



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
 5th Floor, N.I.S.D. Bhawan, G-2, Sector-10, Dwarka, New Delhi-110075; Tel.: (011) 20892364
 Email: ccpd@nic.in; Website: www.ccpd.nic.in

Case No. 14075/1103/2023

In the matter of-

Shri Naveen Kumar

...Complainant

Versus

The Chairman & Managing Director,
 Bangalore Metro Rail Corporation Ltd
 3rd Floor, BMTC Complex,
 K.H.Road, Shanthinagar,
 Bangalore 560 027
 E-mail: md@bmrc.co.in

...Respondent

1. Gist of Complaint:

1.1 Shri Naveen Kumar from Bengaluru, vide email dated 01.04.2023 filed a complaint against Bengaluru Metro Rail Corporation Limited (BMRCL), for not making the Metro Rail accessible for wheelchair user.

1.2 The complainant submitted that on 01.04.2023 he took a ride from Seetharampalya Station to Whitefield and found glaring gap between metro door and platform. The gap between the train door and the platform is very wide and makes it hard to enter or exit trains in a wheelchair without taking help from others. Not only the horizontal gap but the train level is higher than platform level (vertical gap), which is causing the wheels to get stuck between the gaps. This issue is practically making the metro inaccessible to wheelchair passengers who want to travel independently without taking others' assistance.

2. Notice issued to the Respondents:

2.1 A Notice dated 29.05.2023 was issued to the Respondent for forwarding their comments within 30 days to this Court u/s 75 & 77 of the Rights of Persons with Disabilities Act, 2016.

3. Reply filed by the Respondent:

3.1 The Head of Legal Cell, BMRCL filed a Reply dated 09.06.2023 and submitted that the 98-110 mm train-platform gap is necessary to prevent friction, and that the metro follows disability guidelines, does not discriminate, and provides reasonable accommodation as required under the RPwD Act, 2016.

4. Submission made in the Rejoinder:

4.1 The Complainant filed his Rejoinder dated 09.08.2023 states that BMRCL's response is unsatisfactory and ignores his main issue: a large 5-inch horizontal and 4-inch vertical gap between the train and platform, making independent wheelchair access unsafe. He disputes BMRCL's justification regarding friction and notes that metros abroad have much smaller gaps. He asks that BMRCL be directed again to level the platform and train floor.

5. Hearing (I): A hearing was conducted on 28.02.2025 in hybrid mode:

5.1 During the hearing, Shri Naveen Kumar the complainant was present and none for Respondent.

5.2 The Complainant reiterated that most Bengaluru Metro stations have a 4.5-inch horizontal gap and a height difference between the platform and train doors. Since no representative of the respondent appeared at the hearing, the hearing was postponed.

6. Response received from the Respondent against hearing dated 28.02.2025:

6.1 No response received from the Respondent despite issuing the last RoP of the hearing dated 28.02.2025.

7. Hearing (II): A hearing was conducted on 28.11.2025 in hybrid mode. Following parties/representatives were present during the hearing:

Sl. No.	Name and Designation of the Attendees	On Behalf of	Mode
1.	Shri Naveen Kumar	Complainant	Online
2.	Shri S.R. Manikya, GM Law Arbitration, BMRCL	Respondent	Online
3.	Ms. Vijay Laxmi Devi, General Manager (Law) BMRCL	Respondent	Online

8. Proceedings of the hearing:

8.1 At the outset, the Complainant submitted that the front wheels of his wheelchair often get stuck in the gap, requiring assistance from security personnel, thereby affecting his dignity, safety, and independent mobility. He further highlighted that in certain instances there has been coordination failures in escort assistance which caused inconvenience, thereby, denial of seamless travel.

8.2 The Respondent submitted that the existing gap is maintained as per prescribed metro rail standards and design specifications applicable in India and that structural modification may not presently be feasible. However, BMRCL stated that escort and assistance services are being provided to persons with disabilities at stations and during travel.

9. Observations and Recommendations:

9.1 Upon consideration of the submissions of the parties, this Court observes that the grievance primarily concerns the accessibility, safety, dignity and independent mobility of wheelchair users at the interface between the platform and the Metro coach.

9.2 This Court is of the considered view that mere conformity with existing technical specifications cannot, by itself, constitute compliance with the substantive mandate of accessibility under the Rights of Persons with Disabilities Act, 2016.

9.3 Section 40 of the Act requires the appropriate Government to formulate standards of accessibility, while Sections 41 and 42 seek accessibility in transportation and information and communication systems; further, the principles of equality, non-discrimination, reasonable accommodation, dignity and independent living embodied in

Sections 3 and 4 require accessibility measures to be effective in practice and not merely formal in nature.

9.4 The Hon'ble Supreme Court has consistently held that the rights of persons with disabilities must be understood in the context of dignity, equality, autonomy and meaningful participation, and that reasonable accommodation is an integral component of substantive equality, as recognised in *Vikash Kumar v. Union Public Service Commission*, (2021) 5 SCC 370.

9.5 The Court has also emphasised in *Jeeja Ghosh v. Union of India*, (2016) 7 SCC 761, that persons with disabilities are entitled to dignity and equal participation and cannot be subjected to avoidable dependence or discriminatory treatment. In *Rajive Raturi v. Union of India*, 2024 INSC 858, the Hon'ble Supreme Court further underscored the obligation of the State to ensure meaningful and effective accessibility rather than treating accessibility as a mere formal requirement.

9.6 In this context, reliance exclusively upon escort assistance cannot be regarded as a complete substitute for accessible infrastructure, particularly where the physical design itself creates a recurring risk to the safety, dignity and independent mobility of wheelchair users. Accordingly, within the mandate conferred upon the Chief Commissioner under Sections 75, 76 & 77 of the RPwD Act, BMRCL is recommended to undertake a technical and accessibility assessment of the existing platform-coach interface and examine feasible measures, including retractable ramps, bridge plates, suitable gap-reduction or other assistive solutions, consistent with applicable safety standards, so as to minimise the risk of wheelchair wheels getting trapped and to facilitate safe and independent boarding and deboarding.

9.7 BMRCL is further advised to strengthen its escort assistance mechanism through effective inter-station coordination, advance communication, designated responsibility and appropriate training of personnel so that assistance, where required, is provided promptly and seamlessly.

9.8 BMRCL shall submit an Action Taken Report to this Court within 90 days from the date of receipt of this Order, indicating the technical assessment undertaken, measures implemented or proposed, and the

mechanism adopted for ensuring accessible, safe, dignified and independent travel for wheelchair users. The Report should also contain the measures taken to sensitize the staff of BMRCL towards commuters with disabilities.

9.9 Accordingly, the case has been disposed of.

Digitally signed by
S Govindaraj
Date: 19-09-2026
10:41:19

(S. Govindaraj)

Commissioner for Persons with Disabilities