

DOPING IN SPORTS - A CASE STUDY OF INDIA

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1. INTRODUCTION

Today no one is unaware of doping in sports. The issue of doping has become a regular phenomenon in recent times. We often hear news of athletes and sportsperson being tested positive for doping. The recent instance of doping involving Rio-bound Indian athletes (Shot putter Inderjit Singh and wrestler Narsingh Yadav) has shown that India is not far behind in the “Doping Games”.¹

Doping is an age old phenomenon in sports. In recent times, the doping menace has grown as a monster engulfing all categories of athletes in competitive sports, ranging from school kids to international Olympic champions.²

By definition doping in sports implies athletes taking illegal substances to improve their performances. These illegal substances (Performance Enhancing Drugs) usually work by causing the body to build more muscles or by limiting muscle fatigue.³ It is therefore not permissible in the sporting arena. As a result World Anti-Doping Agency was established in 1999 to check the menace of doping in sports.⁴ WADA is an independent international agency funded by sports organizations and associated countries. It monitors doping in sports based on the World Anti-Doping Code.⁵

¹ Dr. P.S.M. Chandran, Doping monster engulfs Indian sports, The Week (Mar. 10, 2017, 11:20 a.m.), <http://www.theweek.in/news/sports/doping-monster-engulfs-indian-sports-olympics-dope-tests-rio.html>

² *Id.*

³ Deepalakshmi K., The dope on doping in sports, The Hindu (Mar. 10, 2017, 11:40 a.m.), <http://www.thehindu.com/sport/other-sports/all-you-need-to-know-about-doping-in-sports/article8905639.ece>

⁴ Chandran, *supra* note 1.

⁵ Deepalakshmi, *supra* note 3.

At national-level, we have National Anti-Doping Agency (NADA), an independent body under Union Ministry of Sports which monitors the issue of doping within the country.

2. HISTORY OF DOPING IN SPORTS IN INDIA:

The news of Rio-bound Indian athletes (Inderjit Singh and Narsingh Yadav) being linked with the dope test failure shocked the whole nation. However, there have been various incidences in the past where Indian athletes were involved in the doping scandal.

In year 2000, discus thrower Seema Antil was stripped of her gold medal at the World Junior Championships. Further she was issued a public warning by national federation for testing positive for pseudoephedrine.⁶

In 2005, discus throwers Anil Kumar and Neelam Singh were handed two-year suspension for testing positive for Norandrosteron. Anil Kumar was also disqualified from the Asian Championships and was stripped of his bronze medal.⁷

In year 2010, shot putter Saurabh Vij got a two-year ban for testing positive for Methylhexaneamine (A banned stimulant). However, National Anti-Doping Agency (NADA) cleared him within weeks. As a result he was allowed to take part in 2010 Commonwealth Games.⁸

In 2011, NADA handed out one-year ban to six women athletes (Three of them were 2010 Commonwealth Games and Asian Games 4x400m gold medalists). Mandeep Kaur, Sini Jose and Ashwini Akkunji were the members of the 4x400 relay team who tested positive. Apart from them a long jumper Harikrishnan Muralidharan (Handed one year ban by NADA) and sprinter Jauna Murmu (Handed two years doping ban by the NADA) also tested positive for doping.⁹

⁶ Doping in Indian Sports: A brief history, The Times of India (Mar. 11, 2017, 11:45 a.m.), <http://timesofindia.indiatimes.com/sports/rio-2016-olympics/india-in-olympics-2016/miscellaneous/Doping-in-Indian-sports-A-brief-history/articleshow/53377388.cms>

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

The nation was hit with one of the biggest doping scandals in April 2015 when 21 weightlifters were provisionally suspended by the Indian Weightlifting Federation after they tested positive for banned substances across various championships. Later that year, a thrower from Punjab Ketki Sethi was banned for eight years after she failed a dope test during the national meet in Patiala. Further it was her second offence.¹⁰

3. TEST OF DOPING IN SPORTS:

The most common technique for testing doping is mass spectrometry. This method involves firing a beam of electrons at urine samples to ionize them (Turning the atoms into charged particles by adding or removing electrons). Each substance the sample contains has a unique "fingerprint". Since the scientists already know the weight of many steroids, they are able to detect doping.¹¹

However there were various defects in this system. Some by-products of doping substances were so small that they failed to produce a strong signal for detection.

