

46, 47, 48, 49, 50

48

MARCHING TOWARDS GOLDEN JUBILEE YEAR



DELHI
ASSOCIATION
OF THE DEAF

48th Annual Day Celebrations

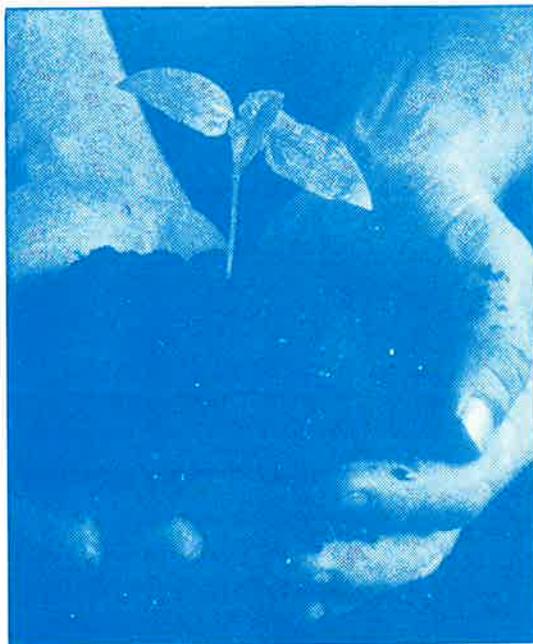
4th October, 1998
India International Centre
40, Lodhi Estate, New Delhi

"PERSONS WITH DISABILITIES ACT" SPECIAL COVER DESIGN BY P.N. BAHL

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-SIR SHRI RAM (1950s)



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President's Secretariat,
Rashtrapati Bhavan,
New Delhi - 110004.

No.F.2-M/98

3rd September, 1998



Dear Shri Chauhan,

The President of India, Shri K.R. Narayanan, is happy to know that the Delhi Association of the Deaf is celebrating its 48th Anniversary on 4th October, 1998.

On this occasion, the President sends his greetings to all those associated with the Association and wishes the Celebrations all success.

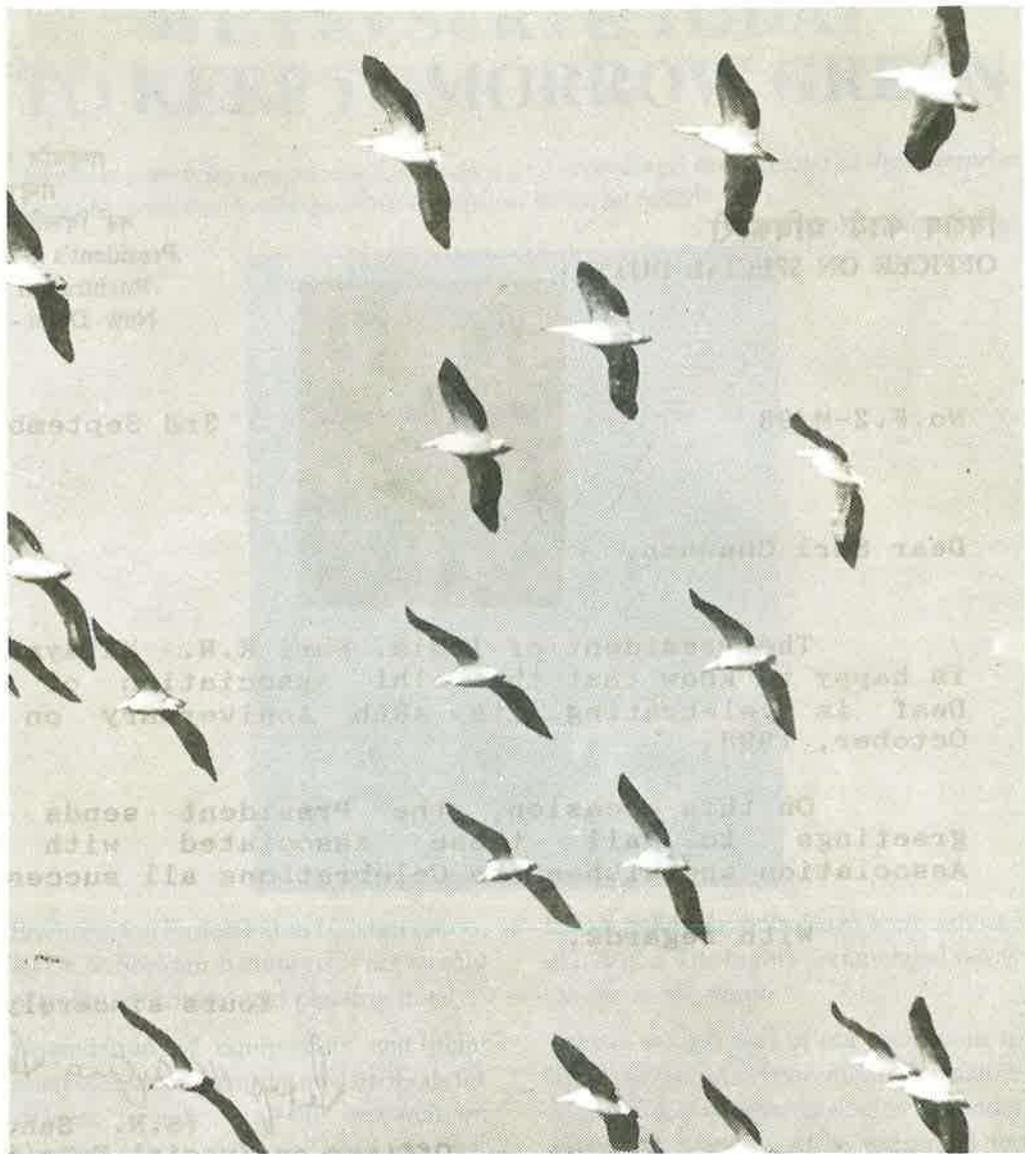
With regards,

Yours sincerely,



(S.N. Sahu)
Officer on Special Duty(R)

Shri D.S. Chauhan,
Hony. Secretary,
Delhi Association of the Deaf,
92, Kamla Market,
New Delhi 110 002.



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Dated

सी.एम./98/7139

24 सितम्बर, 1998.

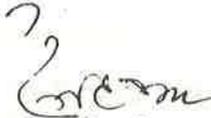
साहिब सिंह
मुख्यमंत्री

सन्देश

मुझे यह जानकर प्रसन्नता है कि दिल्ली बधिर सभा, नई दिल्ली द्वारा अपना 48वां वार्षिक दिवस 4 अक्टूबर 1998 को इंडिया इन्टरनेशनल सेंटर, नई दिल्ली में मनाया जा रहा है तथा इस अवसर पर बधिरों की उत्तम सेवा करने वाले को द्वितीय "बधिर बन्धु सम्मान" भेंट किया जाएगा।

यह और भी प्रसन्नता की बात है कि इस अवसर पर सभा द्वारा एक स्मारिका भी प्रकाशित की जा रही है। आशा है इसमें सभा की विभिन्न गतिविधियों एवं वर्ष भर के क्रियाकलापों का विस्तृत ब्यौरा तथा अन्य उपयोगी जानकारी होगी जिससे पाठक निस्संदेह लाभान्वित होंगे।

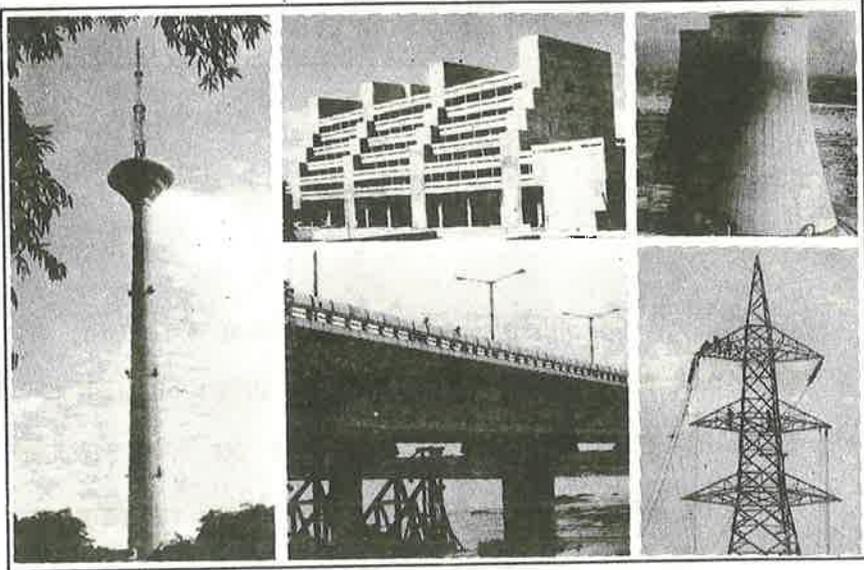
मैं, इस अवसर पर समस्त सभा-परिवार को अपनी ओर से शुभकामनायें प्रेषित करता हूँ तथा समारोह के सफल आयोजन एवं स्मारिका के सुन्दर प्रकाशन की कामना करता हूँ।


साहिब सिंह

श्री देवी सिंह चौहान,
मानद सचिव,
दिल्ली बधिर सभा,
92, कमला मार्केट,
नई दिल्ली-110002.

एन.बी.सी.सी.

