

Case Sheet (updated in March. 2013)

Right to job of visually challenged person, Lucknow, Uttar Pradesh, India

1. Summary of the case

As per Census 2001, there were 2.19 Crores (2.13% of the Population) persons with disabilities. The National Sample Survey Organization (NSSO) in its 58th rounds during July-December 2002, estimated that the number of persons with disabilities in India was 1.85 Crores (1.85% of population.¹ According to the World Bank Report “People with Disability in India: From Commitments to Outcomes”, low literacy, few jobs and widespread social stigma are making disabled people among the most excluded in India. Among these 21, 90 million physically challenged in India, 33% are visually challenged.

Disability-wise details (in lakhs)

Disability	NSSO (in lakh/%age)	Census(in lakh/%age)
Locomotor	106.34(51.19%)	61.05 (27.86%)
Visual	28.26 (13.60%)	106.3 (48.54%)
Hearing	30.62 (14.74%)	12.62 (5.76%)
Speech	21.55 (10.37%)	16.41 (7.49%)
Mental	20.96 (10.09%)	22.64 (10.33%)
Total	207.73 (1.8)	219.02 (2.1%)

Source: NSSO-02 & Census-01

One of the important and crucial points to be noted is that 75% of the persons with disabilities are in the rural areas as per both the estimates.

Main causes of blindness are as follows: - Cataract (62.6%) Refractive Error (19.70%) Corneal Blindness (0.90%), Glaucoma (5.80%), Surgical Complication (1.20%) Posterior Capsular Opacification (0.90%) Posterior Segment Disorder (4.70%), Others (4.19%) Estimated National Prevalence of Childhood Blindness /Low Vision is 0.80 per thousand²

Due to the pressure of some human rights organizations, in 1995, the Government of India (GoI) framed the law called ‘The Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995, popularly known as “ Viklang Vidheyak” (hereafter refer to as PWD Act). Under this Act, Chapter VI, Articles 32 and 33, the 3% vacancies in Government shall be reserved for blindness/low vision, hearing impairment, locomotor disability and cerebral palsy. In the view of Central Act U.P. Govt. also formulate rules with similar provision in reservation which also

¹ <http://www.censusindia.net/>

² <http://npceb.nic.in/>

guaranteed in the State of Uttar Pradesh (e.g. 1% for visually handicapped, 1% for physically handicapped and 1% for hearing impairment people).

Notwithstanding the PWD Act, employment of physically challenged still remain unmet. Only 0.44%³ of all the posts in the Government & public sector companies have been filled by disabled. Even though persons with disabilities constitute a significant 5 to 6 per cent of India's population, their employment needs remain unmet, says a study by India's National Centre for Promotion of Employment for Disabled People, in spite of the "People with Disabilities" Act, which reserves for them 3 per cent of government jobs. Of the some 70 million people with disabilities in India, only about 100,000 have succeeded in obtaining employment in industry⁴.

The Committee on Economic, Social and Cultural Rights has done important work in interpreting international legal principles applicable to persons with disabilities. In its General Comment No. 5 (1994) on disability, the Committee defined the rights of persons with disabilities and made explicit reference to their right to physical and mental health, which implied the right to have access to, and to benefit from, those medical and social services that would enable them to sustain and reach their optimum level of independence and functioning. In its General Comment No. 14 (2000), the Committee adopted an operational approach to the right to the highest attainable standard of health, and reaffirmed the provisions of General Comment No. 5, in particular as concerns the right to physical and mental health. The Committee stressed the need to ensure that not only the public health sector but also private providers of health services and facilities comply with the principle of non-discrimination in relation to persons with disabilities. Govt. of India has signatories of these.

Since 2005, FIAN UP has been demanding for the fulfilment of the right to food of 15 (currently 12) visually challenged who reside in Lucknow (detailed list of the concerned persons is given in point 2.a). These 15 visually challenged come from economically poor families and they also not allow to enjoy resources as other family members. They are considering them as burden to them. Their family members not providing any share in the family property.