Blood testing is capable of detecting EPO and synthetic oxygen carriers, but not blood transfusions. Therefore a new method was introduced to aid the detection of such transfusions. The technique is called biological passport. This technique was brought in by WADA in 2009, with an aim to reveal the effects of doping rather than detect the substance or method itself.¹²

Biological Passport is an electronic document about an athlete that contains certain markers from throughout his/ her career. If these change dramatically, it alerts the officials that the athlete might be doping. However, some scientists have questioned the passport's efficiency - especially in the cases when complicating factors such as training at altitude are factored in - but also its sensitivity to micro-dosing, a little-but-often approach to doping.¹³

¹⁰ *Id.*

¹¹ Doping in sport: What is it and how is it being tackled? , BBC (Mar. 11, 2017, 1:20 p.m.), <http://www.bbc.com/sport/athletics/33997246>

¹² *Id.*

¹³ *Id.*

The WADA Code has prescribed International Standard for Testing and Investigations. It has also laid down detailed procedures to notify athletes, collect samples, conduct tests, and investigate a possible failure to comply these rules. The Code has set out 10 anti-doping rule violations. Violation of one or more of these rules can lead into an investigation.

1. Presence of a prohibited substance in an athlete's sample.
2. Use or attempted use of a prohibited substance or method.
3. Refusing to submit to sample collection after being notified.
4. Failure to file athlete whereabouts information & missed tests.
5. Tampering with any part of the doping control process.
6. Possession of a prohibited substance or method.
7. Trafficking a prohibited substance or method.
8. Administering or attempting to administer a prohibited substance or method to an athlete.
9. Complicity in an ADRV.
10. Prohibited association with sanctioned Athlete Support Personnel.¹⁴

4. PUNISHMENT FOR DOPING AND OTHER LEGAL PROVISIONS:

According to WADA sanctions, punishment for doping may range from a reprimand to a life-time ban. The period of ban may vary depending upon the type of anti-doping violation, the circumstances of an individual's case, the substance, and the possible repetition of an anti-doping

¹⁴ Deepalakshmi, *supra* note 3.

rule violation. However the decision to strip the medal lies with the respective sports organization.¹⁵

Further an athlete is also entitled for a fair hearing and appeal on any decision in regard of a positive test or sanction imposed for an anti-doping rule violation. The athlete can also request for a re-test — B sample analysis.¹⁶

The World Anti-Doping Agency (WADA) in 2013 has approved strict punishments for athletes found guilty of doping, increasing the ban period from two years to four years. The new code came into effect from 1st of January 2015. WADA's new code has also increased flexibility in the punishment of athletes who were found to have mistakenly taken banned substances or who cooperate with doping investigations. Apart from that more powers have been assigned to the anti-doping authorities to punish the coaches and trainers who help athletes dope.¹⁷

5. CONCLUSION:

The Russian Parliament has voted in favor of a bill that outlines new sanction including prison terms for coaches found guilty of coercing athletes into doping.¹⁸ This has been done in the wake of recent doping instances which shocked the whole of Russia and the world. To come out of the menace of doping Russia has passed this deterrent law.

Hence, now it's time for India to pass such law which would deter the athletes and their coaches from involving themselves in such activities. Sports should be played with true sportsmanship because the goal of Olympic Movement was to contribute in building a peaceful and better world by educating youth through sport practiced without discrimination of any kind and in the Olympic spirit. This also required mutual understanding with a spirit of friendship, solidarity and fair play.¹⁹

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Drugs in sport: Wada doubles doping ban in new code, BBC (Mar. 10, 2017, 8:30 p.m.), <http://www.bbc.com/sport/24955873>

¹⁸ Russian parliament passes tough Anti- doping bill, The Indian Express (Mar. 10, 2017, 9:20 a.m.), <http://indianexpress.com/article/sports/sport-others/russian-parliament-passes-tough-anti-doping-bill-3735326/>

¹⁹ Promote Olympism in Society, Olympic (Mar. 10, 2017, 10:20 a.m.), <https://www.olympic.org/the-ioc/promote-olympism>

Thus, it's high time for us to remove this menace of doping from sporting arena by passing a strict law followed by strict implementation.