नेतृत्व हेतु निपुणता



भारत की अग्रणी सिविल इंजीनियरिंग कम्पनी अब जमीन के नीचे निर्माण करती है, खुदाई नहीं करती।

भारत तथा विदेशों में 1600 मिलियन डालर से अधिक लागत के कार्यों को पूरा कर एन.बी.सी.सी. आज विश्वभर की 225 सिविल इंजीनियरिंग कम्पनियों में से एक है।

हमारा 38 वर्ष का इतिहास स्वतंत्र भारत के परिवर्तनशील स्वरूप को रेखांकित करने वाले मील के पत्थरों के साथ उतार-चढ़ाव वाला है। हमारी निपुणता, निर्माण व्यवसाय जिनमें विद्युत, परिवहन, कूलिंग टावर्स, ऊंची आर.सी.सी. चिमनियाँ, विमानपत्तन, पर्यावरण, रीयल एस्टेट, परियोजना प्रबंधन एवं परामर्श, मास हाउसिंग, होटल, मैडिकेयर, अंतर्राष्ट्रीय व्यापार इत्यादि शामिल हैं, में समस्त व्यापक विशेषज्ञताओं का विस्तार करती है तथा टर्नकी निष्पादकों के रूप में हम सदैव अनुसूचियों में अग्रणी रहे हैं। आश्चर्य की बात नहीं, हम बेहतर गुणवत्ता, गति तथा लागत प्रभावकारिता के लिए देश में नवीन प्रौद्योगिकियों को प्रचलित करने में भी अग्रणी रहे हैं।

हम खुदाई रहित प्रौद्योगिकी (नो डिग) प्रवर्तित करने हेतु भारत की नोडल एजेंसी हैं। विश्वव्यापीकरण के इस युग में हम अपनी सुदृढ़ता को अंतर्राष्ट्रीय कम्पनियों के साथ गठबन्धनों के माध्यम से स्थायी बना चुके हैं। एन.बी.सी.सी. निपुणता, समर्पण तथा गुणवत्ता मानकों के सुनिश्चयन के माध्यम से उच्चतर मूल्य-योजन के साथ ग्राहकों के लिए अपनी प्रत्येक परियोजना को निवेशित करती आ रही है।

जब आप भविष्य के स्वप्न का निर्माण कर रहे हों, तब आप को एन.बी.सी.सी. से बेहतर भागीदार नहीं मिलेगा।

नेशनल बिल्डिंग्स कंस्ट्रक्शन कारपोरेशन लिमिटेड
(भारत सरकार का उद्यम)



एक उत्कृष्टतापरक दल

एन.बी.सी.सी. भवन, लोदी रोड, नई दिल्ली-110 003

दूरभाष : 4611673, 4618893, 4611578, 4690314-17

फैक्स : 91-11-4626995, टेलैक्स : 31-66665 एनबीसीसीइएन

ईमेल : एनबीसीसीएचओ@डीईएल2.वीएसएनएल.नेट.इन

वेब : डब्ल्यूडब्ल्यूडब्ल्यू.एक्सप्लोरईडिया.काम/एनबीसीसी

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CHAIRMAN
&
MANAGING DIRECTOR



CHAIRMAN'S MESSAGE

I am happy to learn that Delhi Association of the Deaf is organising 48th Annual Day on October 4, 1998.

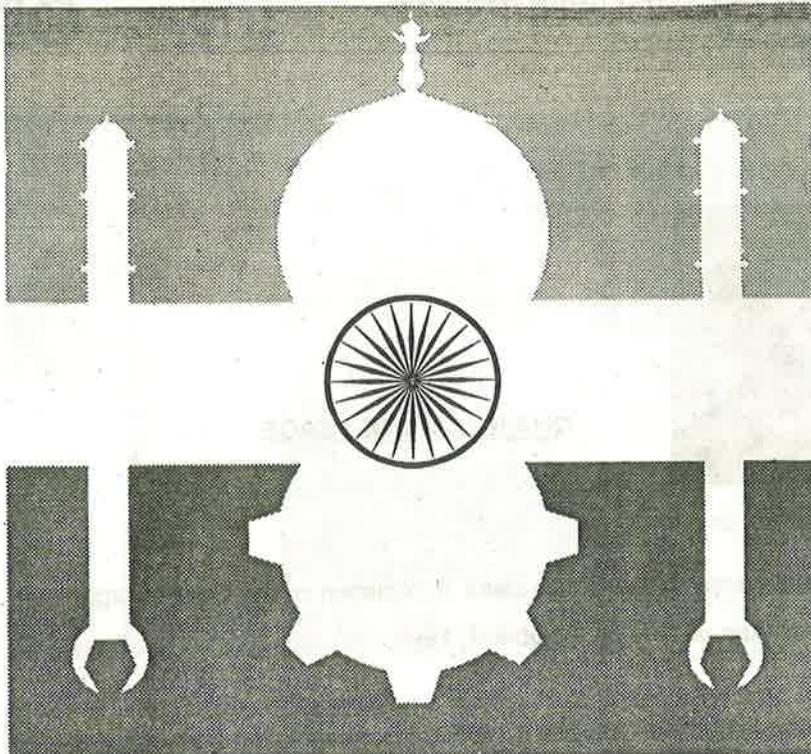
Established on October 4, 1950, the Association has come a long way and has been doing appreciable work for the socio-economic rehabilitation of Deafs. Its activities include education, training, sports, etc. There are of course set backs and hurdles in smooth functioning, but these will certainly be overcome with the combined efforts from all of us.

On this occasion, I convey my greetings to all the members and wish them success in their laudable endeavours aimed at bettering the lot of deaf people.

A handwritten signature in black ink, appearing to read "Bansil Dhar".

BANSIL DHAR

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परिवहन मंत्री
TRANSPORT MINISTER
दिल्ली सरकार
GOVT. OF DELHI

Message

I am happy to learn that Delhi Association of the Deaf is celebrating its 48th Annual Day on 4th October 1998. During these past years, the Association has taken big strides. Now its life membership has crossed the eleven hundred (1100) mark. It has also enlarged and expanded its activities which now include training in Computer, Desk Top Publishing and type writing (both manual and electronic) etc.

Association has also been able to find gainful employment for a few of its members and is trying to ensure full socio-economic rehabilitation for its all unemployed members. It also meets the needs of its members for games and sports.

In short, Association is doing its best to add quality to the lives of the deaf and make their lives as satisfying as possible. This is commendable.

At the same time, the Association has, at long last taken up the implementation of its most ambitious project- the Rs. one crore-Research and Rehabilitation Centre for the deaf, which it is hoped will be completed by the time the Association enters its Golden Jubilee year.

I send my best wishes to all the members of the Association, as well as all those others who have proved of immense help. Even though some ground has been covered, yet Association still has to go a long way.

I, therefore, urge all concerned to put in their best efforts so that, Association may enter its Golden Jubilee year and the 21st Century on a positive note.

Rajendra Gupta
(RAJENDRA GUPTA)

18/7



FUSION

STATEMENT

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OF
DELHI ASSOCIATION OF THE DEAF**

1.	CHAIRMAN	:	DR. BANSI DHAR
2.	VICE-CHAIRMAN	:	SHRI RAJENDRA KUMAR GUPTA
3.	ADVISOR	:	MS MEENAKSHI PARIMOO
4.	EXECUTIVE PRESIDENT	:	SHRI I.N. CHOPRA
5.	VICE-PRESIDENT	:	SHRI P.N. BAHL
6.	VICE-PRESIDENT	:	SHRI RAMESH GUPTA
7.	HONY. SECRETARY	:	SHRI D.S. CHAUHAN
8.	HONY. TREASURER	:	SHRI RAJIV GOEL
9.	JOINT SECRETARY	:	SHRI I.P. MEHTA
10.	JOINT SECRETARY	:	SHRI KAILASH K. SHARMA
11.	SPORTS SECRETARY	:	SHRI LALIT THAKUR
12.	MEMBER EXECUTIVE	:	SHRI SUBHASH GUPTA
13.	DO	:	SHRI MANGE RAM SAINI
14.	DO	:	SHRI ISHWAR DUTT
15.	DO	:	SHRI ZAHID HUSSAIN
16.	DO	:	SHRI RAM SRIVASTAVA
17.	DO	:	SHRI VED PAL SINGH
18.	DO	:	SHRI VAKIL AHMED

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THE HINDUSTAN TIMES GROUP

**THE HINDUSTAN TIMES,
HINDUSTAN,
EVENING NEWS,
KADAMBINI, NANDAN,**

STORY OF DELHI ASSOCIATION OF THE DEAF

Pioneer and acknowledged leader in the field of Deaf welfare, Delhi Association of the Deaf is a multifaceted, multi-functional organisation. The largest and best managed organisation of the adult deaf in the country, its wide spectrum of services ranging from recreation to rehabilitation benefit its over 1150 Life Members as well as an equally large numbers of non-members.

Though essentially a voluntary welfare organisation, realising the importance of sports and games in development of a person's personality, the Association has been placing utmost importance on these extra-curricular activities. The 14th National Games of the Deaf hosted by the Association were inaugurated by the then Prime Minister of India, Shri P.V.Narasimha Rao.

GLORIOUS PAST :

The only Indian organisation of the Deaf to be invited to participate in the 2nd World Congress of the Deaf held in Yugoslavia in 1955, the Association has been the recipient of grants from the late **Pandit Jawahar Lal Nehru, Prime Minister of India**, State and Central Governments, Central Social Welfare Board etc. in recognition of its excellent record in rehabilitation of the Deaf.

Top national leaders like the late **Shri Lal Bahadue Shastri**, late **Shri G.B.Pant**, late **Shri Y.B.Chavan** have attended the functions organised by it and commanded its work. Among its past Presidents are : **Shri I.K.Gujral**, former Prime Minister of India and **Dr. Sushila Nayar**, former Union Health Minister.

Several foreign rehabilitation experts working with the disabled persons have visited the Association and lauded its efforts aimed at making deaf self-reliant and self-supporting.

The Association has successfully organised and or hosted National and State level sports meets of the Deaf, Seminars and Conferences, Congresses of the Deaf, Pantomime shows all over India, Holiday Camps at hill stations, educational Bharat Darshan Tours and so on.

Many of its members have won National and State level Awards for outstanding employees. Member, **Shri Satish Kumar Arora** is the proud winner of **Arjuna Award**. The Association has directly contributed to their outstanding achievements.

THE PRESENT ;

Model welfare organisation, the Association is a trendsetter in many respects. It has functional, fully staffed office and educational and training facilities. It has over 3000 volumes in its library and subscribes to major newspapers and periodicals for its Reading Room.

On an average 10-15 deaf people visit office to seek counsel or assistance in connection with their personal work. Its Placement Cell daily deals with an equal number. Association liaises with various Government agencies, civic bodies and public sector units for meeting diverse needs of its members. Deaf people from distant places like Kerala and Tamil Nadu also drop in for help, which is readily extended.

Association, recognised as a sports organisation arranges state level sports and games and sponsors State level teams for participation in the National Games of the Deaf held in different parts of the country.

