

Integrated Ombudsman Scheme

RBI released **The Reserve Bank- Integrated Ombudsman Scheme, 2021** which is effective from November 12, 2021. The Scheme emphasizes on strengthening the grievance redress mechanism for consumers of various services provided by the RBI regulated entities. The Scheme adopts 'One Nation One Ombudsman' approach by making the RBI Ombudsman mechanism jurisdiction neutral. It integrates the existing three Ombudsman schemes of RBI namely-

1. The Banking Ombudsman Scheme, 2006;
2. The Ombudsman Scheme for Non-Banking Financial Companies, 2018; and
3. The Ombudsman Scheme for Digital Transactions, 2019

The Salient features of the Scheme are as under-

- It will no longer be necessary for a complainant to identify under which scheme he/she should file complaint with the Ombudsman.
- The Scheme defines "deficiency in service" as the ground for filing a complaint, with a specified list of exclusions. Therefore, the complaints would no longer be rejected simply on account of "not covered under the grounds listed in the scheme"
- The Scheme has done away with the jurisdiction of each ombudsman office.
- A Centralised Receipt and Processing Centre has been set up at RBI, Chandigarh for receipt and initial processing of physical and email complaints in any language.
- The responsibility of representing the Regulated Entity and furnishing information in respect of complaints filed by customers against the Regulated Entity would be that of the Principal Nodal Officer in the rank of a General Manager in a Public Sector Bank or equivalent.
- The Regulated Entity will not have the right to appeal in cases where an Award is issued by the ombudsman against it for not furnishing satisfactory and timely information/documents.

The Executive Director in charge of the Consumer Education and Protection Department of RBI would be the Appellate Authority under the Scheme.

Procedure for Redressal of Grievance

Grounds of Complaint-

Any customer aggrieved by an act or omission of a Regulated Entity resulting in deficiency in below mentioned services may file a complaint under the Scheme personally or through an authorised representative.

- Interest/Deposit not paid or paid with delay
- Cheque not presented or done with delay
- Not conveyed the amount of loan sanctioned, terms & conditions, annualised rate of interest..
- Notice not provided for changes in agreement, levy of charges
- Failure to ensure transparency in contract/loan agreement
- Failure/ Delay in releasing securities/ documents
- Failure to provide legally enforceable built-in repossession in contract/ loan agreement
- RBI directives not followed by Aryadhan
- Guidelines on Fair Practices Code not followed

Grounds for non-maintainability of a Complaint-

No complaint for deficiency in service shall be maintainable under the Scheme in matters involving:

- Commercial judgment/Commercial decision of a Regulated Entity;
- A dispute between a vendor and a Regulated Entity relating to an outsourcing contract;
- A grievance not addressed to the Ombudsman directly;
- General grievances against Management or Executives of a Regulated Entity;
- A dispute in which action is initiated by a Regulated Entity in compliance with the orders of a statutory or law enforcing authority;
- A service not within the regulatory purview of the Reserve Bank;
- A dispute between Regulated Entities; and
- A dispute involving the employee employer relationship of a Regulated Entity.

A complaint under the Scheme shall not lie unless-

- The complainant had, before making a complaint under the Scheme, made a written complaint to the Regulated Entity concerned and –
 1. The complaint was rejected wholly or partly by the Regulated Entity, and the complainant is not satisfied with the reply; or the complainant had not received any reply within 30 days after the Regulated Entity received the complaint; and
 2. The complaint is made to the Ombudsman within one year after the complainant has received the reply from the Regulated Entity to the complaint or, where no reply is received, within one year and 30 days from the date of the complaint.
- Complaints which have been already dealt with by Ombudsman or those under process/pending on the same cause of action and for similar relief (whether received from the same complainant or along with one or more complainants) with the RBIO.
- Complaints pending before any Court, Tribunal or Arbitrator or any other forum or authority; or, settled or dealt with on merits, by any Court, Tribunal or Arbitrator or any other forum or authority, whether or not received from the same complainant or along with one or more of the complainants/parties concerned.
- The complaint is not abusive or frivolous or vexatious in nature;
- The complaint to the Regulated Entity was made before the expiry of the period of limitation prescribed under the Limitation Act, 1963, for such claims;
- The complainant provides complete information as specified in clause 11 of the Scheme;
- Complaints lodged through an advocate, except where the advocate himself is the aggrieved person.