Very often, visually challenged persons do not have any social functions and their own families even tend to hide them at home. As a result, many visually challenged remain unmarried and suffer from social exclusion. These 12 visually challenged person also facing same situation. They moving here and there, where few people give them leftover food on mercy. They took shelter at NAVH office or any other find the place of shelter at night. After FIAN UP's long advocacy efforts and with the support of other CSOs, 3 people (one female and two male) were given employment⁵ in 2011, while 12 are still waiting to be awarded employment under the Act.

The blind people have already done some specific vocational training courses like weaving of chair, Braille alphabets, etc. by the support of government schemes and this training would help them to get Govt. job.

³ Source: <http://www.dnis.org/Employment.pdf>

⁴ Source: <http://www.un.org/disabilities/convention/pdfs/factsheet.pdf>

⁵ They also received aid and appliances (hearing aid, tricycle, walking stick, travel allowances)

2. Information related to the affected communities or victims

The victims are individuals or communities whose right to food or related rights (such as right to water, right to health, right to housing, etc.) are violated due to actions or omissions of the State. They have normally already suffered, are suffering or are under the threat of suffering a **damage** derived from this situation.

a) Affected communities or victims

12 individuals who are visually challenged. They all come from rural background, with small land holding families of different states. They have different caste and economical background. Most of them are up to then 10th standard and above but are still unemployed. They are all members of the National Association of the Visually Handicapped (NAVH). The name of all 12 people are given below:

1. Mr. Ramdhari Singh (Age- 21 yrs, Resident of Ambedkar Nagar, UP)
2. Mr. Parmanand Dwiwedi (Age- 28 yrs, Kaimur, Bihar)
3. Mr. Shriram Chaurasia (Age- 29, Resident of Sant Kabir Nagar,UP)
4. Mr. Bahadur Chauhan (Age- 28, Resident of Gaghipur, UP)
5. Mr. Rahul Kumar Gupta (Age- 22, Resident of Lucknow)
6. Mr. Ramesh Chandra (Age-29, Resident of Pauri Garhwal, Uttarakhand)
7. Mr. Khem Singh (Age-28, Resident of Tehari, Uttarakhand)
8. Mr. Gabbar Singh (Age- 30, Resident of Chiterpur, Madhya Pradesh)
9. Mohd. Rauf (Age-30, Resident of Allahabad, UP)
10. Ms. Sudha Kumari Sharma (Age- 22, Resident of Deoria, UP)
11. Mr. Sunil Kumar (Age- 24, Resident of Auraiya, UP)
12. Mr. Gajendra Yadav (Age- 30, Resident of Lucknow)

b). Number of affected women and girls

Among the 12 persons, 11 are men and 1 is a woman.

c) Names of the **community representatives** and the best way to get in contact with them (telephone, e-mail, address, skype)

Mr. S.K. Singh is the General Secretary of National Association of the Visually Handicapped (NAVH). NAVH is a premier membership based organisation in the field of visual disability working under the administrative control of Ministry of Social Justice and Empowerment, Government of India. The Institute is committed to promote rights and dignity of persons with visual impairments. FIAN UP is doing advocacy with departments and other stake holders and following the case with NAVH. Mr. S.K Singh was also the board members of FIAN UP till Oct. 2012.

Name: Mr. S.K. Singh
Address: MMIG 275/1,
Tikait Rai Colony,

Lucknow -226004
M.N. +91-9415016425
E-Mail (if available): No
Fax (If available): No

3. Responsible authorities

Responsible authorities are those directly responsible for the situation of the victims because they are not complying with the human rights and/or legal, administrative obligations derived from their official position. This non-compliance can be because they have acted against their duties (action) or because they have not carried out these duties (omission).

a) Name of the main national authorities alleged of being responsible. Please give postal codes for all

1. **Sri Akhilesh Yadav**
Chief Minister,
Uttar Pradesh, India
Secretariat Annexe, Sarojani Nayadu Marg,
Lucknow- 226001
Ph. +91-522-2238216

This ministry is concerned to the welfare scheme of the disabled we can approach them to provide the benefit of the scheme to disable person.