As rehabilitational venture it runs a shop in the prestigious Diplomatic Enclave and has a number of cycle-scooter stands. All these are manned and managed by the deaf themselves. Deaf themselves also largely mans the office.

BRIGHTER FUTURE :

With membership in four figures, and growing steadily, the Association faces a very bright future. Apart from setting up its own **Research & Rehabilitation Centre for the Deaf**, Association is to update its training facilities and lay added emphasis on socio-economic rehabilitation of its members and meet their socio-cultural needs.

A Computer Training Center has been set up with financial assistance from **Rajiv Gandhi Foundation**, another feather in the cap of the Association.

MEN AT THE HELM :

The rapid growth achieved by the Association in the recent past can be attributed to the very capable helms-manship provided by its top office bearers which include **Dr. Bansi Dhar** an industrialist and **Chairman and Managing Director DCM Shriram Industries Ltd.** and former President of the Federation of Indian Chambers of Commerce & Industry, and **Shri Rajendra Kumar Gupta**, **Minister of Transport, Government of National Capital Territory of Delhi** who is leading educationist as well. **Shri D.S.Chauhan**, him self a hearing impaired, with an outstanding record of service to the deaf spanning four decades and more, has been , the Hony. Secretary for over 12 years now and made rich contribution to the rapid growth of the Association.

Hony. Secretary's Report (1997-98)



D.S. CHAUHAN

At the outset, I express my gratitude to the Members of our Association who have given me yet another opportunity to present this annual report. I have also done my best to justify the trust and confidence reposed in me. There have been numerous short comings, not due to lack efforts, but due to prevailing adverse socio-economic conditions.

However, I would briefly dwell upon our achievements first and take up the failures there after. I am happy to inform that Government of N.C.T. of Delhi recognised the stellar role played by the Association in welfare of the deaf. As a part of Golden Jubilee Celebrations of India's Independence, Deptt. of Social Welfare, Government of Delhi, honoured the Association along with other NGOs, in the presence of Chief Minister and Social Welfare Minister, Delhi. We are happy that recognition has come our way at long last.

The other achievement of significance has been that our membership now exceed eleven hundred. This makes our Association, the largest organisation of the adult deaf in the country.

As members will recall, we were able to institute Badhir Bandhu Award comprising of Rs.11,000 in cash, citation and a memento. The first Badhir Bandhu Award was presented to our own guiding spirit, Shri Rajendra Kumarji Gupta for rendering services of a very high order to deaf people. He kindly donated the award money back to the-Association.

During the year under review, we successfully started and ran Rajiv Gandhi Computer Training Centre for the Deaf. Rajiv Gandhi Foundation has funded the project. They also gave us two computers. As many as 20 deaf persons were able to get training and receive certificates.

With the help from our bankers, State Bank of India who partly financed the project and by pitching some funds of our own, we were able to acquire yet another computer with complete soft.ware for Desk Top Publishing. The first batch of 4 deaf persons completed training in this paying profession.

We were able to add two more computers thanks to the kindness of President, Bank of American Club. Our advisor Ms Meenakshi Parimoo was instrumental in getting us this assistance. We are grateful to Rajiv Gandhi Foundation, State Bank of India, President Bank of American Club and Ms Parimoo and place on record our indebtedness to all of them.

We continued with our normal educational and training activities during the year under review. Though cramped for space, apart from computer, D.T.P. training, we provided facilities for training in Hindi English Typewriting, electronic as well as manual. Our Library-cum-Reading Room also functioned to capacity. In Sports and games also we were quite active.

For two years now, Association has been conducting a Sunday School. More than 40 deaf children attend the Sunday Classes. We impart instructions in social customs and norms, teach morals and ethics. Since deaf are ignorant of religion and are being misguided and converted to other religions, we also explain religious matters, pertaining to all faiths. Teaching of grammar receives special attention. This is a subject, which is just not taught in any School. Sadly, resources crunch precludes any possibility of extending this facility to more children. We are, however, trying to raise more resources so that more deaf children may benefit.

Association sent Delhi State contingents for participation in various national level Championships of the Deaf conducted at different venues, in different parts of the country. Our players gave a very good account of themselves in the National Table Tennis Championship of the Deaf held at Jaipur. In Football, in which we have often lifted the championship trophy, we did not fare well due to forcing our teams to play two matches a day against one played by other this teams. However our hopes are high for future.

We could not participate in the National VolleyBall Championship of the Deaf due to various factors. In North Zone Cricket Championship of the Deaf, Delhi was runners up. Several of our players have found place in the national team. We organised 26th Delhi Games of the Deaf on Feb 8, 1998 at Jawahar Lal Nehru Stadium in which more than 350 athletes drawn from nearly a dozen institutions participated.

To encourage person to excel in sports and games, we have introduced a trophy named after our Former Chairman, **Shri Hari Krishna Shastri Rolling Trophy**. It is given to the best sports person annually. Another trophy has been instituted for the best sports promoter. It is named after one of our late members, **Shri P. N. Gupta** who was a keen sports promoter himself.

Association also organised a number of functions during the year under review, largely to enable the members to come out of their shells and join the national main stream. Sadly, communication barriers persist and as such true benefit from these functions could not be derived. However, we are contenting our efforts and hope to achieve a break-through in due course.

Association it self has come out of its shell. For years, it had been ploughing a lone furrow, confining it self to its own affairs. Of late, it has joined **Disability Rights Group** which represents NGOs working with different categories of disabled persons. Here too, we some time find ourselves at sea, because of our inability to participate in conversation due to communication barriers but slowly the dividing walls are falling down and with the help of others in the **Disabled Rights Group** who often act, if necessary as our ears, keep us informed of the discussions by writing in long hand, so we are no longer feeling among aliens while deliberating on the issues concerning the disabled persons as a whole.

We feel this is a good beginning. It is sad that different categories of disabled persons have lived in isolation all these past years. A combined effort on the part of all concerned is the need of the hour for only through combined efforts and unity among their rank can the problems faced by the disabled community be resolved. Now that beginning has been made, it is hoped a now era, an era of hope and co-operation, will be ushered, and we pray that this may extend to organisations of deaf who never see eye to eye with any other organisation of fellow suffers.

It is now the turn to narrate our failures. Or biggest failure has been that till now, we have not been able to start construction of our Research & Rehabilitation Center for the Deaf. Earlier, it was the dispute with the then contractor, which halted us in our tracks. After resolving the dispute and awarding contract to another party, a hold up was caused by Delhi Development Authority taking its own time to grant extension in time for starting and completing the project. This hurdle too has since been cleared. We now await revalidation of Building Plans by Municipal Corporation of Delhi. Hopefully, this will be done with in the next few days, and construction commence soon after.

While these hurdles will be crossed sooner or later, it is difficult to say if we will be similarly successful in the matter of resources mobilisation. The construction costs alone have been estimated at Rs. 50 lacs. Equipment, furniture and fixtures will account for a similar amount. Thus the total cost will be near about Rs. One Crore. Sadly, the Government grant, if ever made available will be only Rs.5 lacs. This means, more or less, the entire amount of Rs. One Crore has to be raised by the Association on its own. A difficult task at best of the times and a near impossibility, in these days of economic recession..

However, we are trying. Thanks to the efforts of our Chairman and Vice Chairman, as also small contributions made by several of our members, most of whom lead a hand to mouth existence, we have managed to collect about Rs. 22 lacs and are confident of raising some more amount. But the targeted figure of Rs. One Crore still remains a distant dream.

Though donations to the Project enjoy the benefit of deduction in full from the taxable income of the donor under section 35 AC of Income Tax Act, not many are coming forward even with small donation. This is perhaps due to the present recessionary trends in which even the best-managed corporate units are fighting a losing battle with recession and inflation. Instead of earning profits, they are recording losses. As such even if they want, they are unable to help us.

With donations, the major source of our revenues drying up and with Government reimbursing if at all a mere fraction of expenditure incurred by the Association, the financial position of the Association can only be called precarious. Not only not enough funds are forthcoming for implementation of building project, we are starved for funds for conducting our day to day activities. In fact, we have to dip our hands in to Building funds to maintain our activities.

Due to resources crunch, we have had to keep several posts vacant. We do not have our own resources. Government grant is uncertain and if at all released this is done after expenditure has already been incurred by us and is only a fraction of the amount spent by the Association.

This often creates difficult situations for us. While the number of members, the beneficiaries of our activities, are increasing day by day, a corresponding increase in resources mobilisation is not being registered. The result is that while needs are many and varied, the availability of resources has dipped lower than ever before. Under the circumstances, we have had to spread services thinly over a vast space. However, what ever we have, we share and share alike. Still we do wish that posts of Social Worker and Officer In-charge who work directly for the benefit of our members are filled up. Unfortunately, we have no funds to pay their salaries

and even if we do spend money on this score, there is no saying if Government will reimburse the amount spent by us on this score.

Because of financial constraints, we could not get more books for our library. Also we could not subscribe to more periodicals for which there is an ever-pressing demand. Several other activities had also to be curtailed for want of funds.

It is a matter of regret for us that even though we had addressed nearly a hundred organisations and institutions of the deaf requesting nominations for Badhir Bandhu Award, only five nominations were received. It was therefore, not possible to make a good selection. Therefore, it is with regret that we had to defer this year's Badhir Bandhu Award.

Another of our failures has been our inability to get a good deal for the students of the local Govt. Lady Noyce Sec. School for the Deaf. The standard of education there is falling day by day. **Students are encouraged to leave school and opt for National Open School Examination.** The post of Principal has been lying vacant since long. We have been writing to the authorities but without much success. **Of the eleven students who appeared for secondary school examination in March 1998, ten failed and one was placed in Supplementary.** With such a dismal academic record, these deaf who ultimately come to us for rehabilitation assistance, face a bleak future.

Before conclusion, I would like to speak about our future plans. Our first priority is naturally to start and complete construction of our Research & Rehabilitation Centre for the Deaf by raising requisite resources one way or the other. There is real urgency for we will be completing our fiftieth year soon. It will be a sad commemetry on our working and ability if even in 50 years we could not have a place of our own.

We are now rapidly nearing our **Golden Jubilee** year. Of a necessity, Golden Jubilee Celebrations have to be organised elaborately. Accordingly, we have chalked out a yearlong programme of activities which include sports and games, cultural festivals, seminars and conferences, social programmes for children and women and of course launching of awareness creation campaign.

