



भारतीय रिज़र्व बैंक
RESERVE BANK OF INDIA

www.rbi.org.in

मुख्य महाप्रबंधक

Chief General Manager

DO. DBOD.No.Leg. 2488 /09.07.007/2013-14

August 16, 2013

Madam,

Problems of disabled Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities in opening accounts

We thank you for your letter No.1/67/NAT/2012/13575 dated September 26, 2012 on the above subject.

2. We have examined the legal position with our Legal Department and the practical aspects with the Indian Banks' Association (IBA). Our Legal Department agrees that it is not mandatory to produce a guardianship certificate issued by Local Level Committee (LLC) under National Trust Act for the purpose of opening bank account. Even under the Mental Health Act, 1987, it is not mandatory to obtain the appointment of a guardian either for taking care of mentally ill person or for managing his property or both. However from practical point of view the IBA feels that people with such disabilities may not be in a position to individually operate a bank account due to the very nature of their illness and the possibility of such persons being misled by others and money withdrawn from their account fraudulently cannot be ruled out. Therefore, with a view to provide a secured banking facility, it would be more prudent, if such disabled people, in their own interest, are allowed to open accounts with a guardian through the mechanism of the guardianship certificates issued by the District Level Committee.

3. In view of the above, we would be glad to have your considered opinion in the matter.

With regards,

Yours sincerely,

Rajesh Verma
(Rajesh Verma)

Mrs. Poonam Natarajan

Chairperson

National Trust for welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities

Ministry of Social Justice & Empowerment,

Government of India,

16-B, Bada Bazar Road, Old Rajinder Nagar

New Delhi 110060

बैंकिंग परिचालन और विकास विभाग, 12 वीं और 13 वीं मंजिल, केंद्रीय कार्यालय, केंद्रीय कार्यालय भवन, शहीद भगतसिंह मार्ग, फोर्ट, मुंबई- 400 001.

Department of Banking Operations and Development, 12th & 13th Floor, Central Office, Central Office Bldg., Shahid Bhagat Singh Marg, Fort, Mumbai- 400 001.

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