

# 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: 17.08.2023

Mr. Jagat Singh Suresh Kumar,  
R/o Gothri (235), Mahendragarh,  
Haryana  
Email: [jagathgujjar0@gmail.com](mailto:jagathgujjar0@gmail.com)

**Subj: Decision of the Anti-Doping Disciplinary Panel Case No.- 120.ADDP.2023**

**NADA VS. MR. JAGATH SINGH SURESH KUMAR**  
**(ADAMS ID – SUJAMA31578)**

The order containing the decision of the Anti-Doping Disciplinary Panel dated 16.10.2023 in respect of final hearing of the above case held on 28.08.2023 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: 20 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. Secretary General, Athletics Federation of India, A-90, Naraina Industrial Area, Phase-1, near PVR cinema, New Delhi- 110028.
3. International Association of Athletics Federations, 17, Rue Princesse Florestine BP 359, MC 98007, Monaco.
4. National Anti-Doping Agency, J.L.N Stadium, Gate No. 10 Hall No.103, Lodhi Road, New Delhi 110003.

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

In the matter of **Mr. Jagat Singh Suresh Kumar (Sports-Athletics)** for violation of Article 2.3 of National Anti-Doping Agency Anti-Doping Rules, 2021

**Quorum:** Ms. Jyoti Zongluju, Chairman, ADDP  
Dr. Bikas Medhi, Medical Member, ADDP  
Ms. K M Beenamole, Sports Member, ADDP

**Present:** Mr. Yasir Arafat, NADA  
Mr. Jagat Singh Suresh Kumar, Athlete

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

**16.10.2023**

1. The present proceedings before this Anti-Doping Disciplinary Panel (“**this panel**”) emanate from Anti-Doping Rule Violation (“**ADRV**”) by Mr. Jagat Singh Suresh Kumar (“**the athlete**”) of Article 2.3 of the National Anti-Doping Rules 2021. The athlete is a “Athletics” Player and his date of birth as stated by him in the Dope Control Form (“**DCF**”), happens to be **27.08.2001**.
2. **JURISDICTION**
3. Anti-Doping Disciplinary Panel (“**this panel**”) has jurisdiction to hear and determine this matter in accordance with Anti-Doping Rules under Article 8.
4. Brief Facts of the case are as follows:
5. The Athlete is a male adult, a National Level Athlete.
  - 5.1 That Athlete was selected for Sample Collection for Dope Test in “Selection Trails, Delhi”.
  - 5.2 After the event was over, Mr. Saleesh Kollayih B J, the Doping Control Officer informed the Athlete he must submit his urine sample for dope test.
  - 5.3 The Athlete had signed the notification form and accompanied the DCO for doping control test”. Upon arrival the doping control station, the Athlete requested to cool down before giving the sample.

5.4 The Athlete left the doping control station without providing the urine sample and without informing the doping control officer.

5.5 The fact stated by DCO in its supplementary report dated 27.03.2023 has been examined by the officials of NADA and it was found that a case of violation of Article 2.3 is made out against the Athlete.

5.6 Consequently, NADA issued a notice of charge dated 10.05.2023 (“**Notice of Charge**”) for violation of Rule 2.3 of the NADA Anti-Doping Rules (“**Rules**”). The notice of charge was also accompanied by a Mandatory provisional suspension, with effect from the date of notice. Since no response was received to the Notice of Charge from the Athlete. Therefore, the case file referred to the Anti-Doping Disciplinary Panel for Adjudication.

5.7 The written explanation made by the Athlete are reproduced herein:

*“I am writing to extend my sincere appreciation and gratitude to the National Anti-Doping Agency for fair play in India. But in Indian Grand Prix4 in Trivandrum in this event I run 10000 m and win gold medal after that NADA officials come and take me dope test than after I came to home because of my mother is suffering from illness (disease) and I book flight for next day morning”.*

#### **Submissions by NADA**

6. The Athlete has intentionally evaded sample collection despite notice by Doping Control Officer which is a violation of Article 2.3 of NADA Rules.
7. The Athlete was duly notified by the DCO to submit the urine sample as evident from supplementary Report dated 27.03.2023.
8. The Athlete has failed to adduce the evidence to justify the compelling justification to evade the sample collection.

#### **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:

9. It is the duty of every Athlete to provide his/her sample when notified either in competition or out competition by the testing authority.

10. The explanation offered by the Athlete and the medical documents produce by the Athlete does not show any emergency or a compelling justification to evade the doping control test.
11. In view of the above, it is established that a that there were no compelling justifications for the Athlete's to evade sample collection and accordingly finds that he intentionally committed an anti-doping rule violation.
12. **The Panel holds that the Athlete is liable for sanctions under Article 10.3.1 for an ineligibility for a period of 4 years. Normally, the period of ineligibility starts from the date of the order. In the present case, since the Athlete has been provisionally suspended from participating in any National Sports Federation / International Federation sanctioned Competition, as set out in Clause 5 of the Notice of Charge 10.05.2023. The period of his ineligibility for the period of 4 years shall commence from the date of provisional suspension, i.e., 10.05.2023.**
13. **We also direct that under Article 10.10 all other competitive results obtained by the athlete from the date of incident i.e., 27.03.2023 shall be disqualified with all resulting consequences including forfeiture of medals, points, and prizes**

The matter is disposed of, accordingly.



**Ms. Jyoti Zongluju**

(Chairman)



**Dr. Bikas Medhi**

(Medical Member)



**Ms. K M Beenamole**

(Sports Member)