

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

To,
Ms. Thasana Chanu Sagolsem,
R/o House No. 65, Makha Leikai
Nongoda, Imphal East,
Manipur 795010

Date: 17th February, 2020

Subject: Decision of the Anti Doping Disciplinary Panel Case No.-146.ADDP.01.2019

NADA VS THASANA CHANU SAGOLSEM

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 17/02/2020 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 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)

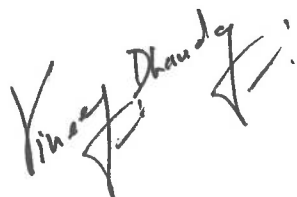
Copy forwarded together with the copy of the order containing the decision of the Anti Doping Disciplinary Panel for information and action deemed necessary:

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 Weightlifting Federation WZ-78, 1st Floor, Todapur Village, New Delhi 110012.
4. International Weightlifting Federation H-1146, Budapest, Istvanmezeiut, Hungary.
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, Hall No. (103-104) Ist Floor
Lodhi Road, New Delhi - 110 003
Telefax : 011-24368274

In the Matter of **Ms. Thasana Chanu Sagolsem, R/o House no. 65, Makha Leikai Nongoda, Imphal East, Manipur 795010** for the violation of Article 2.1 of Anti-Doping Rules of NADA Code 2015.

1.	Event	Weightlifting
2.	Name of Competition	71 st Men & 34 th Woman Sr. National Weightlifting Championship
3.	Date of Sample Collection	24/02/2019
4.	Nature of sample	Urine
5.	Urine sample Code Number	6364015
6.	Name of Sample Witness	Ms. Kaneka Durga
7.	Name of Dope Control Officer	Dr. Naveen Kumar
8.	Date of testing 'A' Sample	10/05/2019
9.	Result of 'A' sample	Adverse Analytical Finding for: Dihydroxy-LGD-4033 (Metabolite of LGD-4033 Selective Androgen Receptor Modulators SARM)
10.	Date of Initial Review	09/05/2019
11.	Date of provisional suspension	10/05/2019
12.	Date of first notice	10/05/2019
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	05/08/2019
17.	Date of hearing	12/12/2019 & 13/01/2020
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. Thasana Chanu Sagolsem** (Sports discipline - **Weightlifting**).

Factual Background:

The In-competition doping control test of athlete was carried out on 24/02/2019 at Vishakhapatnam, Andhra Pradesh by the Doping Control Officer of NADA. Her sample was analyzed in the National Dope Testing Laboratory, New Delhi WADA Accredited Laboratory, which returned for an Adverse Analytical Finding (AAF) for the presence of Prohibited Substance of **Dihydroxy-LGD-4033 (Metabolite of LGD-4033 Selective Androgen Receptor Modulators SARM)**, which is a non-specified substance as per WADA existing prohibited list 2019. Consequently, NADA issued a notice of charge dated 10/05/2019 along with mandatory provisional suspension for the violation of Article 2.1 of Anti-Doping Rules of NADA 2015. The Athlete has sent an email dated 30.07.2019 waiving her right to get the Sample B analysis.

Oral hearing was conducted on 12.12.2019 and 13.01.2020 by the Hearing Panel constituted under Rule 8.3.2.

Athlete Submissions:

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*.

NADA's Submissions:

NADA submitted that under Article 2.1.1 it is each Athlete's personal duty to ensure that no Prohibited Substance enters his or her body. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, Fault, negligence or knowing Use on the Athlete's part be demonstrated in order to establish an anti-doping rule violation under Article 2.1. NADA further submitted it is athlete duty to ensure that whatever athlete consume must be dope free and should not contain prohibited substance by all means.

Panel View:

The Panel has carefully gone through the records and the submissions made on behalf of NADA.

In the present case, the prohibited substance is **Dihydroxy-LGD-4033 (Metabolite of LGD-4033 Selective Androgen Receptor Modulators SARM)**, was found in the urine sample of the athlete which falls under non-specified category of WADA existing prohibited list of 2019. Under Article 2.1.1 clearly spells out that it is each Athlete's personal duty to ensure that no Prohibited Substance enters his or her body. Athletes are responsible for any Prohibited Substance or its metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, fault, negligence or knowing use on the Athlete's part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.

In the present case, admittedly, 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 failed to do so. Thus, it is difficult to hold that the anti-doping rule violation was not intentional on the part of athlete. 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, an ineligibility for a period of 4 years.


As per the Anti-Doping Rules of NADA 2015:

10.2.1 The period of *Ineligibility* shall be four years where:

10.2.1.1 The anti-doping rule violation does not involve a *Specified Substance*, unless the *Athlete* or other *Person* can establish that the anti-doping rule violation was not intentional.

10.2.1.2 The anti-doping rule violation involves a *Specified Substance* and NADA can establish that the anti-doping rule violation was intentional.

The period of ineligibility under Article 10.2.1 for the first violation is 4 (four) 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. 10/05/2019.

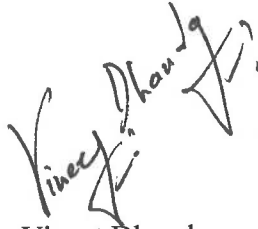


Under Article 10.2.1, ineligibility of four (4) years is imposed on Ms. Thasana Chanu Sagolsem, R/o House no. 65, Makha Leikai Nongoda, Imphal East, Manipur 795010 for the violation of Article 2.1 of Anti-Doping Rules, NADA-2015. The period of ineligibility shall commence from the date of the provisional suspension dated 10/05/2019. 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: 14/02/2020



Col Dr. Rana Chengappa
Member



Vineet Dhanda
Chairman



Jagbir Singh
Member