2. Deputy Secretary
Ministry of Social Justice and Empowerment,
Room. No. 609, 'A' , Wing, Shastri Bhawan,
Dr. Rajendra Prasad Road,
New Delhi - 110001 (India)
Telephone No: 91-11-23070094

3. Principal Secretary
Viklang Kalyan Vibhag (Disable welfare Department)
Government of Uttar Pradesh
Navin Bhawan , Secretariat, Lucknow U.P., India
Pin code- 226001
Ph. +91522-2237965

b) Are international or foreign authorities/organizations involved? NO

4. Involvement of third parties

If there are actors other than authorities involved in the situation of the affected communities (e.g. land lords, national/transnational companies, private actors acting in the name of the State), please include the following information.

- a) Name of the third party. No
- b) Nature of the third party - Not applicable
- c) Way of involvement of the third party. - Not applicable

5. Damages suffered by the victims/communities

A damage can be documented when the situation of people is affected due to the actions or omissions of authorities. One can identify damage by comparing the past situation with the current situation. If the current situation is worse than before, it is possible to identify damage. Damage can be patrimonial, physical, mental, psychological and also moral (related to human dignity).

Following questions help to identify damages. **Provide answers only to those pertaining to the specific case. If necessary, add other identified damages not covered in the guiding list provided below.**

Please also describe how damages affect **women/girls and other specific groups** (according to age, social – economic status, ethnicity, disabilities, etc.) differently.

Remember damages can be **current or future**. Future damages are those which will definitely occur. For example, severe malnutrition of fetus *in utero* and of infants until two years of age will certainly negatively affect children's performance in school at a later age, and adversely affect their learning capacities. The future damages can also be mentioned.

Many of these damages are associated with **acts of violence**, of different nature, carried out by the State, or by third parties, and even in the household. Please provide detailed information on these facts.

12 visually challenged people are unable to earn any income because of an exclusion from potential employment opportunities. As such, they are unable to feed themselves adequately due to lack of income. The visually challenged receive minimal support from their friends and/relatives. They also do the bagging for fulfilling their minimum needs. Few community members, small restaurant, food stall and shopkeepers donate them leftover or extra food. That caused for their stomach disorder and illness.

a) **Access to natural and productive resources** No

b) **Food and Nutritional Security situation:** No

c) **Changes in traditional food intake:** Here you have to include if there is any kind of change in the kind of food they were eating/consuming.

d) **Access to markets, seeds, credits** No

e) **Decrease in amounts of yield production,** No

f) **Amount of income:** They are facing discrimination and due to lack of income, the visually challenged are unable to feed themselves.

The visually challenged people are jobless. They do not receive any financial support from their family members and lack any source of income that would enable them to buy food on the market. The 12 visually challenged are living in a very poor condition, they are not getting support from their family members, they have no any source of their own income, in case of any occasional health disorder (diarrhea, dysentery, cold and fever) they used to go government hospital, but there also need some money to purchase medicine from market, in these situation they ask for help to their friends, are ask donation. Otherwise they unable to purchase medicine. They have disability certificate from their Chief Medical Officer CMO after medical examination. These certificate helps they to get 75% discount by the UP transport department in travel. They have got vocation training in chair knitting, Nivad knitting and Braille alphabets, etc, but still jobless.

Blind people are physically not able to do all type of work, it is responsibility of the government to provide them some special trainings to develop skill so that they can get job and survive, the condition of blind people is very poor in our country, most are jobless, their family members feel them like a burden so these people became mentally ill, some are begging at footpath their human dignity is suffering.

g) Food contamination: No

h) Threats to physical integrity, criminalization or judicialization: No

i) Health conditions:

Though they have very limited access over resources, therefore their livelihood is going to badly affected. Due to non a availability of proper and nutritious foods, living and eating in unhygienic conditions their health conditions also affected. They face the mal-nutrition, vulnerability to the communication diseases. These 12 visually challenged people do not have because they are jobless, as such have no source of income.

