



सत्यमेव जयते  
न्यायालय मुख्य आयुक्त दिव्यांगजन

**COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)  
सामाजिक न्याय और अधिकारिता मंत्रालय/Ministry of Social Justice & Empowerment  
भारत सरकार/Government of India  
5वाँ तल, एन.आई.एस.डी. भवन, जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष : (011) 20892364  
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**Case No. 14431/1101/2023**

**In the matter of-**

Mr Aditya Sanjay Lohiya

**...Complainant**

**Versus**

The Managing Director & CEO,  
Bank of India

**...Respondent No.1**

The Branch Manager,  
Bank of India, Akola

**...Respondent No.2**

**1. Gist of the Case:**

1.1 Mr. Aditya Sanjay Lohiya (58% locomotor disability – Cerebral Palsy) filed a complaint dated **17.08.2023** against Bank of India, Akola Branch, regarding the freezing of his Bank Account No. 96501011001318. He learned on **11.08.2023** that his SIP was rejected due to insufficient funds and was informed at the branch that his account had been frozen without prior intimation for non-submission of KYC documents. He also alleged harassment on **09.06.2023**, when withdrawal of ₹150/- took two and a half hours and he was denied priority service despite his disability.

1.2 Notices were issued to the Respondents on **30.08.2023** and **14.10.2023** u/s 75 & 77 of the Rights of Persons with Disabilities Act, 2016 (hereinafter referred as the Act). The Respondent No.2 filed a reply dated **04.10.2023**, stating the account was frozen as per RBI KYC guidelines, reactivated the same day upon KYC submission, denied discrimination, and cited space constraints for lack of accessibility infrastructure. In his rejoinder dated **02.11.2023**, the Complainant reiterated that no prior notice for KYC submission was given before freezing the account.

**2. Hearing:**

2.1 A hearing was conducted on 30.10.2025 in hybrid mode. Wherein following parties/representatives were present:

Sl. No.	Name of the parties /Representatives	Parties	Mode
1.	Mr Aditya Sanjay Lohiya	Complainant	Online
2.	Adv. Jaspreet Singh, Counsel for Bank of India	For Respondent No.1	Online
3.	Mr. Rahul kumar, Zonal Manager Zonal Office	For Respondent No.1	Online

### 3. Proceedings of the hearing:

3.1 The Respondent submitted the freezing of the Complainant's account occurred solely due to non-compliance of KYC norms, which are mandatory under banking regulations. Upon submission of requisite KYC documents by the Complainant, the account was unfrozen on the same day. The bank has a system of sending SMS alerts to customers regarding KYC requirements. With respect to accessibility, the concerned branch was established in 2010, and the bank is currently exploring options to relocate the branch to an accessible premises due to logistical constraints. The bank has introduced doorstep banking services and designated officers to assist senior citizens and persons with disabilities.

3.1 The Complainant submitted that he was not adequately informed about the impending freezing of his account due to non-completion of KYC. The freezing of the account resulted in disruption of financial activities including SIP transactions. The physical inaccessibility of the branch caused hardship, though the complainant has since relocated due to academic commitments.

### 4. Observations:

4.1 KYC compliance is a mandatory statutory requirement, and this Court cannot dilute or relax such norms. The account of the complainant has admittedly been restored on the same day after KYC compliance.

4.2 There is no conclusive documentary evidence presently on record to establish whether prior SMS/email intimation regarding KYC was sent to the complainant. In absence of documentary proof, the issue cannot be adjudicated solely on oral assertions.

4.3 However, this Court observes that persons with disabilities are entitled to priority and reasonable accommodation, including timely communication and facilitation in such compliance-related matters.

4.4 Banks are service providers under the Act and are mandatorily required to ensure accessibility in terms of Sections 44, 45, and 46 of the Act and Rule 15(1) (a) of the RPwD Rules, 2017.

4.5 The Hon'ble Supreme Court and this Court have consistently held that non-accessible premises cannot be justified on grounds of convenience or delay.

4.6 The argument that the branch was established prior to the enactment of the Act is not acceptable, as accessibility obligations existed even under the Persons with Disabilities Act, 1995.

(a) Merely expressing intent to relocate or offering doorstep banking services does not substitute compliance with statutory accessibility requirements.

(b) Accessibility must be actual, functional, and available in practice, not merely in policy or presentation.

4.7 The grievance relating to freezing of the bank account stands redressed, as the account has been restored.

## **5. Recommendations:**

5.1. In exercise of the powers conferred under the Act, this Court hereby directs and recommends that Respondent No. 1 shall ensure that all its branches operate from premises that are fully accessible and compliant with Sections 44, 45, and 46 of the RPwD Act and the relevant Rules, and that no compromise whatsoever shall be made with respect to accessibility.

5.2. It is further suggested that, until such time as permanent accessibility is achieved, the Respondents shall ensure the effective dissemination and implementation of doorstep banking and assistance services for persons with disabilities. Respondent Nos. 1 and 2 are also recommended to extend priority, sensitivity, and reasonable accommodation to persons with disabilities in all aspects of service delivery, including compliance-related processes such as KYC.

5.3. Additionally, the Respondent bank is strongly advised to institutionalize appropriate mechanisms to prevent the recurrence of such grievances. In accordance with Section 76 of the Act, the Respondents shall submit an Action Taken Report on the present Order within a period of three months from the date

hereof.

5.4. Accordingly, the case is disposed of.

**(S. Govindaraj)**  
Commissioner for Persons with Disabilities