भारत सरकार
खान मंत्रालय
शास्त्री भवन : नई दिल्ली

नियत लिथि/Due date – 20.09.2013
Reg. No. MINES/R/2013/00279

विषय: सूचना का अधिकार अधिनियम, 2005 के अंतर्गत प्राप्त आवेदन।

सूचना का अधिकार अधिनियम, 2005 के अंतर्गत प्राप्त आवेदन को सूचना प्रदान करने हेतु अनुमानित किया जा रहा है। सूचना निर्धारित समय सीमा (30 दिन) में आवेदक को मिज़वा दी जाए।

2. सूचना का अधिकार अधिनियम, 2005 के धारा 6(3) के अनुसार यदि मांगी गई सूचना का विषय अन्य सरकारी कार्यालय से जुड़ा/सम्बन्ध द है तो वह अधिकारी, जिसको आवेदन भेजा गया है, ऐसे आवेदन को संभालक सरकारी अधिकारी/कार्यालय को, आवेदन की प्रार्थना की तारीख से व्यापक लेखन 5 दिनों के भीतर अनुरोधित कर सकेगा तथा इस बारे में आवेदक को भी सूचित करेगा। इसके अलावा, सूचना का अधिकार अधिनियम, 2005 के धारा 5(4) और 5(5) के तहत अपने कर्तव्य के नियमों के लिए केंद्रीय लोक सूचना अधिकारी यदि किसी अधिकारी से कोई सहायता मांगे तो उसे पूरी सहायता प्रदान करने होगी और जिस अधिकारी से सूचना मांगी गई है उसे इस अधिनियम की धाराओं के उल्लंघन की स्थिति में केंद्रीय लोक सूचना अधिकारी माना जाएगा।

3. अनुमान है कि आप सूचना का अधिकार अधिनियम (शुल्क और लागत का विवरण) निर्माण करेंगे।

2005 के अनुसार अपेक्षित शुल्क लेने के बाद, लोक सूचना प्रकोष्ठ (PI Cell) को सूचित करें हुए सीधे ही प्रार्थियों को सूचना प्रदान कर सकेंगे। यदि पूरी सूचना इसका कुछ भाग रोक जाना अपेक्षित है तो, सूचना को रोके जाने के कारणों को व्याख्यातम करें और इसके अनुसार अपेक्षित सूचना दिनों के भीतर अपलोड करें।

कृपया आप प्रार्थियों को यह भी बताएं कि यदि यह इस आदेश से संतुष्ट नहीं है तो यह इस आदेश/पत्र की प्रार्थि से 30 दिनों के भीतर अपलोड की अनुचित अधिकारी (अपलोड अधिकारी का नाम/पता भी दिया जाए) के समक्ष अपील कर सकता/सकसकी है।

(राजेश शाह/Rajesh Shah)
E.S.I.P. आई.आई.ओ./ACPIO

संलग्न: यथापूर्व

(राजेश शाह/Rajesh Shah)
E.S.I.P. आई.आई.ओ./ACPIO

32/14-4/2012

(राजेश शाह/Rajesh Shah)
E.S.I.P. आई.आई.ओ./ACPIO
To,

The Secretary/CPIO
Ministry of Mines
Shastri Bhavan
New Delhi

Dated: 13th August, 2013

Subject: Request for Information under Right to Information Act 2005.

Ref: Geologists Examination-2011

Sir,


I have attended Geologists Examination-2011 conducted by UPSC, to the post of Junior Geologist in Geological Survey of India, (Ministry of Mines) and on 05/09/2012 my interview was taken at UPSC, New Delhi and I cleared the same. My Reg. No. is 003731 and my Rank No. is 173 and my 1st Medical Examination was on 27/12/2012 at RML Hospital New Delhi and Medical board declared me unfit due to high Myopia. Then I took laser treatment to correct my vision and after correction a letter along with Fitness certificate was sent to the Ministry of Mines requesting a second medical examination. In response to my letter, the Ministry vide its letter dt. 17.06.2013 asked me to appear for my Second Medical Examination before the Medical Board, Safdarjang Hospital, New Delhi. Subsequently, I attended the Second Medical examination at Safdarjang Hospital, New Delhi on 01/07/2013. I wish to seek information as under:-

QUERY:

1. What is time (in terms of days) limit Max/Minimum to communicate the candidate the result of his medical examination conducted by the Central Standing Medical Board for the post of Geologist and what is the Mode of Communication used to communicate the same.