Also, they do not have access to drinking as well water for daily use. The maintenance of water is also not properly doing, therefore many water-borne diseases and skin disease affected them. No available proper water and sanitation so they have lice in their head and cloth, scabies and suffer from other skin diseases.

6. Human rights and legal Analysis

To talk about a right means that the state (“duty bearer”) has obligations under international human rights or national law to comply with regard to each person/group and even with the collectivity (“rights holder(s)”). In order to argue a case, it is relevant to identify which state obligations have not been complied with by the competent authorities. Damages can be attributed to authorities if you can prove that they had an obligation but breached it. The following questions help to identify the breached obligations. Please identify which obligations have been breached in the specific case and describe how it took place with regard to the attributes of adequacy, access, availability and sustainability. In your analysis, you can also mention non-compliance of human rights principles of participation, accountability, transparency, human dignity, empowerment and the rule of law.

a) Obligation to respect:

b) Obligation to Protect:

c) Obligation to fulfill:

Due to lack of income, the 12 visually challenged persons are unable to feed themselves adequately.

According to the General Comment 12 on the Right to Food, the right which is enshrined in the International Covenant on Economic, Social, and Cultural Rights (ICESCR), economic and physical accessibility to food must be guaranteed. Economic accessibility implies that personal or household financial costs associated with the acquisition of food for an adequate diet should be at a level such that the attainment and satisfaction of other basic needs are not threatened or compromised. Economic accessibility applies to any acquisition pattern or entitlement through which people procure their food and is a measure of the extent to which it is satisfactory for the enjoyment of the right to adequate food.

Socially vulnerable groups such as landless persons and other particularly impoverished segments of the population may need attention through special programmes⁶.

Despite India being the State Party to the said Covenant, it has failed to provide employment under the PWD Act.

The UN Convention on the Right of Person with Disabilities gives people with handicap a chance to live his/her own life, his/her own way. To be able to live a dignified life, their rights have to be respected and protected by the government/state (UN Convention on the Right of Person with Disabilities Art 1. and art 4).

They have the right to:

- They are entitled to live and be treated in the same way as every one else in society (UN Convention on the Right of Person with Disabilities Art 3)
- An independent life. They can live independently if the state removes all obstacles and difficulties in the community (UN Convention on the Right of Person with Disabilities art. 9, art 19 and Viklang Vidheyak act 44, 45, 46)
- Requirements for education on an equal basis like other people (UN Convention on the Right of Person with Disabilities Art. 24)
- Requirements for habilitation and rehabilitation (UN Convention on the Right of Person with Disabilities Art. 26)
- Requirements for equal rights at work and employment. Facilitation makes it easier for the blind people to work, but it also makes it easier for employers to hire other blind people in the future. (UN Convention on the Right of Person with Disabilities Art. 27 and Viklang Vidheyak act 32, 33)
- Facilitation at school/universities, work and other areas that are open to the public (UN Convention on the Right of Person with Disabilities Art 9 2d, e. f. Art 20 b, c, d. Art. 24 2c. Art 27 1i and Viklang Vidheyak act. 42, 43)

• “The state's obligation to fulfil means that it should help those who do not already enjoy the right to food by creating opportunities for them to provide for themselves. If these three safeguards fail to secure adequate food for all, then the state should provide, especially to those who because of age, disability, unemployment or other disadvantages cannot fend for themselves. Convention on the Rights of Persons with Disabilities (2006)”

Also mention the International Covenant on Economic, Social and Cultural Rights, (Right to Food, Right to Work)

Please also take a look at the General Comment 5: Persons with Disabilities

e) **Discriminatory measures/situations:**

In Uttar Pradesh the condition of visually challenged is very poor, as per *The Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995*, visually challenged have the right to job in government department with minimum 1% reservation, but before last year(2012) state government was not taking care on the job issue of visually challenged, the vacancies for these people were left vacant although the other normal vacancies were being filled in the same department.