However, much will depend upon our ability to raise resources for the purpose. I appeal all members to raise to the occasion and start right now to prepare for the big event.

Finally I express my indebtedness to all who have lent Association all possible help during these difficult days. Special mention needs to be made of Shri N.N.Vohra, Director, India International Centre who very kindly allowed us the use of the Auditorium free of charges. All advertisers and donors have also earned or gratitude, more so as they have been extending us a helping hand year after year. Therefore, I conclude with a big thank you to all.

Charter of Rights Of the Disabled Persons

Although constituting 5-6% of the Indian population, people with disabilities have been denied their rights for decades.

By Disability we mean a physical or mental impairment that interferes with the performance of activities expected of an individual of his/her age and in other circumstances. Major disabilities include Hearing or Visual Impairment, Locomotor Disabilities, Cerebral Palsy, Intellectual Retardation, Specific Learning Disabilities, Attention Disorders and the like.

Disabled people in India are about 60 million who have been denied the fundamental rights available to other citizens. We here present the basic needs and rights of people with disabilities which Government should implement fully.

THE RIGHT OF PREVENTION

The Government should ensure that health services pay special attention to the prevention of disability including the provision of curative services where feasible.

THE RIGHT TO EARLY DETECTION

The Primary Health Centres and other health services should set up the necessary medical and paramedical infrastructure for early identification of disabilities, particularly in children.

THE RIGHT TO COUNSELLING

Adequate infrastructure should be set up, particularly in rural areas, to undertake crisis intervention in the case of parents who are seriously disturbed by the advent of a child with disability or an adult who acquires disability in the middle of a career.

THE RIGHT TO MEDICAL TREATMENT

Every person with disability should be issued a health card entitling him/her to free medical treatment at all Central and State Government or State funded hospitals.

THE RIGHT TO FREE SUPPLY OF ASSISTIVE DEVICES

Every person with disability should be entitled to free supply of assistive devices needed for his/her education, employment or psycho-social and economic rehabilitation.

THE RIGHT TO EDUCATION

Education should be made a Fundamental Right of every child with disability, regardless of the nature and extent of his/her impairment. This should be imparted in the most appropriate environment which may be (a) inclusive schooling, (b) distance learning, (c) non-formal education, (d) special schools, or (e) home based instruction through specially constituted and oriented teams in rural areas.

THE RIGHT TO WORK

Every person with disability should be granted the Fundamental Right to Employment. All forms of employment like competitive employment, professional employment, self-employment. Home bound programmes and sheltered workshops should be developed and a National Agency should be established to ensure effective implementation of this Right, particularly for more severely disabled persons.

THE RIGHT TO SOCIAL SECURITY

People with disabilities remaining on the live register of the Employment Exchange should be given a reasonable unemployment allowance until such time as employment could be found for them. Elderly people with disabilities should be provided special residential homes.

THE RIGHT TO ACCESS

Every public building should be made fully accessible for people with every type of disability. Accessibility features include ramps, railings, adapted bathrooms, auditory signals in lifts and on roads, etc.

THE RIGHT TO HOUSING

Every person with disability should have the Right to be given accessible housing at concessional rates.

THE RIGHT TO EQUALISATION

Every disability involves extra expenditure on most activities. The State should grant concessions on travel, income tax and other areas to compensate for the extra expenditure incurred by people with disabilities.

NATIONAL TRUST FOR PERSONS WITH MENTAL RETARDATION AND CEREBRAL PALSY

The Bill on the subject pending for a number or number of years should be enacted into Law in the next session of the Parliament.

DISABILITY ACT 1995

This Act should be implemented strictly and with speed. All the needed infrastructure should be urgently set up and adequate allocations made for its implementation.

DISABILITY UNITS

Every Ministry at the Centre and State Department should set up a Disability Unit to deal with problems of persons with disabilities falling within its jurisdiction. Every Ministry or Department should provide a single window service to people with disabilities.

THE RIGHT TO COORDINATION

Central and State Governments should have adequate infrastructure in rural areas to establish linkages between various Government Departments and NGOs who could deliver uninterrupted and coordinated services to people with disabilities.

RIGHTS OF DISABLED WOMEN

All the Rights enumerated here should be equally applicable to women with disabilities.

THE RIGHT TO BE INCLUDED IN STATUTORY DEFINITIONS

The Disability Act should be amended to define all categories of people with disabilities like Persons with Learning Disabilities, Autism, Attention Disorders, Hemophilia, Thalassemia, etc.

THE RIGHT TO POLITICAL PARTICIPATIONS

Every person with disability should have the Right to participate fully in the political life of the country as well as economic development. This includes the Right to Vote! Therefore, it should be ensured that the polling booths are accessible. Special provisions should be made for voters with visual impairment. A percentage of vacancies in all elected bodies from Panchayats to Parliament should be reserved for people with disabilities.

THE RIGHT TO POLITICAL APPOINTMENTS

Every person with disability should have a right to be appointed to various political appointments

THE RIGHT TO ADEQUATE SUPPORT FROM STATE

Plan allocations for the disability sector should be doubled every two years and should not in any year be less than Rs.500 crores at the Centre.

DELHI ASSOCIATION OF THE DEAF (Regd.)

92, KAMLA MARKET, NEW DELHI - 110 002.

FACT-SHEET

ESTABLISHED: AS DEAF & DUMB ASSOCIATION, DELHI OCT. 4, 1950

RENAMED: DELHI ASSOCIATION OF THE DEAF
(On Merger of New Delhi Deaf & Dumb Club
and Deaf Dumb Association, Delhi) 1977

FOUNDER: ALL INDIA FEDERATION OF THE DEAF 1955

FOUNDER MEMBER: ALL INDIA SPORTS COUNCIL OF THE DEAF 1962

VITAL STATISTICS:

LIFE MEMBERS: 1150
ANNUAL BUDGET: About Rs. 5,00,000/
FULL TIME PAID WORKERS: TEN
REHABILITATION VENTURES: FIVE (FOUR CYCLE STANDS)
(at Rajghat, two in Connaught Place & NIDC) and ONE
SHOP 'MOOK PREETI' at Yashwant Place, New Delhi.)

OTHER ACTIVITIES: SPORTS & GAMES, RECREATION, EDUCATIONAL
TOURS, HOLIDAY CAMPS, PICNICS & FUNCTIONS,
CULTURAL ACTIVITIES, EDUCATION & TRAINING,
LIBRARY & READING ROOM, REHABILITATIONAL
ASSISTANCE, COUNSELLING & GUIDANCE, SOCIO-
ECONOMIC REHABILITATION, INTER-ACTION
WITH GOVERNMENT, LOCAL BODIES, STATE
ORGANISATIONS, TRAINING IN INFORMATION
TECHNOLOGY ETC.

STATUS: Recognised and financially assisted by State (Delhi) and
Central Governments.

IMPORTANT PAST PRESIDENTS: Shri I.K. Gujral, Ms (Dr) Sushila Nayyar,
Late Shri Hari Krishna Shastri etc.

NEW PROJECT: Rs.100 lac **RESEARCH & REHABILITATION CENTER FOR THE
DEAF.**

Foundation was laid on 9th April 1995 and construction has commenced. When
functional, will provide facilities to 100 students for Degree level education,
advanced training in Computers, electronics, information technology and
produce video taped lessons. Design & publish textbooks for deaf etc.

MANAGEMENT: The Association has a dedicated and distinguished management. Association's
Chairman, **Dr. Bansi Dhar** is a leading industrialist (Chairman &
Managing Director, DCM Shriram Industries Ltd.) and is a Past President
of Federation of Indian Chambers of Commerce & Industry. **Shri
Rajendra Kr. Gupta**, Vice-Chairman is Ex-Mayor of Delhi and currently
Transport Minister Delhi. Others on the Executive Committee are well-
educated deaf who have dedicated their lives to the uplift of the deaf.

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little bit

of **SAIL**

in everybody's

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STEEL AUTHORITY OF INDIA LIMITED

Association Celebrates its 48th Annual Day

Smt. Maneka Gandhi, Assures Aid To The Deaf

Smt. Maneka Gandhi, the world renowned, crusader for the welfare of dumb animals took instantly to the cause of the dumb humans – the hearing and speech impaired persons.

Speaking in her capacity on the Chief Guest on the occasion of 48th Anniversary Celebrations of Delhi Association of the Deaf. Smt. Maneka Gandhi, Union Minister of State for Social Justice and Empowerment assured her full support to the cause of the hearing impaired persons. Because of her official position, she said, she can not make tall promises but assured that whether in or out of office she would always espouse the cause of the hearing impaired persons who have not received the attention that was due to them so far.

Commenting upon the working of the Delhi Association of the Deaf, as spelled out by the Honorary Secretary in his annual report, she said that it was good that Association could train 20 hearing impaired persons in Computer Operations and Desk Top Publishing. But considering the scope of the problem and the standing of the 48 year old Association, this was hardly enough. Better results should have been achieved. She urged the Association to further expand its activities so that many more hearing impaired persons could be assisted.

As for the problems being faced by the members of the Association in their individual capacities, she suggested that these be brought to the notice of her Ministry in writing. She promised that she would look into each and every case and do what ever was possible to help them.

Smt. Gandhi was of the opinion that to serve the disabled community, it was not necessary to take up big projects. What was needed was individual attention and approach. This could be done with small space and a few dedicated and determined personnel.

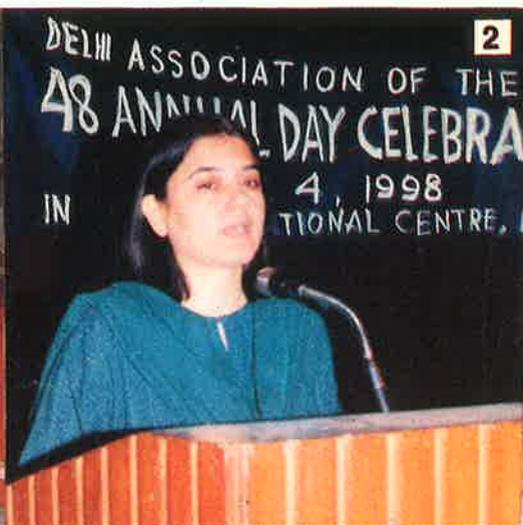
She expressed her inability to fund each and every project through her Ministry because of budgetary constraints. As limited funds were provided for the purpose, it has to be seen that the best possible use of these funds was made. However, she suggested that organisations of the persons with disabilities should approach their respective M.Ps. for support from the Rs One Crore M.P.'s Fund given to each M.P. She said, she had herself set apart Rs. 10 lacs from her M.P.'s Fund to help the persons with disabilities.

