

Anti-Doping Appeal Panel

A-Block, Pragati Vihar Hostel,
Lodhi Road, New Delhi, 110003
Telefax : 011-24368248

Dated: 03/06/20219

To,

Mr. Sandeep Budian
S/o Sh. Dalbir Singh
VPO- Budian District Jind
Haryana 126115

Subject: Decision of the Anti-Doping Appeal Panel (ADAP) in the matter of Mr. Sandeep Budian vs NADA

The order containing the decision of the Anti-Doping Appeal Panel dated 30/05/2019 in respect of the hearing 30/05/2019 is enclosed.

The receipt of this communication may be acknowledged.

Encl:02 sheets.



(YASIR ARAFAT)

Copy forwarded together with the copy of the order containing the decision of the Anti-Doping Appeal Panel for information and action deemed necessary:

1. Indian Olympic Association, Olympic Bhawan, B-29, Qutab Institutional Area, New Delhi-110016.
2. World Anti-Doping Agency, Stock Exchange Tower, 800 Place Victoria (Suit 1700) P. O. Box 180, Montreal (Quebec), H4Z1B7, Canada.
3. ✓ The General Secretary, Amateur Kabaddi Federation of India, #21, Aakansha, Ajmeer Road, Jaipur, Rajasthan
4. National Anti-Doping Agency, A-Block, Pragati Vihar Hostel, Lodhi Road, New Delhi 110003.

Encl:-02 sheets.



(YASIR ARAFAT)

BEFROE THE ANTI DOPING APPEAL PANEL
J.L.N Stadium, Hall No. 104, 1st Floor,
Near SAI Sports Library
Lodhi Road, New Delhi -110 003

Appeal No.-10.ADAP.2016

IN THE MATTER OF

Sandeep Budian
Kabaddi

.....

APPELLANT

Vs

National Anti-Doping Agency
New Delhi

.....

RESPONDENT

Quorum: Justice (retd.) Mr. R.V. Easwar, Chairman
Dr. Navin Dang, Member
Mr. Vinay Lamba, Member

Present Athlete Mr. Sandeep Budian
Mr. Yasir Arafat, Law Officer, NADA


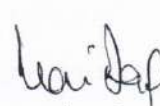
30.05.2019

ORDER

This is an appeal filed by the sportsperson Mr. Sandeep Budian, who plays Kabaddi. The Anti-Doping Disciplinary Panel under Article 10.8 of the Anti-Doping Rules 2015 disqualified all the competitive results including forfeiture of medals, points, prizes obtained by the athlete from the date of the sample collection. The Anti-Doping Disciplinary Panel under Article 10.2.1 also imposed 4 years ineligibility period commencing from the date of provisional suspension dated 18.09.2015 issued by NADA.

In the present case urine sample of the athlete was taken on 21.08.2015 during the Pro Kabaddi League 2015 by the Doping Control Officer of NADA.

The athlete has filed an appeal/mercy application dated 08/05/2019 against the order of the Anti-Doping Disciplinary Panel and also pleaded to waive the remaining four months ineligibility, which is ending on 17.09.2019. The athlete has admitted the anti-doping rule violation and also shown us that he is educating and spreading awareness among the young and budding athletes about the harmful effects of doping

merits. With this caveat, we allow the appeal in part.

The appeal stands disposed of.

in sports and he had carried out other various rehabilitation activities like blood donation camp, anti-doping awareness etc. from time to time voluntarily. Photographs showing these activities were filed before us in the course of the hearing.

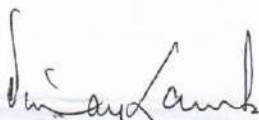
The athlete is currently employed with Indian Air Force (IAF) and his only plea is that if the waiver of the remaining four (4) months of ineligibility period is not granted then he will lose entire forthcoming season of the Pro Kabaddi League, which practically makes him ineligible for five seasons as he could not participate in the upcoming season of the Pro Kabaddi League which is played once in a year and pleads such a harsh punishment may be viewed leniently by the Appellate Panel Members.

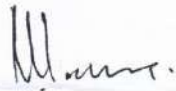
We have deliberated on all the pleas raised by the athlete as well as arguments of Mr. Yasir Arafat on behalf of NADA. We are satisfied with the rehabilitation program carried out by the athlete voluntarily to educate and spread awareness among the young and budding athletes about the harmful effects of doping in sports, which would also be helpful to curb the menace of doping in sports. The rehabilitation programs carried out by the athlete at various levels are on records.

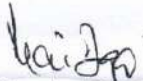
We do feel that if the remaining four months ineligibility period is not revoked it will be too harsh a punishment and as rightly submitted by the sportsperson it will deprive him from participating in 5 seasons. We therefore deem it fit and proper to revoke the suspension left of four months in this case, having regard to the facts and circumstances of the case and the reformed conduct of the sportsperson which is documented.

We however, make it clear that this order shall not be treated as a precedent in all the Anti-Doping Rule violation cases. Each case has to be dealt with on its own merits. With this caveat, we allow the appeal in part.

The appeal stands disposed of.


Vinay Lamba
Member


Justice R.V. Easwar
Chairperson


Dr. Navin Dang
Member