

Anti Doping Disciplinary Panel

A-Block, Pragati Vihar Hostel,
Lodhi Road, New Delhi – 110003
Telefax – 011-24368248

To,

Date: 17th November, 2015

Mr. Yudhvair Singh,
House No. 762/29,
Tilak Road,
District – Rohtak,
Haryana

Subject: Decision of the Anti Doping Disciplinary Panel-Case No. 09.ADDP.04.2015.

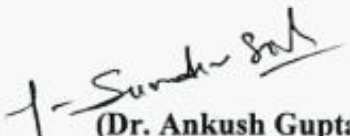
NADA VS YUDHVIR SINGH

The order containing the decision of the Anti Doping Disciplinary Panel dated 13.11.2015 in respect of hearing of the above case held on 29.10.2015 is enclosed.

It may please be noted that according to Article 13.7.2 of Anti Doping Rules 2015 of NADA, **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.

The receipt of this communication may be acknowledged.

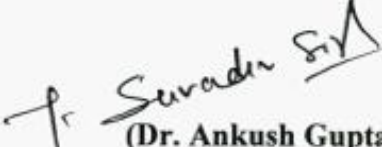
Encl: 04 sheets.


(Dr. Ankush Gupta)

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, Hockey India, B1/E3, Ground Floor, Mohan Cooperative Industrial Estate, New Delhi – 110 044.
4. CEO, National Games Organizing Committee, 35th National Games 2015, Chandrasekharan Nair Stadium, Trivandrum, Kerala.
5. International Hockey Federation, Rue du Valentin 61, CH-1004 Lausanne, Switzerland.
6. National Anti Doping Agency, A-Block, Pragati Vihar Hostel, Lodhi Road, New Delhi, 110003.

Encl: 04 sheets.


(Dr. Ankush Gupta)

IN THE CHAMBER OF ANTI DOPING DISCIPLINARY PANEL

Block-A, Pragati Vihar Hostel,
Lodhi Road, New Delhi – 110003
Tele./Fax. 011-24368248

In the Matter of **Mr. Yudvir Singh, House No. 762/29, Tilak Nagar, District- Rohtak, Haryana** for the violation of Article 2.1 of Anti Doping Rules/ WADA Code.

1.	Event	Hockey
2.	Name of Competition	35 th National Games - 2015
3.	Date of Collection of sample	07.02.2015
4.	Nature of sample	Urine
5.	Urine sample Code Number	2971050
6.	Name of Sample Witness	Mr. Riyas Rasheed
7.	Name of Dope Control Officer	Ms. Keerthy R.
8.	Date of testing 'A' Sample	27.02.2015
9.	Result 'A' sample	Adverse analytical finding for: Mephentermine, Stimulant.
10.	Date of Initial Review	02.03.2015
11.	Date of first notice	02.03.2015
12.	Date of provisional suspension	02.03.2015
13.	Date of testing 'B' sample	Option declined by Athlete.
14.	Result 'B' Sample	N.A.
15.	Date of second Notice	N.A.
16.	Date of Notification	16.06.2015
17.	Date of hearing	29.10.2015
18.	Plea of the Athlete	Consumed medicines fro cough and cold.
19.	Date of decision	13.11.2015

NADA notified its assertion relating to violation of Anti Doping Rule 2.1 by **Mr. Yudvir Singh** (Sports discipline – Hockey). Hearing was conducted on 29.10.2015 by the hearing panel constituted under rule 8.3.2.

Dr. Saravana Perumal S., Sr. Project Officer, NADA presented the case on behalf of NADA and produced the documents in support of its assertions.

The athlete participated in 35th National Games – 2015 held in Kerala on 07.02.2015 and his urine sample was collected on same day. The urine sample of the athlete was tested at the National Dope Testing Laboratory hereinafter called NDTL, New Delhi. The report of Sample 2971050-A dated 27.02.2015 was received by NADA on 27.02.2015. The NDTL after analysis of his sample reported adverse analytical findings for the prohibited substance as mentioned above. The athlete was provisionally suspended by NADA vide letter dated 02.03.2015 and after initial review the First Notice regarding anti doping violation by athlete was sent to him on 02.03.2015.

After receiving the first notice, the athlete presented himself in NADA office on 12.03.2015 and submitted a letter stating that he is satisfied with 'A' sample report dated 27.02.2015 issued by NDTL and does not want to witness testing of his 'B' sample thus waive off his right to witness the 'B' sample analysis hence the B sample analysis was not done by the NADA.

On the hearing held on 29.10.2015, the athlete appeared before the Panel and submitted that he was suffering from cough and cold during competition period and has taken Corex cough syrup alongwith some antibiotics/pain killers as prescribed by the Medical Officer deputed during the National Games. He also consumed tab. Termin 9 and tab. Alprex 0.25 mg. alongwith injections of T.T., Voveron and Rabipur for the treatment of dog bite as advised by doctor at PGI, Rohatk in October 2014.

NADA opposed the pleadings submitted by the athlete and submitted that the athlete has intentionally taken the prohibited substance. The athlete has no evidence to support his claim and he may not be given any relaxation while imposing the ineligibility.

The explanation as given by athlete regarding the adverse analytical finding in his urine sample does not have any correlation with the medicines taken by him, on the other hand he apologized and requests for waiving of suspension. Rather, that explanations as given by athlete can not substantiate his claim as none of medicines said to have taken by him as above form part of his substance. It is a case of intentional consumption of the prohibited substance, as the athlete failed to adduce any substantial evidence except the oral submissions made before the Panel & establish that there was no such intention to violate the anti doping rules.

According to the provision of Anti Doping Rules the athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their bodily specimens. It is not necessary that intent, fault, negligence or knowing use on the Athletes part be demonstrated in order to establish an Anti Doping Rule Violation, under Article 2.1.

The athlete Mr. Yudvir Singh has failed to show any ground for elimination or reduction of period of ineligibility under Article 10.4, 10.5 and 10.6.

No aggravating circumstances have been alleged for enhanced sanctions.

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.

In the present case, the Anti Doping Rule violation does not involved a specified substance and the athlete was unable to establish that the anti doping rule violation was not intentional.







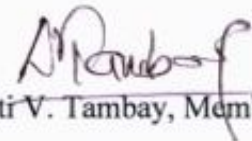
The period of ineligibility under Article 10.2.1 for the first violation is 4 (four) years, thus 4 (four) years sanction is imposed on the athlete. The period of ineligibility starts on the date of the hearing decision. The Athlete is entitled to the benefit of credit for the period of provisional suspension. In the present case, the athlete was provisionally suspended by the NADA w. e. f. 02.03.2015.

Under Article 10, ineligibility of Four (4) Years is imposed on Mr. Yudvir Singh, House No. 762/29, Tilak Nagar, District- Rohtak, Haryana 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 order dated 02.03.2015. 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: November 13th, 2015



Mr. Sanjay Mani Tripathi, Chairman



Mrs. Damayanti V. Tambay, Member



Dr. Bikash Medhi, Member