2. What are the reasons for not informing the RTI applicant about the result of her medical examination that she underwent on 01/07/2013 before the Medical Board?

3. Whether RTI applicant is declared Fit or Unfit in the 2nd Medical examination conducted on 01/07/2013 by the Central Standing Medical Board (CSMB), Safdarjang Hospital?

   (a) If I am declared UNFIT, what are the reasons stated by the said CSMB?

4. What is the Medical Examination Result forwarded by Safdarjang Hospital to Ministry of Mines in regard to my second Medical examination held on 01/07/2013?

5. What is my Visual Acuity/eye sight (e.g. 6/6 or 6/9 etc.) as per the result of my 2nd medical examination conducted on 01/07/2013 by the Medical Board, Safdarjang Hospital?

Vandana

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Whether Medical Board, Safdarjung Hospital has forwarded or supplied to the Ministry the result of the 2\textsuperscript{nd} medical examination conducted on the RTI applicant on 01/07/2013?

(Answer in YES or NO)

7. If the answer to above Query No.6 is 'YES' then please provide/supply a copy of the same to the RTI applicant?

8. If the answer to above Query No.6 is 'NO':
   (A) Reasons for not supplying?
   (B) When would the same be supplied to the Ministry?
   (C) Whether there is any time frame for supplying the medical examination result by Medical Board? If YES, what is the time frame?

9. If the answer to above Query No.6 is 'YES' then Whether the said result is termed FIT or UNFIT by the Ministry of Mines?

10. Is LASIK/LASEK Surgery allowed for the post of Jr. Geologist? Answer YES or NO?

11. If answer to above Query 10 is 'NO', then which surgery/treatment is allowed for curing high myopia? Since, as per the gazette, surgery is allowed for any type of disability.

12. Whether your gazette notification certify that a minor disability disqualifying a candidate for the post of Jr. Geologist can be cured by treatment either medical or SURGICAL?

13. Whether the Ministry of Mines have given any instruction/direction/order(s) to the Medical Board, Safdarjung and RML Hospital to declare candidates who have treated their High Myopia with LASIK surgery to be declare UNFIT?

(Answer YES or NO)

(A) If YES, please provide a copy of the instruction/direction/order(s) and the date it was sent by the Ministry?

14. Whether the Ministry of Mines have received any medical opinion from the Medical Board, Safdarjung and RML Hospital stating LASIK surgery as a disqualification for candidates for the post of Jr. Geologist?

(Answer YES or NO)

(A) If YES, please provide a copy of the opinion and the date it was received by the Ministry?

15. How many seats for Jr. Geologist post was advertised for Geologist Examination 2011?

16. Whether the post for Jr. Geologist advertised for Geologist Examination 2011 are filled in OR to be filled from the list of selected candidates?
What is the reason that I was not issued the offer of appointment for the post of Jr. Geologist for Geologist Examination 2011?

18. If the answer for Query 17 is on medical grounds then give the details as to why I was declared medically UNFIT?

19. Whether there is any candidate of Geologist Examination 2009 who was though declared medically Unfit for LASIK surgery by the CSBM are given appointment? If YES, why was that candidate/s given the appointment, state the reasons?

20. Whether LASIK surgery is a disqualification for the appointment to the post of Jr. Geologist? If YES, what are the reasons stated by the Medical Board to the Ministry?

21. Whether LASIK surgery is declared a medical prohibition/disqualification in the gazette advertisement for the post of Jr. Geologist as on today?

22. Whether Ministry treated LASIK surgery as a disqualification as per the rules and regulations laid down for the physical examination of a candidate to the post of Jr. Geologist available in the Gazette Notification for the advertisement for the Geologists Examination, 2011?