⁶ CESCR, General Comment 12, The right to adequate food, paras 7-13.

f) Regressive measures:

g) Extraterritorial obligations)

h) Please describe specific public policies:

Government of India framed a law called 'The Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995 Popularly known as "Viklang Vidheyak".

Under this Act the physically challenged people have right to get government jobs and 3% reservation should be insured in this regards. All the state government, including the Government of Uttar Pradesh, should respect this Act. All the blind persons have right to get the government jobs under this Act and minimum 1% (one percent) reservation should be implemented.

7. History of defense and advocacy by the affected communities or supporting groups

In order to strategize for a case, it is necessary to know what the affected communities have already done to defend their rights in relation to the case under study and which responses they have already received. Please include a short reference here and annex the available documentation (e.g. letters, responses, reports, news, etc.)

a) Political advocacy and administrative interventions

- 1) This case was taken by FIAN UP in 2005 after a group of blind people named NAVH (National Association of the Visually Handicapped) requested for the follow up of job for 15 visually challenged people.
- 2) FIAN U.P. and FIAN Norway started to campaign in 2005 for the employment of 15 visually challenged persons. U.P. state government constituted a high power committee for studying all situation, scope regarding no of post vacant, no of position held and backlogged. The committee look into the matter in Jan.2008. Thereafter FIAN U.P. delegation under the leadership of Mr. S K Singh, FIAN U.P. board members also met to Mr.Satish Misra, President High power committee to put their
- 3) FIAN U.P. and AIM Lucknow delegation team met with blind people in Jan. 2006 to Mr. Shailesh Krishna, Principal Secretary, Chief Minister.
- 4) A convention (Sammelan) of physically challenged was Organized in Kheri district on 30 June 2008. A memorandum was sent to the chief minister of Uttar Pradesh for activating the recruitment of physically children.
- 5) Fact Finding Mission team met with visually challenged in Dec. 2008, for providing support to the visually challenged person.
- 6) In 2009 a letter was given to Mr. Shailesh Krishna (Secretary to Chief Minister UP) regarding the activating the recruitment of visually challenged people.
- 7) A consultation/workshop on the rights of physically challenged was done on 22nd Dec. 2009 in Lucknow. The participants from Government, Journalist, Judiciary and trade union personnel. The participants got sensitized on the issue.
- 8) A letter was given to Principal Secretary of Viklang Kalyan Vibhag (Disable welfare department) by other partner (NAVH) to support in job case of visually challenged people, on 10th April. 2010. A list was given .

- 9) A protest (be precise! A demonstration? How many people participated?) was organized in Lucknow by the physically challenged on 17th Aug. 2010 for the filling of backlog in different government department.
- 10) A workshop/success celebration was organized on 15 Dec. 2011 in Lucknow during the FFM- 2011 after getting job of three visually challenged people.
- 11) In month of Oct. 2012, FIAN UP filed a RTI (Right to Information) application to the Viklang Kalyan Vibhg about the no. of blind person got job in last two years Viklang Kalyan Vibhag sent the reply on 19th Oct. 2012 that the no. is 19.
- 12) Letter sent to State Human right commission for the follow-up of recruitment process of blind person in March 2013.
- 13) National Human Right Commission direction to state human right commission to intervene in this case April, 30, 2013. (Letter enclosed)

Impact:

- 1) Three blind persons were employed in 2011. So the number of visually challenged persons who are still waiting to be employed are 12 (reduced from 15).
- 2) After a long advocacy and follow up, job advertisement were being published in news papers whenever the vacancy published in the news paper for eligible visually challenged people applied for that. It started in the month of Aug. 2012
- 3) On 19th Oct. 2012, Vikalang Kalyan Vibhag sent a letter to FIAN UP to inform about the no. of visually challenged who received employment within the government department. This information is a motivating factor to FIAN members that some blind people were employed last years.

