolol (Stanozolol Metabolite), Androgenic Anabolic Steroid Furosemide, Diuretic Mephentermine and its metabolite Phentermine, Stimulant.** The WADA's 2019 Prohibited List enlists Drostanolone, Stanozolol under S6 and Mephentermine as Stimulant under S1 as non-specified substance. Furosemide is listed as diuretics and masking agent under S5 as a specified substance.
9. As per Article 2.1 of the Anti-Doping Rules 2015, it is the personal duty of every athlete to ensure that no prohibited substance, as defined, enters his or her body. Reference may also be made to Article 2.1.2 which provides that presence of a prohibited substance or its metabolites is sufficient proof of anti-doping rule violation where the Sample A returns an adverse finding and the athlete waives off the analysis of Sample B. In the present case, the Athlete has not requested for analysis of the Sample B and is thus deemed to have accepted the findings contained in Sample A.
10. Where a sample testing returns a positive finding, onus is on the athlete to explain how the substance entered his/her body. Fault, negligence or knowing use are not relevant





considerations that are needed to be proved while making a case for anti-doping violation. The liability cast on the athlete is thus strict.

11. The anti-doping rule violation involves a non-specified substance. Therefore, the entire onus was cast on the athlete to establish that the anti-doping rule violation was not intentional, which athlete has failed to do so. Thus, it is difficult to hold that the anti-doping rule violation was not intentional on the part of athlete. In addition to the above, the Athlete's Sample has revealed the presence of diuretics / masking substance which makes it clear that the Athlete had deliberately consumed performance enhancing prohibited substances and thereafter attempted to evade detection by consuming masking substances over the same.
12. In view of the above facts taken as a whole, it is established that a violation under Article 2.1 of the Anti-Doping Rules has taken place.
13. Once a violation of anti-doping rules has been established, Sanctions on Individuals as provided under Article 10 of the Anti-Doping Rules 2015 must ensue. The present case involves a non-specified substance, hence the Athlete is liable for sanctions under Article 10.2.1.1 for an ineligibility for a period of 4 years. Normally, the period of ineligibility starts from the date of the decision. The Athlete is entitled to the benefit of credit for the period of provisional suspension. In the present case, the athlete was provisionally suspended by NADA w.e.f. 26.04.2019.
14. **The Panel holds that the Athlete Mr. Shankar S S/o Mr. Subramanian R/o Vaikkal Street, Pangur Pondicherry 605102 is liable for sanctions under Article 10.2.1 for an ineligibility for a period of 4 years, which period will start running from the date of provisional suspension, i.e. 26.04.2019. We also direct that under Rule 10.8 all other competitive results obtained by the athlete from the date of sample collection shall be disqualified with all resulting consequences including forfeiture of medals, points and prizes.**

Dated 14<sup>th</sup> February, 2020



Dr. Rana Chengappa  
Member



Vineet Dhanda  
Chairperson



Jagbir Singh  
Member