

# Anti-Doping Disciplinary Panel

J.L.N Stadium, Gate No. 10 Hall No.103  
1<sup>st</sup> Floor, Lodhi Road, New Delhi 110 003  
Telefax: 011-24368274

To,

Date: 22.08.2023

Mr. Hariom Khari  
S/o Mr. Omkar Khari  
R/o- H. No C-71, Sadbhavna Nagar  
Dasna, Ghaziabad, UP - 201001  
Email: - kharihariom@gmail.com

**Subj: Decision of the Anti-Doping Disciplinary Panel Case No.- 121.ADDP.2023**

**NADA Vs. MR. HARIOM KHARI (ADAMS ID: - KHHAMA92741)**

The order containing the decision of the Anti-Doping Disciplinary Panel dated 16.08.2023 in respect of final hearing of the above case held on 21.07.2023 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](http://www.nadaindia.org/en/anti-doping-rule-of-nada)

The receipt of this communication may be acknowledged.

Encl: 03 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, Powerlifting India, Midhun Palace Ward, Alappuzha, Kerala 688011.
3. International Powerlifting Federation, 1, Rue Pasteur, 4642, Differdange, Luxembourg.
4. National Anti-Doping Agency, J.L.N Stadium, 1<sup>st</sup> Floor, Hall No. 104, Lodhi Road, New Delhi, 110003

## **BEFORE THE ANTI DOPING DISCIPLINARY PANEL**

In the matter of **Mr. Hariom Khari** for violation of Articles 2.1 of National Anti-Doping Agency Anti-Doping Rules, 2021

(PROCEEDINGS CONDUCTED THROUGH VIRTUAL MODE)

**Quorum**     **Mr. Vineet Dhanda, Chairman, ADDP**  
                  **Dr. Sanjogita Soodan, Medical Member, ADDP**  
                  **Mr. Akhil Kumar, Sports Member, ADDP**

**Present:**    **Mr. Gourav Das for NADA**  
                  **Athlete in person**

### **J U D G E M E N T** **16.08.2023**

1. The present proceedings before this Anti-Doping Disciplinary Panel (“**this panel**”) emanate from the Adverse Analytical Finding (“**AAF**”) against Mr. Hariom Khari (“**the athlete**”). The athlete is a “Powerlifting Player” and his date of birth as stated by him in the Dope Control Form (“**DCF**”), happens to be **10.03.1998**.
  
2. **That the brief facts of the case are as follows:**
  - a) The athlete was selected for the Dope Test during All India University Powerlifting Championship held in Bathinda, Punjab during a sample collection process was conducted on **23.02.2023** where the urine samples of the athlete were conducted by the NADA’s Dope Control Officer (“**DCO**”).
  
  - b) The said collected sample was split into two parts A and B with a unique code no “**6502663**”.
  
  - c) The A sample of 6502663 of the Athlete was tested at the National Dope Testing Laboratory, Delhi (NDTL) in accordance with the procedures set out in WADA’s International Standards for Laboratories and was returned with an Adverse Analytical Finding (“**AAF**”) for **S.1 Anabolic Androgen Steroids (AAS)/Trenbolone**,

**Metandienone S.4 Hormone and metabolic modulators/letrozole & S.6 Stimulants/Mephentermine and its metabolite Phentermine.** The said Substance is a Hormone and Metabolic Modulator and is listed under S1, S4 & S6 category of WADA's 2023 Prohibited List being a non-specified substance.

- d) The initial review of samples A showed that there was no apparent departure from the International Standard for Testing and Investigations ('ISTI') or the International Standard for Laboratories ('ISL') that could undermine the validity of the AAF.
  - e) Notification was issued to the Athlete on 12.04.2023 informing him about the AAF and that he was provisionally suspended from participating any further sporting events till the conclusion of disciplinary proceeding pending against him. Through the said notification the athlete was informed about his rights and that in case the athlete is unwilling to accept the result of Sample A, he has the right to request for the opening of Sample B at his own cost.
  - f) The Notice of Charge was issued to the Athlete on 29.05.2023 and final opportunity to submit explanation was granted to the Athlete.
3. As per NADA's records, the Athlete did not have a Therapeutic Use Exemption ("TUE") to justify the presence of above prohibited substance, metabolites and markers in his system.

**Observation and findings of Panel: -**

- a) The Disciplinary Panel enquired from the Athlete whether he consumed the Anabolic Androgenic Steroids or not, the athlete replied very rudely "*ha liya hai toh*". The Athlete had no regret whatsoever about his illegally conduct and rather the Athlete was behaving in a rowdy manner and trying to intimate the Disciplinary Panel with his bare body.
- b) 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. 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.

4. **In view of the facts and circumstances stated above, the Panel holds that the Athlete is liable for sanctions under Article 10.2.1.1 and liable for ineligibility for a period of 4 years. In the present case, since the Athlete had been provisionally suspended, the Panel accordingly holds that the Athlete's period of his ineligibility for the period of 4 years shall commence from the date on which the notification was sent, i.e., 12.04.2023.**
5. **We also direct that under Article 10.10 all other competitive results obtained by the athlete from the date of sample collection i.e., 23.02.2023 shall be disqualified with all resulting consequences including forfeiture of medals, points, and prizes.**

**Dated: 16.08.2023**

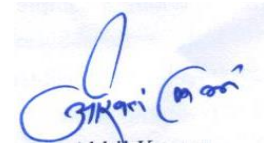


**Mr. Vineet Dhanda**  
(Chairman)

7.



**Dr. Sanjogita Soodan**  
(Medical Member)



**Mr. Akhil Kumar**  
(Sports Member)