

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

To,

Date: 17th February, 2020

Ms. Anjana Singh,
D/o Mr. D.K. Singh,
Ward No. 26, Railway Colony,
Dalli Rajhara Pondi,
Chattisgarh 491228

Subject: Decision of the Anti Doping Disciplinary Panel Case No.-147.ADDP.01.2019

NADA VS ANJANA SINGH

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

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, 1st 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 **Ms. Anjana Singh D/o Mr. D.K. Singh R/o Ward No. 26, Railway Colony Dalli Rajhara Pondi Chattisgarh 491228** for the violation of Article 2.1 of Anti-Doping Rules of NADA Code 2015.

1.	Event	Bodybuilding
2.	Name of Competition	Out-Competition
3.	Date of Sample Collection	09/02/2019
4.	Nature of sample	Urine
5.	Urine sample Code Number	6364674
6.	Name of Sample Witness	Ms. Yashpreet Kaur
7.	Name of Dope Control Officer	Ms. Yashpreet Kaur
8.	Date of testing 'A' Sample	27/05/2019
9.	Result of 'A' sample	Adverse Analytical Finding for: 19- Norandrosterone (Metabolite of norandrosterone or its precursor) at a concentration greater than 15 ng/ml, anabolic steroid
10.	Date of Initial Review	22/05/2019
11.	Date of provisional suspension	29/05/2019
12.	Date of first notice	29/05/2019
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	31/01/2020
18.	Plea of the athlete	Chosen not to appear
19.	Date of decision	14/02/2020

NADA notified its assertion relating to violation of Anti-Doping Rule 2.1 by **Ms. Anjana Singh** (Sports discipline – **Bodybuilding**).

Factual Background:

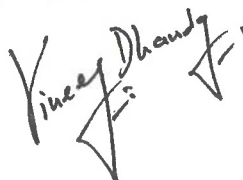
1. A urine sample (“**Sample**”) of the athlete, Ms. Anjana Singh (“**Athlete**”) was collected at Chandigarh by the Doping Control Officer of NADA on 09 February 2019. As per procedure, the Sample was split into two separate bottles, hereinafter referred to as Sample A6364674 and Sample B6364674.
2. Sample A6364674 was tested at the National Dope Testing Laboratory, New Delhi and was returned with an Adverse Analytical Finding (“**AAF**”) **19- Norandrosterone (Metabolite of norandrosterone or its precursor) at a concentration greater than 15 ng/ml, anabolic steroid.** The WADA’s 2019 Prohibited List enlists Norandrosterone under S1 as non-specified substance.
3. Consequently, NADA issued a notice of charge dated 29.05.2019 (“**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. A perusal of the records reveal that no response has been received from the Athlete to the Notice of Charge. Another communications dated 12.12.2019 and email dated 18.10.2019 were sent to the officials of IBBF regarding further proceedings in the matter, including the hearing to be held before the Panel. However, despite the same, the Athlete has not made any representations before the Hearing Panel, whether in writing nor in person or through an agent. Oral hearing was conducted on 31.01.2020 by the Hearing Panel constituted under Rule 8.3.2.

Submissions of the Athlete

5. No one has appeared for or on behalf of the Athlete despite several communications issued by NADA and no written submission / response has been received till the date of hearing before the Panel. The Athlete is therefore proceeded *ex parte*.

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.

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 **19- Norandrosterone (Meatbolite of norandrosterone or its precursor) at a concentration greater than 15 ng/ml, anabolic steroid**. The WADA's 2019 Prohibited List enlists these substance as non-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.
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

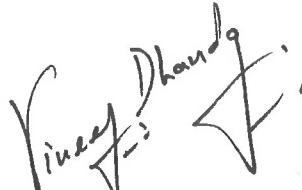
Article 10.2.1.1 for an ineligibility for a period of 4 years. Normally, the period of ineligibility starts from the date of the decision. The Athlete is entitled to the benefit of credit for the period of provisional suspension. In the present case, the athlete was provisionally suspended by NADA w.e.f. 29.05.2019.

14. **The Panel holds that the Athlete Ms. Anjana Singh D/o Mr. D.K. Singh R/o Ward No. 26, Railway Colony Dalli Rajhara Pondi Chattisgarh 491228, 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. 29.05.2019. 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 14th February, 2020



Dr. Rana Chengappa
Member



Vineet Dhanda
Chairperson



Jagbir Singh
Member