While lauding the efforts of the Association in educating, training and rehabilitating the hearing impaired persons, she said she expected much better results from an organisation of Association's standing during the coming days.

Shri Sudarshan Agarwal, Managing Director, Batra Hospital and a former Secretary of Rajya Sabha, who was the Guest of honour commended the work being done by the Association for the welfare of the hearing impaired persons.

He said that it was the moral obligation of the society to add and assist disadvantaged persons. Since very little has been done so far for the welfare of the hearing impaired persons it was all the more necessary to make all out efforts to improve the lot of these disadvantage persons. He assured his full support for the purpose and hoped he would be able to persuade some other persons to involve themselves in the cause of the deaf.

Dr. Bansri Dhar, Chairman & Managing Director, D.C.M.Shriram Industries Ltd., who is the Chairman of Association, presided over the function.





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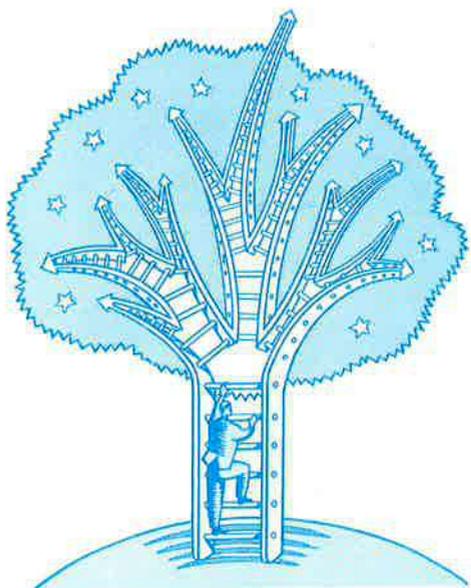
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1. *Smt. Maneka Gandhi, the Chief Guest arrives*
2. *Smt. Gandhi delivering her address.*
3. *Bouquet being presented to Dr. Bansil Dhar, Chairman of Association*
4. *Bouquet being presented to Shri Sudarshan Agarwal. Guest of Honour*
5. *Bouquet being received by Smt. Gandhi*
6. *Smt. Gandhi presenting Best Athlete H.K. Shastri Trophy to Virender Singh*
7. *Smt. Gandhi with some members of Association*
8. *Distinguished guests witnessing Magic show by deaf magicians*
9. *Sh Sudarshan Agarwal delivering his address*
10. *Smt. Gandhi departs*

ATION OF THE DEAF
DAY CELEBRATION
1998
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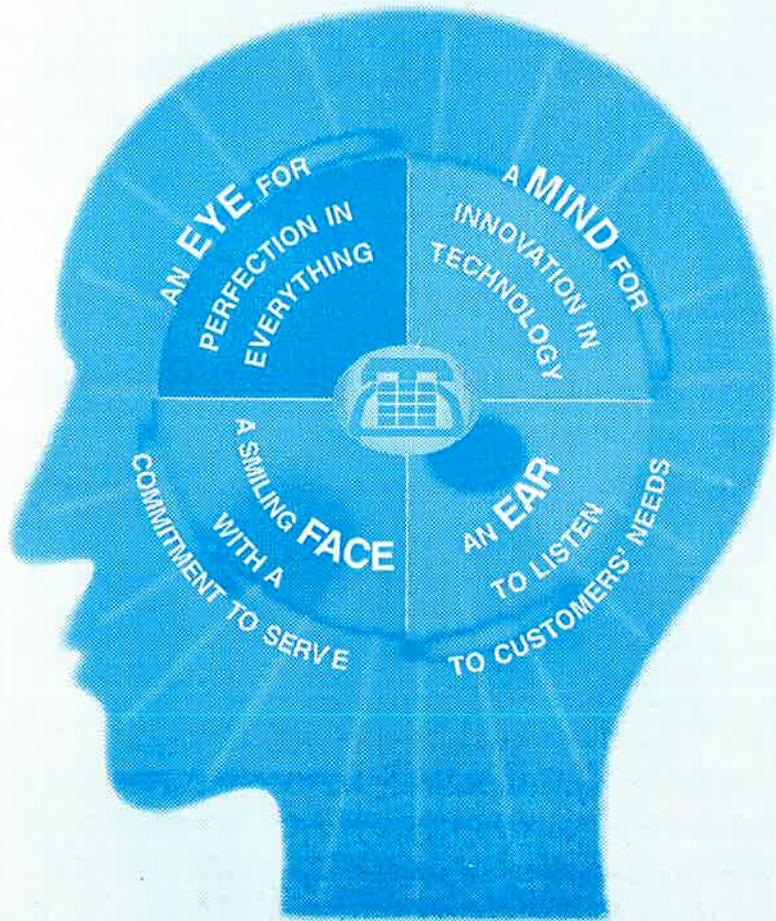
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Persons With Disabilities
(Equal Opportunities, Protection of Rights & Full Participation)
Act., 1995
A Synopsis

CHAPTER I

It contains, short title, extent, commencement of the Act. and various definitions used in it.

The following categories of disabled persons have been listed :

- (I) Visually Handicapped (Blind) and Persons with low vision, (II) Leprosy Cured,
(III) Hearing Impaired (Deaf) (IV) Orthopaedically handicapped (Locomotor disability)
(V) Mentally retarded, and (VI) Mentally ill.

These have been defined as under:

- (a) **Visually handicapped (Blind):** Where there is total absence of sight or visually acuity not exceeding 6/60 or 20/200 (Snellen) in better eye with correcting lenses or limitation of field of vision subtending an angle of 20 degrees or worse
Persons with low vision Where a person with impairment of visual functioning even after treatment or standard refractive correction but who uses or is potential capable of using vision for planning or execution of a task with appropriate assistive devices.
- (b) **Leprosy cured** : Where a persons has been cured of leprosy but is still suffering from (I) loss of sensation in hands and feet as will as loss of sense and paresis in the eye and eye lids but with no manifest deformity (II) manifest deformity and paresis but having sufficient mobility in hands and feet to enable them to engage in normal economic activity (III) extreme physical deformity as well as advanced age which prevents one from undertaking any gainful employment.
- (c) **Hearing Impaired (Deaf)** : where there is a loss of 60 (sixty) decibels or more in the better ear in the conversational range of frequencies.
- (d) **Orthopaedically handicapped (Locomotor disability)** : where there is disability of bones, joints or muscles leading to substantial restriction of movement of limbs or any form of cerebral palsy.
- (d) **Mental retardation** : where a condition exists of arrested or incomplete development of mind of person which is specially characterised by sub-normality of intelligence.
- (f) **Mental illness** : Where there be any mental disorder other than mental retardation.
Other definitions are of general nature for terms frequently used in the Act.

CHAPTER II

In lays down composition of (a) Central Coordination Committee and Central Executive Committee terms of office of their members, their disqualification vacation of seats by members and meetings and functions etc. which can be summarised as under :

CENTRAL COORDINATION COMMITTEE

It shall comprise of Minister in-charge of Deptt. of Welfare (Chairman) Minister of State in-charge of Deptt. of Welfare (Vice Chairman), 12 Secretaries to the Government of India in-charge of various Ministries/ Deptts., Chief Commissioner for persons with disabilities, Chairman Railway Board Director General, Labour, Employment & Training , Director, National Council of Education & Training, Directors of National Institutes for Visually Handicapped, Orthopaedically Handicapped , Hearing Handicapped and Mentally Handicapped (all

ex-officio members) and two members of Lok Sabha and one member of Rajya Sabha (to be elected by respective Houses).

The Government shall nominate three person representing special interests, four persons (by rotation) representing States and Union Territories and five persons as far as practicable being persons with disabilities to represent NGOs, (one from each area of disability,) one woman and one SC/ST.

Joint Secretary in the Ministry of Welfare dealing with welfare of handicapped is the Ex-Officio Member Secretary.

The term of office is for three years from the date of Notification. In case of ex-officio members, term is for the duration they hold designated post. The Central Co-ordination Committee is to meet at least once every six months.

ITS FUNCTIONS

The Central Coordination Committee shall serve as the national focal point on disability matters and facilitate the continuous evolution of comprehensive policy towards solving the problems faced by persons with disabilities.

It shall also review and co-ordinate activities dealing with matters relating to persons with disabilities develop national policy to address issues relating to them, advise Central Government on formulation of policies, programmes, legislations and projects with respect to disability, take up their causes with concerned authorities and international organisations, review funding policies, take steps to ensure barrier free environment in public places, monitor and evaluate impact of policies and programmes and perform such other functions as Government may assign to it.

CENTRAL EXECUTIVE COMMITTEE

To be constituted by the Central Government, it shall consist of – Secretary to the Government of India, Ministry of Welfare as Chairman, Chief Commissioner of Persons With Disabilities, Director General of Health Services, Director General Employment & Training, six persons not below the rank of Joint Secretary to the Government of India from Ministries/Departments, Financial Advisor, Ministry of Welfare and Advisor (Tariff) Railway Board (all ex-officio Members).

Central Government will nominate four members (by rotation) to represent State Governments and Union Territories, one person to represent special interests, five persons, as far as practicable being persons with disabilities to represent NGOs, (one from each area of disability) and one woman and one SC/ST.

Joint Secretary, Ministry of Welfare dealing with the welfare of disabled persons shall be Member Secretary (Ex-Officio).

The Central Executive Committee shall meet at least once every three months and transact such business as may be prescribed by the Central Government. It may temporarily associate with it self any person for assistance who will, however, not exercise right to vote.

CHAPTER III

THE STATE CO-ORDINATION COMMITTEE

To be constituted by every State Government through a Notification, it shall consist of Minister in-charge of Welfare (Chairman) Minister of State in-charge of Welfare (Vice Chairman), eleven Secretaries to State Government in-charge of different Ministries/Deptts., Chairman, Bureau of Public Enterprises and Commissioner for persons with disabilities (all ex-officio members).

