

## Anti Doping Disciplinary Panel

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

To,

Date: 03<sup>rd</sup> October, 2023

Mr. Manpreet Singh  
R/o Ward No.-10, Garden Colony,  
Fatehpur, Gurudaspur,  
Punjab – 143602  
Email: [manpreetsingh29066@gmail.com](mailto:manpreetsingh29066@gmail.com)

**Subject: Decision of the Anti Doping Disciplinary Panel Case No.- 128.ADDP.2023**

**NADA VS Mr. Manpreet Singh (ADAMS ID:- SIMAMA42939)**

The order containing the decision of the Anti-Doping Disciplinary Panel dated 29.09.2023 in respect of final hearing of the above case held on 14.09.2023 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 to 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: 05 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, 1<sup>st</sup> Floor, Hall No. 104, Lodhi Road, New Delhi, 110003.

**IN THE CHAMBER OF ANTI DOPING DISCIPLINARY PANEL**

J.N. STADIUM COMPLEX, ENTRY GATE NO.10, STAIRCASE NO.3,  
1<sup>ST</sup> FLOOR, HALL NO. 103-104, NEW DELHI – 110003, INDIA.

PH: 011-24368274, 24368249.

TELEFAX: 24368248, EMAIL: [info.nada@nic.in](mailto:info.nada@nic.in)

**IN THE MATTER OF:-**

**NADA**

**.....Authority**

**Through Yasir Arafat,  
Law Officer**

**VS.**

**Manpreet Singh**

**.....Athlete**

**ORDER**

- (1) This order shall dispose the proceedings initiated pursuant to the Notice of Charge (NOC) dated 15.06.2023 issued by NADA to the Athlete (Mr. Manpreet Singh) for violation of Rule 2.1 and 2.2 of the NADA Anti –Doping Rules, 2021 ("Rule') after his sample collected on 15.04.2023 at Senior Men's and Women's Bodybuilding, National Championship held at Uttaranchal, by the Doping Control Officer of NADA returned analytical finding for Hormone and Metabolic Modulators/Tamoxifen Metabolite 3-hydroxy-methoxytamoxifen, Anabolic Androgenic Steroids (AAS)/ Stanozolol and 16 beta-hydroxy Stanozolol, Diuretics and Masking Agents/canrenone and other Anabolic agents/clenbuterol which are prohibited substances under the S1.1 and 2, S4 and S5 category of WADA's Prohibited List 2022.
- (2) NADA notified its assertion relating to violation of Anti-Doping Rule 2.1 by **Mr. Manpreet Singh** (Sports Discipline - **Bodybuilding**).

(3) Mr. Yasir Arafat Law Officer, NADA presented the case on behalf of NADA and produced the documents in support of the case. The Athlete represented himself. Hearing was conducted on 14.09.2023 by the Panel through online mode.

(4) **Factual Background:**

- (a) A urine sample ("Sample") of the athlete, Manpreet Singh (**"Athlete"**) was collected on 15.04.2023 at Senior Men's and Women's Bodybuilding, National Championship held at Uttaranchal, by the Doping Control Officer of NADA. As per procedure, the Sample was split into two separate bottles, hereinafter referred to as Sample A and Sample B.
- (b) Sample A was tested at the National Doping Testing Laboratory, Delhi and was returned with an Adverse Analytical Finding (AAF) for Hormone and Metabolic Modulators/Tamoxifen Metabolite 3-hydroxy-methoxytamoxifen, Anabolic Androgenic Steroids (AAS)/ Stanozolol and 16 beta-hydroxy Stanozolol, Diuretics and Masking Agents/canrenone and other Anabolic agents/clenbuterol which are prohibited substances under the S1.1 and 2, S4 and S5 category of WADA's Prohibited List 2022.
- (c) Consequently, NADA issued a notice of charge dated 15.06.2023 ("Notice of Charge") for violation of Rules 2.1 and 2.2 of the NADA Anti -Doping Rules ("Rule'). The Athlete was provisionally suspended in terms of Article 7.4.1 of the Anti-Doping Rules from participating in any sports events vide notice dated 16.05.2023
- (d) NADA vide notice/email dated 16.05.2023 informed the Athlete about his right of seeking 'B' sample analysed on payment of fees in terms of Anti-Doping Rules, 2021. But the Athlete did not reply to the Notice dated 16.05.2023 and therefore, in absence of no response it was deemed that the Athlete has waived off his right to get his 'B' sample analysed. The Athlete submitted no explanation in writing regarding

the presence of prohibited substance in his body pursuant to the Notice of Charge dated 15.06.2023.

