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

भारत सरकार
खान मंत्रालय
शास्त्री भवन : नई दिल्ली

निवास: सूचना का अधिकार अधिनियम, 2005 के अंतर्गत प्राप्त की गई सूचना का विवरण अथवा सूचना देने के अनुसार यदि वह अधिकारी, जिसका सरकारी संचालन का अधिकार प्राप्त है, ऐसे सरकारी अधिकारी को अपेक्षाकृत सत्यापन के अनुसार सूचना देने का निर्देश प्राप्त करता करेगा। इसके अनुसार, सूचना का अधिकार अधिनियम, 2005 की धारा 6(3) के अनुसार यदि मांगी गई सूचना का विवरण अथवा सूचना देने के अनुसार वह अधिकारी, जिसका अधिकारी का संचालन का अधिकार प्राप्त है, ऐसे सरकारी अधिकारी को अपेक्षा की गई सूचना सूचना के अनुसार सूचना देने का निर्देश प्राप्त करता करेगा। इसके अनुसार, सूचना का अधिकार अधिनियम, 2005 की धारा 5(4) और 5(5) के अनुसार आदेश के अनुसार यदि वह अधिकारी को जल्दी सूचना मांगी गई तो उसे पूरी सहायता प्रदान करनी होगी और जिस अधिकारी के संबंध में सूचना मांगी गई है उसे इस अधिनियम के धाराओं के तहत इस अधिनियम के धाराओं के तहत अपेक्षा की गई सूचना मांगे जाएगा।

3. अनुसार है कि आप सूचना का अधिकार अधिनियम (शुल्क और लागत का विविधता) नियमावली, 2005 के अनुसार अपेक्षित शुल्क लेने के बाद, लोक सूचना प्रकोष्ठ (PI Cell) को सूचित करके अधिकारी को सूचना प्रदान कर दें। यदि पूरी सूचना इसका कुछ भाग रोका जाना अपेक्षित है तो, सूचना को लेने के कारणों को व्याख्यात्मक क्रम में (स्पष्टतः अपेक्षित आदेश) संगठित रूप से उल्लिखित किया जाए। कुछ अप्राप्त सूचना को जल्दी सूचना की अधिकता के अनुसार सूचना देने के अनुसार सूचना देने का निर्देश प्राप्त करता करेगा। इसके अनुसार, सूचना का अधिकार अधिनियम (शुल्क और लागत का विविधता) नियमावली, 2005 के अनुसार अपेक्षित शुल्क लेने के बाद, लोक सूचना प्रकोष्ठ (PI Cell) को सूचित करके अधिकारी को सूचना प्रदान कर दें। यदि पूरी सूचना इसका कुछ भाग रोका जाना अपेक्षित है तो, सूचना को लेने के कारणों को व्याख्यात्मक क्रम में (स्पष्टतः अपेक्षित आदेश) संगठित रूप से उल्लिखित किया जाए। कुछ अप्राप्त सूचना को जल्दी सूचना की अधिकता के अनुसार सूचना देने के अनुसार सूचना देने का निर्देश प्राप्त करता करेगा।

(राजेश शाह/Rajesh Shah)
ए.सी.पी.आई.ओ./ACPIO

संग्रह: यथोपरि

राजेश शाह (Rajesh Shah) /ए.सी.पी.आई.ओ./ACPIO

श्रीमती शृंगार शाह, अनुभव अधिकारी, केंद्रीय लोक सूचना अधिकारी, खान मंत्रालय
पी.आई. सैल/PI Cell U.O. No. MINES/R/2013/00279 दिनांक/Dated 22.08.2013

प्रतिलिपि सूचनार्थ –

(राजेश शाह/Rajesh Shah)
ए.सी.पी.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, Safdarjung Hospital, New Delhi. Subsequently, I attended the Second Medical examination at Safdarjung 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), Safdarjung 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 Safdarjung 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, Safdarjung Hospital?

Vandana
Whether Medical Board, Safdarjung Hospital has forwarded or supplied to the Ministry the result of the 2nd 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?

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

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?

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?

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

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?

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.1)

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.

15. 300.


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.16220/2012 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 observatio of rocks with or without hand lens, collection of isitu rock, sediment and solid 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, 2014. 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/PIO

Copy to

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