There shall be two MLAs and one MLC to be elected by respective Houses as members.

State Government shall nominate five persons, as far as practicable, persons with disabilities of whom one must be a woman and one from SC/ST. In addition three persons to represent agriculture, industry or trade or any other interest shall also be nominated by the State Government.

Secretary to the State Government dealing with welfare of the persons with disabilities shall be ex-officio Member Secretary

Union Territories shall, however, not have State Co-ordination Committees. Their interests are to be looked after by the Central Co-ordination Committee.

The term of State Coordination Committee shall be for three years from the date of Notification. It shall meet at least once every six months and transact such business as may be prescribed.

Its functions are more or less the same as that of Central Co-ordination Committee excepting that its area of operation shall be restricted to the territorial limits of the State.

THE STATE EXECUTIVE COMMITTEE

To be headed by the Secretary, Ministry of Welfare in the State, in-charge of welfare of persons with disabilities, it is on the lines of Central Executive Committee in so far as composition and functions are concerned excepting that its members whether ex-officio or nominated shall be from within the State cadre/State NGOs and its sphere of operations shall be restricted to the territorial limits of the State concerned.

Joint Secretary of the State's Ministry of Welfare dealing with the welfare of persons with disabilities shall be Member Secretary.

Central Coordination Committee and State Coordination Committees shall be bound by such directives, in writing, as the Central Government and State Governments may give to them, respectively

CHAPTER IV

The chapter provides for appropriate Government and local authorities to take steps, within the limits of their economic capacity and development, for prevention of occurrence of disability inter-alia by undertaking surveys, investigation, research concerning causes of occurrence of disability, promoting methods of prevention of disabilities, screening children for purpose of identifying "at-risk" cases, providing facilities for training to staff of primary health centers, starting awareness campaigns, providing pre and post-natal care for mother and child, and educating public about causes/remedies for disability through all available means.

CHAPTER V

EDUCATION

Provision of free education to children with disability, formulation and implementation of schemes for their non-formal education, research for designing and developing new assistive devices, teaching aids for disabled children, creation of teachers training facilities and development of trained man power etc have been dealt with in this chapter.

It also deals with preparation and implementation of a comprehensive scheme for education for providing transport facilities, supply of books etc to children with disabilities.

Measures stipulated in this chapter include: integration of disabled and normal students, setting up of special educational institutions where necessary, part time classes, utilisation of electronic media for promoting education, provision of free transport, books, uniforms etc., grant of scholarships, setting up of appropriate fora for redressal of grievances of parents of students with disabilities, modification of examination systems, restructuring of curriculum etc.

CHAPTER VI

It provides for: formulation of schemes for ensuring employment of persons with disabilities by Government and local bodies, for training and welfare of persons with disabilities, relaxation of upper age limit, regulation of employment, creation of congenial work environment and constitution of authority responsible for administration of such schemes.

It further provides for reservation of not less than three percent seats for persons with disabilities in all Government and Government aided educational institutions as well as in all poverty alleviation schemes. Resources permitting, Government/Local authorities may also provide incentives to the employers of the persons with disabilities.

CHAPTER VII

AFFIRMATIVE ACTION

Provisions for aids and appliances to persons with disabilities, preferential allotment of land at concessional rates for housing, business premises, special recreation centres, special schools, research centres, factories etc for persons with disabilities, by appropriate Government and local authorities have been made through this chapter.

CHAPTER VIII

NON-DISCRIMINATION

This chapter lays down a number of steps to end discrimination currently being meted out to the persons with disabilities. Depending upon availability of resources and development, transport sector has to provide adapted rail compartments, buses, vessels and aircraft as also toilets there in, so as to allow free access to persons with disabilities-particularly the wheel chair users. Other steps suggested are: installation of auditory signals at red lights for visually handicapped, curb cuts and slopes on road berms for wheel chair users, engraving on surface of zebra crossings and railway platforms, devising appropriate symbols of disability and installation of warning signals at appropriate places.

Provision of ramps in public buildings, adaptation of toilets for wheel chair users, Braille symbols and auditory signals in lifts etc., also find place in the chapter.

It also lays down - that no establishment shall dispense with or reduce in rank an employee who acquires disability during service, nor shall promotion be denied to a person merely on the ground of disability.

CHAPTER IX

RESEARCH & MANPOWER DEVELOPMENT

This chapter calls upon Government and local authorities to promote and or sponsor research in prevention of disability, rehabilitation including community based rehabilitation, development of assistive devices, job identification and site modification in offices and factories.

Provision of funds to universities and other institutions of higher learning, professional bodies, NGOs etc to undertake research has also been laid down in this chapter.

CHAPTER X

RECOGNITION OF INSTITUTIONS FOR PERSONS WITH DISABILITIES

Appointment of a competent authority by the State Governments for the purpose of this Act has been provided in this chapter.

It further lays down that no person shall establish or maintain any institution for persons with disabilities except under and in accordance with a certificate of recognition issued in this behalf by the said competent authority. The institutions for persons with disabilities in existence before the commencement of the Act have to apply for recognition within six months of the commencement of the Act on a form prescribed for the purpose by the State Government. After satisfying itself of the genuineness of the applicant, the competent authority shall issue certificate of recognition, which would be valid for a period as may be decided by the concerned State Government. The certificate of recognition shall be eligible for renewal from time to time. Application for renewal has to be made at least sixty days before the expiration of period of validity.

Recognition certificate has to be displayed prominently.

The competent authority shall revoke recognition, if it believes – that incorrect statement was made to obtain recognition and or, commits breach of rules. However, before revocation of recognition, adequate opportunity shall be provided to the holder of certificate to show cause. An appeal against revocation of recognition can, however, be made to the State Government concerned whose orders on it shall be final.

The provision of this chapter shall, however, not apply to institutions for persons with disabilities, established and or maintained by Central or State Governments.

CHAPTER XI

The chapter provides for establishment and maintenance by Government institutions for persons with severe disabilities having 80 percent or more disability or of one or more disabilities at such places as it deems fit. Government may also recognise any other institution not set up by it as an institution for persons with severe disabilities for the purpose of this Act.

CHAPTER XII

THE CHIEF COMMISSIONER AND COMMISSIONERS FOR PERSONS WITH DISABILITIES

This chapter deals with appointment, qualifications, duties and powers etc. of the Chief Commissioner for persons with disabilities.

The Chief Commissioner for persons with disabilities has to be appointed by the Central Government through a notification. He or she has to be a person with special knowledge and practical experience in respect of matters relating to disabilities. His/Her salary and allowances, terms and conditions of service etc. are to be prescribed by the Central Government which shall also determine nature and categories of officers and other employees required to assist the Chief Commissioner in discharging his/her duties. The Staff so appointed shall work under general superintendence of the Chief Commissioner and receive such salaries and allowances as may be prescribed by the Central Government.

The duties to be discharged by the Chief Commissioner are (a) co-ordinate work of the Commission (b) monitor utilisation of funds disbursed by the Government (c) take steps to safe-guard the rights of persons with disabilities and (d) submit periodical reports to the Central Government on the implementation of the Act.

He/She has also to look into the complaints of persons with disabilities with regards to deprivation of their rights, non-implementation of law, rules bye-laws, regulations etc issued by the appropriate Government and the local authorities for the welfare and protection of rights of persons with disabilities.

COMMISSIONERS FOR PERSONS WITH DISABILITIES

The provisions of chapter XII relating to appointment, duties etc of Chief Commissioner for Disabilities as laid down in the for-going sub-clauses, apply more or less to the Commissioners for persons with disabilities and are, therefore, not being repeated. The only difference is that in their cases appointing authority is respective State Government and their jurisdiction limited to within the State concerned.

POWERS OF CIVIL COURT

Both the Chief Commissioner, State Commissioners for persons with disabilities have been empowered with powers of civil court, under the Code of Civil procedure 1908 while trying a suit in respect of the following :

- (a) Summoning and enforcing attendance of witnesses
- (b) Requiring the discovery and production of documents
- (c) Requisitioning any public record or copy there of from any court or office.
- (d) Receiving evidence on affidavits and
- (e) Issuing commission for examination of witnesses.

Every proceeding before the Chief Commissioner and Commissioners for persons with disabilities shall be a judicial proceeding within the meaning of Section 193 and 228 of the Indian Penal Code and the Chief Commissioner and Commissioners for persons with disabilities, the competent authority, shall be deemed to be a civil court for the purpose of section 195 and Chapter XXVI of the Code of Criminal Procedure 1973.

The Chief Commissioner for persons with disabilities shall prepare Annual Report, submit it to the Central Government which shall place it before both the Houses of Parliament along with action taken/ proposed to be taken on the recommendations made in the said report.

The Commissioners for disabled persons shall do like wise, prepare and submit their Annual Reports to the State Government which in turn shall place these before their Legislative Assemblies/ Councils along with action taken/ proposed to be taken reports.

CHAPTER XIII

SOCIAL SECURITY

The chapter lays down steps for providing social security to the persons with disabilities and makes it obligatory, subject to the economic capacities and development of appropriate Government and local bodies to (a) grant financial assistance to NGOs working for the welfare of persons with disabilities (b) formulate rehabilitation policies for persons with disabilities in consultation with NGOs working in the field (c) frame an insurance scheme or alternative security scheme for its employees with disabilities and (d) an scheme for payment of unemployment allowances to persons with disabilities who remain on the live register of Special Employment Exchange for persons with disabilities for more than two years and who could not be provided with gainful employment during this period.