23. Whether your Gazette notification for the Geologists Examination, 2011 disqualifies LASIK surgery for candidates for the post of Jr. Geologist?

(Answer YES or NO)

Sir, I am sending herewith detail application seeking information under the RTI act, 2005. The personnel details of undersigned and other details are as follows:

Name: VANDANA KHAMPA
Postal Address: HNO-16, Shakti Vihar Colony, NR Police Line, Rudrapur, DT-U.S. Nagar -263153, UTTARAKHAND
Telephone No.: NA
Email ID: vandanakhampa@gmail.com
Application Fee: Rs. 10/- (Rupees Ten Only)
Mode of payment: Indian Postal Order (IPO No. 5720)

Thanking you.

Sincerely yours,

(Vandana Khampa)
To
Ms. Vandana Khampa,
H.No.16, Shakti Vihar Colony, NR Police Line, Rudrapur,
DT-U.S. Nagar-263153, Uttarakhand.

Subject:- Supply of information to Ms. Vandana Khampa, regarding the medical examination for the post of Geologists’ Examination, 2011.

Sir,

Please refer to your application dated 13.8.2013 for seeking various information under the RTI ACT, 2005 on the above mentioned subject.

2. The information is as follows:-

1. No time frame has been suggested for candidates for communicating his medical status whether he is fit or unfit after he appeared for medical examination conducted Central Standing Medical Board for the post of Geologist.

2.14 Due to Lasik Surgery, Decision regarding fitness is subject to decision by DOPT/Ministry of Mines.

Please refer to the regulations for the physical examination of the candidates to available in the Gazette for the Geologists’ Examination, 2011. It also depends on the opinion of the medical board.

RML hospital has declared candidates unfit for Lasik Surgery. Safdarjung hospital informed vide their letter dated 5.11.2012 that “as per existing guideline of medical standard of Geologist, any candidate who has got corrective surgery done for myopic such as lasik are declared unfit”. Hence no candidate found fit by the CSMB of Lasik surgery.

Ministry provide a 2nd chance to those candidates who were found medically unfit or temporarily unfit by the hospitals. Finally the offer of appointment to be issued to those candidates who are medically fit by the hospitals subject to verification of their character and antecedents.

Because of Medical decision,
The medical examination report is confidential.

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17 & 18 Due to Lasik Surgery, Decision regarding fitness is subject to decision by DOPT/Ministry of Mines.

19. Two candidates namely Ms. Sreeja and Shri Anjanjyoti Deka of the Geologists’ Examination, 2009 has been offered appointment subject to (i) final outcome of SLP No.18220/2012 filed by the Union of India Vs. Ms. Sreeja K before the Hon’ble Supreme Court of India and the said SLP is pending before the Supreme Court (ii) final outcome of the writ petition.
No 4981/2012 filed by Union of India Vs. Anjanjyoti Deka before Hon'ble High Court, Guwahati Bench. The order of the Hon'ble High Court Bench in the aforesaid W.P. has been challenged before the Supreme Court and the SLP is under process.

20to23 The post of Geologist is a Scientific & Technical post. As per responsibilities and 13 duties of Geologist, the field work is required to be performed by the Geologist. The field work chiefly involves breaking and observation of rocks with or without hand lens, collection of isitu rock, sediment and soil samples, geological and geophysical mapping, collection of water samples and also working in high altitude and difficult terrains.

It may also be informed to her that the regulations for the physical examination of the candidates related to the medical examination of the candidates available in the advertisement for the Geologists' Examination, 2004. No further information is available with the undersigned. However, DOPT in its OM No.11/18/2011-IR dated 16.9.2011 clarified that "A public authority is not required to furnish information which require drawing of inferences and/or making of assumption. It is also not required to provide advice or opinion to an applicant, nor required to obtain and furnished any 'opinion or advice' to an applicant. The reference to 'opinion or advice' in the definition of 'information' in section 2(f) of the Act, only refers to such material available in the records of the public authority.

Yours faithfully,

(Sunita Magoo)
Section Officer/CPIO

Copy to

PI Cell w.r.t. their U.O.No.MINES/R/2013/00279 dated 22.8.2013