Challenges:

Physically challenged people are not the priority of the government agenda. For this reason, recruitment process is very slow and it takes a long time until impact is achieved. For example, it very often occurs that government departments cancel or postpone the whole recruitment process for long time. after visually challenged candidates have filled out the necessary forms.

Opportunities:

After a long period of non-recruitment of physically challenged, starting in 2012, vacancies are made by different government departments. The new state government has announced the post of village development officer, where the provision for the visually challenged person.

The support of FFM to on demand of vulnerable people (visually challenged) is also a great opportunity to FIAN UP.

Networking with CSOs like NAVH and others is also a good support the case.

- b) **Quasi judicial interventions** (For example: Complaints to ombudsman, public ministry or similar national systems (request national human rights commission to investigate into the case, etc.)

- **Impact**

- **Challenges**
- **Opportunities**

FIAN UP requested to national human rights commission for the advocacy this case .

c) **Legal interventions** (For example: legal petitions, claims to courts, public civil suit, etc.)

- **Impact**
- **Challenges**
- **Opportunities**

d) **Educational/Capacity development interventions** (For example: workshop/training for community members, capacity development for lawyers representing communities, sensitization trainings of officials, judges, or lawyers)

In Jan. 2006 FIAN UP organized a capacity building program for the visually challenged people to sensitize them about their rights.

A workshop on the rights of physically challenged was organized on 22nd Dec. 2009 in Lucknow.

A workshop/success celebration was organized on 15 Dec. 2011 in Lucknow after three visually challenged were employed.

- **Impact**
- Community is more aware of their rights and know ways to claimed them from the authorities.

- **Challenges**

- **Opportunities**

e) **Organizational measures** (Support the establishment of a cooperative of victims, election of community representatives, etc.)

- **Impact**
- **Challenges**
- **Opportunities**

8. Main claims of the victims

FIAN UP do work to provide job for 12 (Three already got) visually challenged person

FIAN is a human rights organization which supports the struggles of victims of violations or of threats of violations, upon the request from the victims. FIAN does not take the lead over the struggle of people, but contributes with its human rights expertise and commitment to support the case and to see that the claims of the affected communities or individuals are responded to. Claims of people can be of diverse nature. In some cases victims may not be aware of the claims they could present. FIAN can support this process by explaining which would be the possible claims, and the instruments available to do so, but the final decision should be taken by the affected groups or persons, and their support organizations.

a) **Material:** Restitution of goods (e.g. land, crops, houses, cattle, etc.) **No**

b) **Moral:** Reparation to psychological and moral damage (affecting human dignity). (e. g. treatment of psychological trauma due to violence, discrimination, damage to cultural identity, etc.)

The main demand of the victim is to fill all backlog vacancies of visually challenged and provide job to the 12 visually challenged people.

c) **Symbolic:** (e.g. construction of a school or statue as a sign of apologies from the state) **No.**

d) **Rehabilitation:** Medical treatment to overcome negative impacts caused by the violation to the psychological or physical health status (e.g. receive nutrition rehabilitation) **No**

e) **Non repetition:** Adoption of measures to prevent that similar violations or threats occur again. **No**

f) **Public policies and legal framework** (structure and implementation): Measures to change public policies causing structural or systematic violations (e.g. adoption of a policy on water or mining in line with human rights obligations)

The main demand of the victim is to fill all backlog vacancies of visually challenged and provide job to the 12 visually challenged people.

g) **Others**

9. Available political, administrative, quasi judicial and legal mechanisms – Assessment of feasibility and criteria for strategic litigation

Political and legal mechanisms are important ways to advocate for rights. Whilst political and administrative tools are more open and flexible, legal mechanisms imply the need to follow established procedures and depend on more specific characteristics of the current situation of the case. Legal measures normally require as prerequisite specific conditions for admissibility. The results obtained with the use of the different mechanisms will depend on many factors aside the good argumentation of the case on the basis of national and international law provisions. Nevertheless, good arguments are essential to achieve results. Political, administrative, quasi judicial, legal, educational, media and organizational work are complementary. The choice of an adequate combination of these measures will depend on the case in the specific national context.

a) Available political mechanisms

Bring the case to the attention of the national level organization as National Association for the Blind, Mumbai

b) Available administrative and quasi judicial mechanisms:

- Petitions to authorities at the district level and state level and central level- Petition to the National human rights commission.