CHAPTER XIV

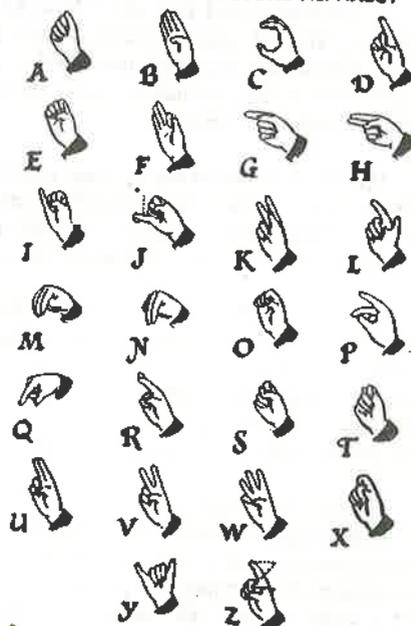
MISCELLANEOUS

As the very title of the chapter shows, it contains miscellaneous provisions which could not find place in any of the earlier chapters. Important among these are (a) punishment of up to two years imprisonment or fine of upto Rs. Twenty Five Thousand to any one fraudulently availing or attempting to avail benefits meant for disabled persons (b) classification of the Chief Commissioner and Commissioners together with their staff as public servants with in the meaning of Section 21 of the Indian Penal Code (c) non-maintainability of suit for actions done in good faith under the provisions of this Act (d) provision of the Act to be in addition to and not in derogation of any other law and (e) rules making powers of the Government for proper implementation of the Act. The rest are of general nature and being of academic nature can be seen in the original Act by interested parties.

THE STANDARD MANUAL ALPHABET



THE ONE-HAND MANUAL ALPHABET



PERSONS WITH DISABILITIES ACT 1995 -- A CRITIQUE

By Shri D.S. Chauhan
Honv. Secretary
Delhi Association of the Deaf

After dilly-dallying for years, mulling over the recommendations of a number of Committees, including Baharul Islam Committee, the Government of India finally came up with "Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995. It is a moot point if it answers fully, the hopes and aspirations of persons with disability who have been anxiously looking forward to enactment of such a legislation, to give constitutional statutes to their rights and privileges.

This much can, however, be said. It is not the Magnacarta to which persons with disabilities were looking forward. It falls short of their expectations and can best be termed as a loosely cobbled up legislation which provides two tier – at Central Government and State Government levels, some action to provide some relief to the persons with disabilities (who should, in all fairness, be termed disadvantaged persons as they lack the same advantage as enjoyed by the normal, able bodied persons.)

Shorn of legal jargon, what is left is a mere show of intention on the part of the Government to do this or that, with the rider "subject to this or that" thrown in. In short, firm commitment is missing. That Government means well is evident. What is wanting is a firm and unequivocal commitment to the cause. In its absence, it is a moot point whether, notwithstanding implied ifs and buts, Government shall have the will and wherewithal's to implement the Act in its totality.

Against Tenants of Democracy

The single most disturbing aspect of the Act is that it goes against the tenants of democracy. The Central and State Co-ordination and Executives have been crammed with bureaucrats. The presence of the persons with disabilities, whose destinies are to be decided by these august bodies, have mere symbolic presence like sprinkling of salt. Indeed, they have been used for the mere purpose of window dressing. In other words, they will not have a decisive say in decision making due to the over whelming presence of bureaucrats, as decisions have been made subject to approval by majority.

That the presence of top decision makers, policy planners and administrators is always most welcome goes without saying. Persons with disabilities can always benefit from their sagacious advice and guidance. But do they have to out number persons with disabilities many times over? It has to be remembered that it is the wearer who knows where the shoe pinches and can suggest remedial measures.

As it is, because of the ifs and buts in the Act, the present Central Co-ordination Committee has ended with a single Member who is a person with disability. He too seems to have been placed as a decoration piece, not because of his any ability to advocate the cause of persons with disabilities but because of his meek, inoffensive nature, trusting that he can always be taken for granted. The other four posts of members provided for persons with disabilities have been handed over to normal persons. The term 'as far as practicable' has come handy to deny persons with disabilities even this symbolic presence in this top decision making forum.

If these Committees are to be of the Government, for the Government, by the Government, why the deception of first making provision for representation of persons with disabilities and then giving their places to normal able bodied persons even if they have nothing to do with the persons with disabilities or their affairs. Also, the Government must answer, are the ranks of different categories of disabled is so bereft of talent that it could not find a single person – all that was wanted from among their ranks, to represent their cause? That tenants of

democracy should have been given such a short shift in India which boasts to be world's largest democracy is really sad. The persons with disabilities, long regarded as 'Children of a Lesser God' have thus been deprived of a decisive say in shaping their destiny and managing their own affairs..

Left Outs

The Act not only does not give a decisive say to the persons with disabilities to determine their own fate, a number of categories of disabled persons, very much in need of succor under the Act, have been left out of the ambit of the Act which provides for the well being of only the known categories among persons with disabilities as - visually impaired, hearing impaired, locomotor impaired and mentally retarded/ ill. Mercifully, leprocy cured (not sufferers - why ?) have been included among the beneficiaries of the Act.

As pointed out by the Disabled Rights Group in a Memorandum submitted to Shri Atal Behari Vajpeyee, Prime Minister of India, the following categories also deserve to be brought within the ambit of the Act : 1. Austism 2. Haemophilia 3. Learning disability 4. Dwarfism etc.

The Government should, therefore, act in the matter and include these categories among the approved categories of persons with disabilities and make them the beneficiaries of the Act. This can be done by an executive order and as such the sooner it is done the better. Only then all categories of persons with disability shall be covered by the Act

The Committees

That due representation has not been given to persons with disabilities in the Committees constituted under the Act has already been pointed out. It is also a moot point if these Committees with preponderance of bureaucrats will be able to do justice to the work in hand. Meeting at most once every six month, they will put their seal of approval to the proposals mooted by the Governments through the Chief Commissioner/Commissioners. There shall be no continuity. The ex-officio officers would be coming and going frequently due to transfers. Commitment on their part may be or may not be there. As such it is necessary that in these Committees whether at the National level or State level, adequate representation to persons with disabilities and NGOs working for their welfare, be given. Only committed persons can involve themselves in this type of work.

The qualifying terms like "as far as practicable", "within the limits of their economic capacity and development" used again and again in the Act is not appreciated. These are open to misuse, as has been the case with composition of the present Central Co-ordination Committee. Hence the terminology needs to be suitably amended so that there be a firm commitment on the part of the Government to act rather than a mere intention to act.

After all has been said and done and clauses after clauses incorporated, denoting duties and functions of these Committees, coup-de-grace has been given to the independence of these Committees, vide clause 23 Chapter III (a) and (b) which give paramountcy to the Central and State Governments. As such these Committees will never have a final say, it shall be the Government whether Central or State which shall have the over riding right to give directions to these Committees which they will be bound to follow. That after filling the committees to the brim with bureaucrats, the Government should have included such a clause in difficult is understand. Has it no faith in its own bureaucrats ?

Praise worthy Provisions

The provisions made in chapters IV to IX which deal with (a) prevention and early detection of disabilities, (b) education (c) employment (d) affirmative action (e) non-discrimination and (f) research and development are indeed praise worthy. If these could be implemented, even partially, the lot of persons with disabilities will improve substantially. However, considering the present allocation of funds for the welfare of persons with disabilities, implementation of these provisions is likely to remain a distant dream. More so as the Act itself states that every thing is to be within the economic capacity without specifying what this capacity is ?

However, this much has to be pointed out. The provision for education seems to be purely upto school level. Have the persons with disabilities no need for higher education? As it is, there is not a single college for the hearing impaired in the country. Also, a separate chapter for training should have been incorporated in the Act. Without proper training especially in modern technologies, the persons with disabilities have a very bleak future. There is a surfeit of able bodied in the employment market and unless exceptionally skilled, persons with disabilities are unlikely to find a footing in today's highly competitive employment market.

In these chapters while interests of other categories of disabled persons have been taken care of, the same can not be said about the hearing impaired persons. It has fallen to the lot of the hearing impaired persons to be represented by normal persons. They do not have any material knowledge but due to mere association with the organisations of the deaf, they get a place in the various fora, nod their heads in agreement and act as though they have won battles for the cause of the hearing impaired persons by their very presence.

For example there is no mention any where in the Act that hearing impaired persons shall have the service of sign-language interpreters. It is a common knowledge that hardly one percent of deaf receive formal education and they too depend largely on sign language because of their poor linguistic skills. With the speed with which educational institutions for hearing impaired are opening up, it will be another hundred years before all hearing impaired children have an access to formal education. Thus, though all the hearing impaired persons who constitute the largest segment among the persons with disabilities, use sign language and need services of interpreter, particularly for court cases and public dealing, there is no mention in the entire Act that such facilities will be made available to them.

Indian Sign Language

Again, why only sign language interpreters? India does not have a standard sign language of its own. But there is no word in the Act that action has to be taken to standardise Indian sign language on which millions of hearing impaired depend. This omission comes because of not giving representation to persons who are themselves hearing impaired in various fora, committees constituted by the Government. The communication barriers resulting from the inability of such hearing impaired persons to hear the spoken word and the reluctance of the bureaucracy to deal with such persons which may entail use of written words leads to usurpation of representation of the hearing impaired persons by normal persons with whom the Government finds it much easier to interact. If by this means the cause of the hearing impaired persons suffers-no body-just no body,cares. This is a pity for hearing impaired have a right to place their case before the Government and plead it. There are many among them who are well educated, qualified and more important, articulate.

Therefore, to be fair to the hearing impaired persons,provisions for a standard uniform Indian sign language and availability of services of professional sign language interpreters, at Government cost, must be incorporated in the Act. Further, if the Government really means business and has the best interests of hearing impaired persons at heart, then it must choose their representative from amongst the educated and articulate hearing impaired persons. There is no dearth of such persons.

Only by providing professional sign language interpreters to the hearing impaired will the Government end the discrimination that they face at each level. Attention ought to have been paid to this aspect of the problem. However, this has happened because the Government did not choose the right persons to represent the hearing impaired persons. It also failed to take in to confidence a large number of other NGOs working for the welfare of the adult hearing impaired persons. Their largest organisation in the country, is located in Delhi it self and could have been consulted.

Though the provision of this Act apply equally to the rural and urban persons with disabilities, in view of peculiar conditions and the different social strata involved, it would have been fair if special mention of services to be provided in rural areas was made. One has to remember that India lives in its villages. Unfortunately, also unhappily, most of the welfare services available to persons with disabilities are concentrated in urban areas and the persons with disability in rural areas continue to suffer due to neglect of their cause. This situation could have remedied by insertion of 2 or 3 lines in the Act.

Inspector Raj?

