

Anti Doping Disciplinary Panel

Jawaharlal Nehru Stadium, 1st Floor, Hall No. 103 & 104
Lodhi Road, New Delhi, 110003
Tele. 011-24368274

To,
Ms. Suprity Acharjee
D/o Mr. Pradip Kumar Acharjee
R/o No.6 D/86/6 Raod 86 Bhilai
Sector – 6 Civic Centre Durg, Chhattisgarh.
Email: - acharjeesuprity@gmail.com

Date: 03rd February, 2023

Subject: Decision of the Anti Doping Disciplinary Panel Case No.-236.ADDP.2022

NADA VS Ms. Suprity Archarjee

The order containing the decision of the Anti-Doping Disciplinary Panel dated 03.02.2023 in respect of final hearing of the above case held on 03.02.2023 is enclosed.

Please note that according to Article 13.2.2 of Anti-Doping Rules of NADA 2021, **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 10.7.1- (**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 10.7.1 ADR. Further, the athlete is subjected to doping control test during the ineligibility period, therefore, athlete is required to update his residential address as and when changed.

Copy of the NADA Anti-Doping Rules 2021 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
Law Officer**

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

BEFORE THE ANTI DOPING DISCIPLINARY PANEL

J.L.N. Stadium, First Floor, Hall No. 103,

Lodhi Road, New Delhi -110 003

(PROCEEDINGS CONDUCTED THROUGH VIRTUAL MODE)

In the matter of Ms. Suprity Acharjee (DOB 17.10.2003) D/o Mr. Pradip Kumar Acharjee R/o 6D/86/6 Road 86 Bhilai Sector 6 Civic Centre Drug, Chhattisgarh for violation of Article 2.1 & 2.2 of National Anti-Doping Agency Anti-Doping Rules, 2021.

Quorum: Ms. Jyoti Zongluju, ADDP
Dr. Rana Chengppa Medical Member, ADDP
Ms. Abantika Deka, Sports Member, ADDP

Present: Mr. Yasir Arafat, Law Officer, NADA
Ms. Suprity Acharjee, Athlete

1.	Event	Bodybuilding
2.	Name of Competition	Selection Trial
3.	Date of Sample Collection	22/05/2022
4.	Nature of sample	Urine
5.	Urine sample Code Number	6492283
6.	Name of Sample Witness	Ms. Shalini Sharma
7.	Name of Dope Control Officer	Ms. Shalini Sharma
8.	Date of Result 'A' Sampletesting	17.05.2022
9.	Result of 'A' sample	Adverse Analytical Finding for: S1.1 Anabolic Androgenic Steroids (AAS)/Stanozolol metabolite 3-hydroxystanozolol, 16 beta-hydrox-Stanozolol
10.	Date of Initial Review	12/08/2022
11.	Date of Notification	16/08/2022
11.	Date of provisional suspension	16/08/2022
12.	Date of Notice of Charge	16/11/2022
13.	Date of Result 'B' Sampletesting	N/A

14.	Date of hearing	03.02.2023
18.	Plea of the athlete	Admitted guilt
19.	Date of decision	03.02.2023

Factual Background:

1. A urine sample (“Sample”) of the athlete, Suprity Acharjee (“Athlete”) was collected during Selection Trial at Himachal Pradesh by the Doping Control Officer of NADA on 22May 2022. As per procedure, the Sample was split into two separate bottles, hereinafter referred to as Sample A and Sample B with unique Code “6492283”.
2. A Sample of the Athlete was tested at the National Dope Testing Laboratory, Delhi in accordance with the procedures set out in WADA’s International Standard for Laboratories and was returned with an Adverse Analytical Finding **Anabolic Androgenic Steroids (AAS)/Stanozolol metabolite 3-hydroxystanozolol, 16 beta-hydrox-Stanozolol**. The WADA’s 2022 Prohibited List enlists Stanozolol under the category S1 being a non-specified substance.
3. Subsequently, the Athlete was dully notified by a letter dated 16.08.2022 (“**the Notification**”) wherein she was notified that she has been charge for violation of Rule Article 2.1 & 2.2 of ADR. In the aforesaid letter, the Athlete was informed of her right to have her B sample specimen tested and the right to an impartial hearing by the Independent Anti-Doping Disciplinary Panel.
4. In response to the notification, the Athlete waived of her right to ‘B’ sample analysis.
5. The Notice of Charge under the National Anti-Doping Rules, 2021 was issued to the Athlete on 16.11.2022.
6. The athlete has not filed Written Submissions or Document on record for the consideration of this Panel.

Submissions of the Athlete

7. The Athlete admitted the violation and failed to demonstrate that the violation was not intentional.

Submissions of NADA

8. 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 to establish a case of anti-doping rule violation under Article 2.1.
9. 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

Observations and Findings of the Panel

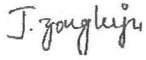
After hearing the parties at length and having considered all documentary and having considered the written / oral submissions the Panel observes as under:

10. As per Article 2.1 of the Anti-Doping Rules 2022, 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.
11. 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.
12. The Athlete admitted the violation and failed to demonstrate that the violation was not intentional. The Panel is of the view that the Athlete has violated Article 2.1 & 2.2 of the Anti-Doping Rules, 2021. Once a violation of anti-doping rules has been established, Sanctions on Individuals as provided under Article 10 of the Anti-Doping Rules 2021 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.
13. **The Panel holds that the Athlete is liable for sanctions under Article 10.2.1.1 for an ineligibility for a period of 4 years. The period of his ineligibility for the period of 4 years shall commence from the date of provisional suspension, i.e., 16.08.2022.**

14. We also direct that under Article 10.10 all other competitive results obtained by the athlete from the date of sample collection i.e., 22.05.2022 shall be disqualified with all resulting consequences including forfeiture of medals, points, and prizes.

Dated 03.02.2023

The matter is disposed of, accordingly.



**Ms. Jyoti Zongluju
(Chairperson)**



**Dr. Rana Chengappa
(Medical Member)**



**Ms. Abantika Deka
(Sports Member)**