- Is it possible to ask HR Commission to act on the case? What would then be the impact?

c) Available legal mechanisms

It may be the bring the case to court by FIAN UP or NAVH:

10. Risk Management

In order to adopt an adequate strategy it is necessary to identify the existing risks. These can be threats to physical integrity or refer to possible criminalization, stigmatization or defamation to the victims, the support organizations and FIANI itself. The risk analysis should be also taken into account when launching national or international interventions, preparing Fact Finding or Research Missions, publishing reports or giving interviews. Please identify main foreseeable risks and the ways to avoid or minimize them.

a) **Risk of threats to physical integrity. NO**

b) **Risk of legal prosecution. No**

c) **Risk of stigmatization or defamation. No**

d) Please describe the **minimum measures required to reduce** each one of these risks.

11. Involved support groups or other FIAN sections willing to support the case

Case work is a team work, in which the main actors are the affected communities, but also others can play an important role. The main responsible for the coordination of the case strategy within FIAN International, is the Case Unit of the SCC of the country in which the victims are located, in consultation with the IS. Among the other actors involved in the case work and strategy, there may be support groups, other national organizations, development cooperation organizations, lawyers, etc. Also FIAN Case Units based in other SCC can support the case worked by the section of the country in which the victims of the violation are located. In cases of Extraterritorial Obligations, the sections of the country adopting the measures or omitting them can become a very relevant partner.

a) List other national partners involved in the case:

-National Association for the Blind, Mumbai

- Support of *NAVH (National Association of the Visually Handicapped)*, *National Federation of Blind (NFB)U.P. branch*, *Secretary Mr. Arun Tiwari*. *We organize the joint program with support of CSOs, and some time we invite them as resource person to strengthen the victim.*

b) List FIAN Sections willing to support the case: **FIAN India, FIAN Norway**

c) List other international partners supporting the victim groups: **No**

12. Case strategy

A strategy encompasses the goals of the case, which should be in line with the claims of the affected communities. The strategy must also predict possible scenarios and the foreseen activities, under each one of them, in the short, medium and long-term necessary to achieve the goals, with the identification of the people responsible for each activity, resources required, and a calendar of activities. The activities can be of political, administrative, quasi judicial, legal, media, educational or organizational nature. The case strategy and the foreseen scenarios must be updated regularly, adapting to the reality and development of the case.

a) List three main **goals** of the case (attending to the claims of the affected community) If extremely necessary, you may list more:

- Goal 1: To provide job for 12 (Three already got) visually challenged person.

-Goal 2: To effective implementation of ‘The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995

b) Possible scenarios in relation to each of the goals with the respective strategies

- Advocacy with politician for implementation of Act.
- Meeting with Govt officials to provide job for 12 visually challenged person
- Media advocacy for pressurize Govt.

As already experienced, it is a long process until the visually challenged are employed. Is there any shot-term and mid-term strategy

- Capacity building to raised the issue regarding recruitment of visually challenged person as per provision.
- Doing regular interaction with duty bearers.
- Alliance building with other stake holder

Fill the strategy table below:

		Activities	Required Resources	Existing capacities are enough (Yes or No)Additional capacity needed	Date of achievement	Responsible persons and organizations	Follow up measures
Political Strategy	Do advocacy for the effective implementation of “The Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995”,						
	Goal 1	Meeting with the politician and government officials at state and district level	Human resources , finance, Information, Education materials such as poster, film etc. as matter	Yes but it may be needed for the additional support in future		Chief Minister, Principal secretary, Viklang Kalyan Vibhag (Disable welfare department)	Continuous interaction with the authorities,

