

IN THE CHAMBER OF ANTI DOPING DISCIPLINARY PANEL

Address: Confrence Room,
A- Block, Pragati Vihar Hostel,
Lodhi Road, New Delhi – 110003

In the Matter of **Mr. Dhamodharan Gajapathi**, No.-573/2, 14th Street, ICF South Colony, Chennai- 38, Tamilnadu for the second violation of Article 2.1 of Anti Doping Rules/ WADA Code.

1.	Event	Weightlifting
2.	Name of Competition	53 rd Inter Services Weightlifting Champ.
3.	Date of Collection of sample	06.11.2009
4.	Nature of sample	Urine
5.	Urine sample Code Number	2284422
6.	Name of DCO	Dr. Puneet Handa
7.	Name of Dope Control Officer	Mr. Rajkishore
8.	Date of testing 'A' Sample	19.11.2009
9.	Result 'A' sample	Adverse analytical findings for parent stanazolol and its metabolites (3-OH stanazolol and 16B- OH stanazolol) Anabolic Steroid.
10.	Date of first notice	26.11.2009
11.	Date of testing 'B' sample	04.01.2010
12.	Result 'B' Sample	Adverse analytical findings for parent stanazolol and its metabolites (3-OH stanazolol and 16B- OH stanazolol) Anabolic Steroid.
13.	Date of second Notice	06.01.2010
14.	Date of Notification	21.04.2010
15.	Date of hearing decision	14.07.2010
16.	Plea of the Athlete	He has not chosen to appear.
16.	Date of decision	14.07.2010

NADA notified its assertion relating to violation of Anti Doping Rule 2.1 by Dhamodharan Gajapathi (Sports discipline – Weightlifting) Hearing was conducted on 19.05.2010, 30-06-2010 & 14-07-2010 by the hearing panel constituted under rule 8.3.2.

Dr. Pradeep H. Gupta, Sr. P. O., NADA presented the case on behalf of NADA and produced the documents in support of the case.

It has been pointed out that the weightlifter was first found positive in dope test conducted during Sr. National Weightlifting Championship held at Visakhapatnam from 10-14 Dec. 2006. Again sample of urine was collected from the weightlifter on 06.11.2009 during 53rd Inter Services Weightlifting Championship held at Jamnagar, Gujrat and again gave adverse analytical findings for Anabolic Steroids.

Despite service on the athlete by Registered AD post, he has not chosen to appear before the Hearing Panel.

It is each athlete personal duty to ensure that no prohibited substance enters his body (Article 2.1.1) 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 Steroid is not a specified substance under Article 10.3 of the NADA rules. Hence Steroid is not susceptible to unintentional anti-doping rule violations because of its general availability in medicinal products or which are less likely to be successfully abused as anti-doping agents.

The Athlete failed to establish any grounds for elimination or reduction of period of ineligibility under Article 10.5.1 or Article 10.5.2.

NADA has placed on record letter from the General Secretary, Indian Weightlifting Federation (File No. IWF-11/18/2010-11/Vol (v)/GD dt. May 25, 2010) along with the communication to Services Sports Control Board dated March 09, 2007 to prove the earlier sanctions imposed under clause 2.1 of the WADA Code .

The period of ineligibility under Article 10.7 for the second anti doping rule violation of Article 2.1 is Eight (8) years to a life ban. Normally the period of ineligibility starts on the date of the hearing decision. There are no special circumstances in this case to warrant any consideration for the early start of the period of ineligibility.

Under Article 10.7 ineligibility of Eight(8) years is imposed on the Athlete Mr. Dhamodharan Gajapathi, No.-573/2, 14th Street, ICF South Colony, Chennai- 38, Tamilnadu for the violation of Article 2.1 of Anti Doping Rules, NADA second time. The period of ineligibility shall commence from the date of this decision.

Dated : August 11, 2010

Mr. Jasmeet Singh, Chairman

Dr. N. K. Khadiya, Medical Doctor

Dr. M. P. Ganesh, Sports Person