- (e) Oral hearing was conducted on 14.09.2023 by the Hearing Panel constituted under Anti-Doping Rules, 2021. The hearing was attended by Mr. Yasir, Law Officer, NADA and the Athlete was present to present his case before the Hearing Panel.

## **6. Submissions of the Athlete**

The Athlete submitted that he had no knowledge that the use of performance enhancing drugs/steroids is prohibited in the body-building sports and there was no prohibition from the sports federation also from using these prohibited substances.

## **7. Submissions of NADA**

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 so as to establish a case of anti-doping rule violation under Article 2.1. It is further submitted by NADA that the non-specific prohibited substances as found in the sample of the Athlete were taken by him intentionally to enhance his strength and performance during the competition which is the violation of the Anti-Doping Rules.

## **8. Observations and Findings of the Panel**

After hearing the parties at length and having considered all documents and the oral submissions, the Panel observes and hold as under:

- (i) As per Article 2.1 of the Anti-Doping Rules 2021, it is the personal duty of every Athlete to ensure that no prohibited substance specified or non-specified, as defined and prescribed in the Prohibited List Of Substances, 2019 by the National Anti-Doping Agency, enters his or her

body. Article 2.1.2 further provides that the sufficient proof of an anti-body doping rule violation under Article 2.1 is established by the presence of the Prohibited Substance or its Metabolites or Markers in the Athlete's sample.


- (ii) It is admitted and undisputed position that the Athlete's sample taken on 15.04.2023 during competition has tested positive for Hormone and Metabolic Modulators/Tamoxifen Metabolite 3-hydroxy-methoxytamoxifen, Anabolic Androgenic Steroids (AAS)/ Stanozolol and 16 beta-hydroxy Stanozolol, Diuretics and Masking Agents/canrenone and other Anabolic agents/clenbuterol which are prohibited substances under the S1.1 and 2, S4 and S5 category of WADA's Prohibited List 2022. The Athlete has waived his right to get Sample – B tested as he never requested NADA for sample 'B' analysis pursuant to Notice dated 16.05.2023.
- (iii) When a sample testing returns a positive finding, the burden is on the Athlete to explain and justify as how the prohibited substance has entered his/her body.
- (iv) The Athlete submitted that he had no knowledge that the use of performance enhancing drugs/steroids is prohibited in the body-building sports and there was no prohibition from the sports federation also from using these prohibited substances.
- (v) That the Athlete has admitted of consuming prohibited substances and the ignorance of the Anti-Doping Rules, 2021 is no excuse to justify the use of prohibited non-specified substances to enhance his performance and strength which is in violation of the Anti-Doping Rules, 2021.
- (vi) He being an athlete is presumed of having the knowledge of Anti-Doping Rules and that the consumption of prohibited substance is the violation of these Rules.

(vii) In the Doping Control Form which was filled by the Athlete on 15.04.2023 before his urine sample was taken for analysis, he has nowhere declared that he was taking these prohibited substances.

(viii) The Athlete has offered no explanation with respect to presence of the non-specified prohibited substances in his body which aids in enhancing performance and strength which clearly shows that the Athlete consumed these prohibited substances intentionally to enhance his performance and strength which is violation of Article 2.1 of the Anti-Doping Rules.

9. In view of the above, it is established that a violation under Article 2.1 of the Anti-Doping Rules has taken place. The consumption of these prohibited substances by the Athlete was intentional to enhance performance and strength.
10. Once a violation of anti-doping rules has been established, sanctions of individuals as provided under Article 10 of the Anti-Doping Rules, 2015 must ensue. The Hearing Panel holds that since the Athlete has intentionally consumed the specified prohibited substances, **he is liable for sanctions under Article 10.2.1.1 for ineligibility for a period of 4 years.**
11. In the present case, since the Athlete was provisionally suspended as evident from the Notice dated 16.05.2023, **the period of his ineligibility for the period of 4 years shall commence from the date of the Notice i.e. 16.05.2023.**

Dated: 29.09.2023

  
(SUNNY CHOUDHARY)  
CHAIRPERSON

  
(DR. SANJOGITA SODAN)  
MEMBER

  
(MS. K.M. BEENAMOL)  
MEMBER