			regarding job, schemes etc. , support of CSOs(Civil society organizations)				
		FIAN Interventions on the case	Capacity building at FIAN UP and NAVH for better understanding on advocacy and follow up of the case at both level.	Yes	FFM in Dec 2013	PC – FIAN UP FIAN – IS	Continued contact with the struggling groups and between UP and IS
	Goal 2	Mobilizing community to demanding proper implementation of recruitment	Human resources, finance, support of CSOs.	Yes but it may be needed for the additional support in future		Viklang Kalyan Vibhag (Disable welfare department)	Continuous interaction with the community,
		FIAN Interventions on the case	Capacity at Up and IS level	Yes	launched FFM	PC – FIAN UP FIAN - IS	Continued contact with the struggling groups and between UP and IS
Media Strategy	Raising the issues in the media regarding not compliances of the ACT, provision for Visually handicapped						
	Goal 1	Meeting and advocacy with the media and news publication	Human resources, finance, IEC Material, support of CSOs.	Yes but it may be needed for the additional support in future		Media, FIAN UP	Disclosing the situations of violation, Public statements, press release, FFM reports

Educational Strategy	Providing information of Govt. orders and recruitments orders						
	Goal 1	Community meetings to keep community informed and sensitized	Human resources	Yes		FIAN CSOs	UP, Follow-up on meetings
	Goal 2						
Organizational Strategy	Mobilizing local group and other stake holders to building pressure on duty bearers to implement policy and programme						
	Goal 1	Generating awareness for their rights and conducting meeting with the community for their denial of rights ,capacity building	Manpower ,finance, IEC Material	Yes but it may be needed for the additional support in future		FIAN local Groups (under supervision of FIAN UP), staff members regularly visit, meeting by CSOs	
	Goal 2	Generating awareness for their rights and conducting meeting with the community capacity building	Manpower ,finance, IEC Material	Yes but it may be needed for the additional support in future		FIAN local Groups (under supervision of FIAN UP?)	
	Goal 3						
Legal strategy	Filing the case in high court e for the recruitment of the 12 visually challenged person in Govt. jobs in U.P.						
	Goal 1						

	Goal 2						
	Goal 3						

12. Work plan

In order to have an overview of activities, please draft a timetable of activities according to the strategy defined above:

Month/ Year	Activity	Responsible	Follow up
January	Meeting with Blind federation members and political person	Anil Kumar	
February	Letter to Principle Secretary Viklang Kalyan Vibhag, Chairman National Human Right Commission and State commission	Balbeer Singh Tomar	
March	Planning meeting of FIAN UP and Federation members	Chapter Coordinator	
April	Development of IEC material	Chapter And Field staff	
May	Meeting with community	Chapter And Field staff	
June	Capacity building about the application	Chapter coordinator and field staff	
July	Follow up Meeting with concern government officials	Chapter coordinator, field staff and volunteers, Mr. S. K. Singh	By NAVH
August	Advocacy at different level(Govt. officials, legal authorities, Stakeholders, Politicians)	Chapter coordinator, field staff	
September	Advocacy at different level(Govt. officials, legal authorities, Stakeholders,	Chapter coordinator, field staff, CSOs	



	Politicians)		
October	Preparation of Fact Finding Mission	Chapter and Board	
November	Preparation of FFM	Chapter, Board, National office, IS	
December	Meeting with concern department after FFM	Chapter, CSOs	
Annual evaluation	Evaluation of all activities done during the month Feb. to December	Chapter	

13. List of annexed documents

Photographs-

Mr. Vinay Sampson(Board member FIAN UP) addressing meeting of physically challenged at Lakhimpur in 2008



FFM team members meeting with Blind people in 2008, Lucknow Blind Workshop





Letter from FIAN UP given to Mr. Shailesh Krishna (Secretary of Chief Minister UP) for the Job of blind people, in 2009

Consultation on the rights of physically challenged in Lucknow, on 22nd Dec. 2009



Visually challenged people protesting for the filling of backlog in different government department, 17 Aug. 2010 in Luknow

Celebration of success after getting job by Visually challenged, on 15 Dec 2011, in Lucknow