Chapter X lays down the norms for recognition and registration of institutions for persons with disabilities. We are all for the intended measures. There are many a black sheep in the field who blatantly exploit the cause of persons with disabilities and feather their own nest at the expenses of these unfortunate persons. Strict inspection and monitoring of the functions of these institutions is in the interest of person with disabilities.

However, there is lurking fear in some corner that this may herald inspector raj. If that happens, of which a possibility exists, it will be most unfortunate. Unscrupulous persons are bound to take advantage of such a provision. Currently any institution/ organisation of persons with disabilities has only to get itself registered either as a Trust under the Trust Act or a Society under the Societies Registration Act, for which only paper work is required. This opens the doors for exploitation of persons with disabilities. Thus regular inspection and periodical renewal of registration is to be welcomed but the power should not be vested in a single official. Of course, the avenue of appeals against derecognition is available but it would be expedient if along with officials, some representatives of the NGOs engaged in that particular sphere of disability are associated with the inspecting team. Because of their on the job experience in this area, they would prove better judges.

Strangely, institutions set up by the Government and or managed by it, have been excluded from the purview of this clause. As is well known, most of the welfare institutions set up and or run by Government are among the most mismanaged. Therefore, there is no rational in either keeping such institutes out of the purview of these clauses or for not making their registration mandatory.

With the presence of non-official members in the inspection/review teams, Government run institutions should also be subjected to periodical inspection, registration and renewal of registration.

The designation of Chief Commissioner for Disable Persons does not ring right. It shows colonial hang up. A better and more appropriate designation could have been chosen. But as Shakespeare has said, "What is in a name?" So let it pass. However, it would have been more effective if there had been a multi-member commission. There too, is need for a multi-member State Commission because of the vast work involved. The welfare work for the persons with disabilities is yet to commence in the right earnest. With nearly one out of every ten Indians, a person with disability, it is difficult to visualise that a single person, however, ably assisted by staff will be able to handle the multiple disabilities each of which has different problems, issues, approaches and solutions specific to it self.

Heard of.....

Ever heard of Sharda Act? It is on our statute books. It forbids child marriage. It has been there for decades. Has this Act succeeded in ending the menace of child marriage? Certainly not. This leads to the painful question -- "does a similar fate awaits the "Persons With Disabilities Act?"

This is because of two factors. Social attitudes - same as in the case of Sharda Act. In the case of Sharda Act, its violation is common because society by and large does not frown on child marriage, not in rural areas at least. Secondly, there is lack of will on the part of the Government to enforce the Act, even though no financial expenditure as such is involved. In case of the Act under discussion, the social attitudes still consider disability a curse, a punishment of past sins and therefore, any help to them is frowned up on. This attitude is unlikely to change in a hurry. As for the will on the part of the Government to implement this Act only time will tell. However, the Disabled Rights Group and others crusading for their cause will have to blame only them selves if they fail to keep on prodding the Government to act.

Not a vote bank, disunited and fragmented, persons with disabilities are their own worst enemies. Not much is known about their problems or potentials. Nor has any attempt been made to create awareness about their cause. They have failed to project their true image. The Person with Disabilities Act 95 has also let them down.

Over all it can be said that it is a first hesitant first step but in the right direction. All will now depend up on its faithful implementation after some urgently needed suitable amendments. Let us hope for the best but be prepared to face the worst too, if it comes to that.

NATIONAL ADVOCACY WORKSHOP CALIS FOR ACTION

(A National Advocacy Workshop for effective and speedy implementation of The Disability Act 1995, was held at New Delhi. The following is the declaration of the said Work shop)

Recognizing the fact that the pace of implementation of the Persons with Disability Act, 1995 has been dismally slow and keeping in mind the urgent need to fulfill the promises made under the Act, we the representatives of the civil society met in New Delhi on 5th & 6th October, 1998 and having conducted a detailed review of the progress in implementation of the Act, do hereby call on the following to immediately undertake steps outlined here to secure the welfare, empowerment and rights of disabled persons.

CENTRAL & STATE GOVERNMENTS:

- The Chief Commissioner and Commissioners in the State should be made full time functionaries with independent charge by June, 1999, ensuring as far as practicable that persons with disability possessing required qualification and experience should be appointed as Chief Commissioner and Commissioners on the lines of the Women's Commission, Commission for SC and ST and Minorities Commission.
- The Central and State Coordination and Executive Committees must meet as specified in the Act, and minutes of the same must be widely publicized henceforth.
- Coordination and Executive Committees at Central and State levels must have greater representation of People With Disabilities (PWDs) and NGOs working with PWDs in order to have a balanced representation.
- The Central and State Coordination Committees should evolve appropriate policies, detailed rules and targets in a period of six months within the frame work of the decadal targets of UN ESCAP for which India is a signatory.
- The banking and financial institutions must be coopted to the Executive Committee at Central and State levels to facilitate self employment and income generation programmes.
- The Chief Commissioner and Commissioners must meet PWDs, Organisations of PWDs on an intensive basis at least twice a month and reflect their concerns and suggestions in the official process.
- The Government should immediately promote translation of the Disability Act into all regional languages and disseminate it widely within the government, Industry, NGOs and the public at large.
- While implementing the Act, special emphasis need to be placed on women and girls with disability and several disabled and PWDs in rural areas.
- While designing programmes for implementation of the Act, needs of people with ALL disabilities should be given adequate attention.
- The existing mechanism for inter-departmental coordination at Central, State and District levels should be strengthened for prevention, early identification and early intervention for disabilities.
- Governments should widely consult organisations of PWDs and hold public hearings while preparing amendments to the existing Act and in formulating policies for the disabled persons.
- Governments should not misinterpret the clauses and deny opportunities to disabled students of learning what they want. In fact disabled students should be given opportunities to participate in all regular and cocurricular activities like their non-disabled counterparts.
- Governments should encourage and promote quality, needs based research in the areas of manpower development, delineating prevalence and incidence of disabilities, appropriate technology, material development linking up Universities and NGOs.
- Concerned authorities must promote non-handicapping environment by providing guidelines on barrier free buildings, signage, modification to public places, etc.

NGOs :

- Closely watch, monitor and influence the Governments to implement the Act and achieve set targets.

- Support the governments to undertake orientation programmes for government personnel, employers, general public, etc.
- Motivate, educate, sensitise Government, panchayat members, general public and employers – taking proactive role – towards all areas of welfare, empowerment and rights of disabled people.
- Provide resource base and support to Governments for implementing the Act.
- Prepare training package converting the Act into an awareness material and train parents of disabled and PWDs through training programmes.
- Design, develop and conduct leadership training programmes for Persons with Disability, parents and NGO members, especially groups of disabled persons to take up professional advocacy work in respect of the Act.

INTERNATIONAL AGENCIES:

- Support NGOs, Government, Disabled Persons Organisations in the implementation of the Act.
- Support policy development, information exchange, material development, training and networking among NGOs, Disabled Persons Organisations, academic and research institutions, Government, etc.

CORPORATE SECTOR:

- Ensure barrier free environment in places of work. Also ensure safety and equal opportunities to PWDs.
- Employ at least 5% of work force at all levels from among the persons with disability.
- Support government to establish and maintain support systems for the care of severely disabled, one in each district.
- Apex bodies like CII, ASSOCHAM, FICCI should educate and motivate employers regarding the provisions of the Act to secure effective implementation.

SUPPORT INSTITUTIONS:

- (Research Institutes, Academic Institutions, Universities, Specialist Hospitals, National Institutes, Rehabilitation Institutions run by NGOs and Governments)
- Undertake research into needed curricular changes, appropriate technology for service delivery and Aids and Appliances towards implementation of the Act.
- Undertake research into various facets of Community Based Rehabilitation (CBR).

MEDIA:

- To regularly inform the public of news and activities pertinent to people with disabilities as well as publicise issue based stories.
- To act as a watch dog and ensure that the Disabilities Act is implemented in letter and spirit.

PUBLIC

- Support and encourage families with PWDs particularly those based in rural areas to ensure education, skill training, social integration and employment of persons with disability.
- Ensure that roads, buildings, religious places, shops, schools, marriage halls, etc. are accessible to PWDs.
- Cooperate with the Government, NGOs and Disabled Persons Organisations to develop CBR programmes and a barrier free environment for persons with disability.
- Do local fund raising, join hands with the Government and NGOs to take responsibility for disability programmes.



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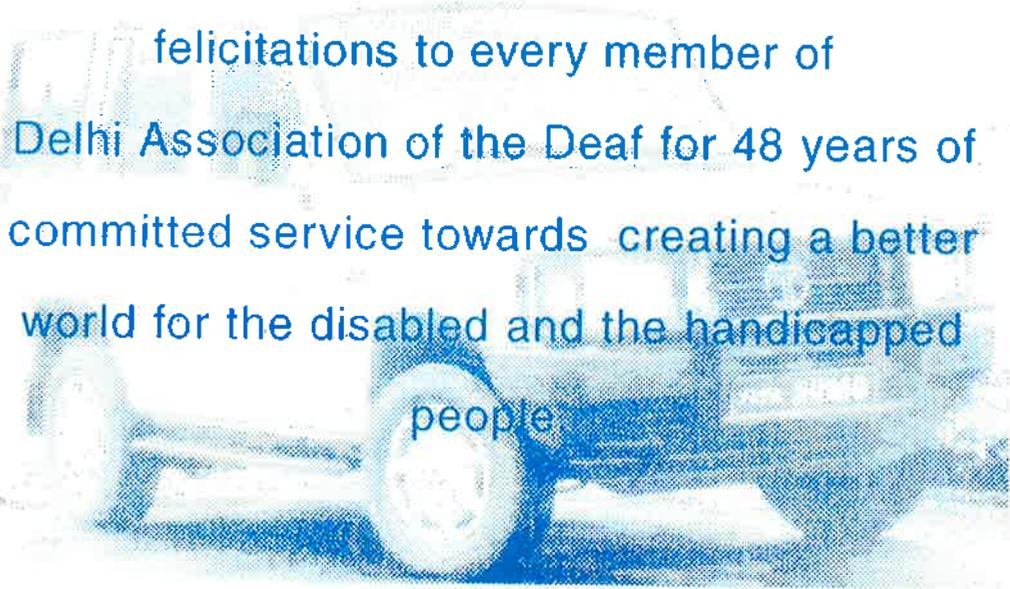
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