How can a customer lodge a complaint?

- Complaints can continue to be filed online on <https://cms.rbi.org.in>.
- Complaints can also be filed through the dedicated e-mail “crpc@rbi.org.in” or sent in physical mode to the ‘**Centralised Receipt and Processing Centre**’ set up at Reserve Bank of India, 4th Floor, Sector 17, Chandigarh – 160017 in the format.
- Additionally, a Contact Centre with a **toll-free number – 14448** (9:30 am to 5:15 pm) – is also being operationalized in Hindi, English, and in eight regional languages to begin with and will be expanded to cover other Indian languages in due course.

- For any further details on complaint handling procedure, complaint form, etc., customer may refer to scheme displayed at our website and office premises.

Resolution of Complaints-

- Proceedings before Ombudsman are summary in nature.
- Promotes settlement through facilitation, conciliation or mediation. If not reached, can issue Award/Order.
- The complaint would be deemed to be resolved when:
 1. It has been settled by the Regulated Entity with the complainant upon the intervention of the Ombudsman; or
 2. The complainant has agreed in writing or otherwise (which may be recorded) that the manner and the extent of resolution of the grievance is satisfactory; or
 3. The complainant has withdrawn the complaint voluntarily.

Appeal before Appellate authority-

- The complainant aggrieved by an Award or rejection of a complaint by Ombudsman Office, may, within 30 days of date of receipt of award or rejection of complaint, prefer an appeal to **Executive Director, Consumer Education & Protection Department (CEPD), RBI.**
- The Appellate Authority may, if it is satisfied that the complainant had sufficient cause for not making the appeal within the time, may allow a further period not exceeding 30 days.

General-

- There is no limit on the amount in a dispute that can be brought before the Ombudsman for which the Ombudsman can pass an Award.
- Ombudsman/ Deputy Ombudsman may reject the complaint, if not maintainable under the Scheme.
- This is an Alternate Dispute Resolution Mechanism.
- Customer is at liberty to approach any other court/ forum/ authority for the redressal at any stage, however in such a case he/she will not be able to approach RBI Ombudsman.

Annexure

FORM OF COMPLAINT (TO BE LODGED) WITH THE OMBUDSMAN

[Clause 11(2) of the Scheme]

(TO BE FILLED UP BY THE COMPLAINANT)

All the fields are mandatory except wherever indicated otherwise

To

The Ombudsman

Madam/Sir,

Sub: Complaint against(place of Regulated Entity's branch or office) of
.....(name of the Regulated Entity)

Details of the complaint:

1. Name of the complainant

2. Age (years).....

3. Gender.....

4. Full address of the complainant

.....
.....

Pin Code

Phone No. (if available).....

Mobile Number.

E-mail (if available)

5. Complaint against (Name and full address of the branch or office of the Regulated Entity)

.....
.....

Pin Code

6. Nature of relationship/account number (if any) with the Regulated Entity

.....

7. Transaction date and details, if available

.....

(a) Date of complaint already made by the complainant to the Regulated Entity (Please enclose a copy of the complaint)

.....

(b) Whether any reminder was sent by the complainant? Yes/No

(Please enclose a copy of the reminder)

.....

8. Please tick the relevant box (Yes/No)

Whether your complaint:

(i)	is sub-judice/under arbitration ¹ ?	Yes	No
(ii)	is made through an advocate, except when the advocate is the aggrieved party?	Yes	No
(iii)	has already been dealt with or is under process on the same ground with the Ombudsman?	Yes	No
(iv)	is in the nature of general complaint/s against Management or Executives of a Regulated Entity?	Yes	No
(v)	is on account of a dispute between Regulated Entities?	Yes	No
(vi)	involves employer-employee relationship?	Yes	No

9. Subject matter of the complaint

.....

10. Details of the complaint: (If space is not sufficient, please enclose a separate sheet)

.....

.....

.....

.....

.....

11. Whether any reply has been received from the Regulated Entity within a period of 30 days of receipt of the complaint by it? Yes/No

(if yes, please enclose a copy of the reply)

12. Relief sought from the Ombudsman

.....

.....

(Please enclose a copy of documentary proof, if any, in support of your claim)

13. Nature and extent of monetary loss, if any, claimed by the complainant by way of compensation (please refer to clauses 15 (4) & 15 (5) of the Scheme)

Rs.....
.....

14. List of documents enclosed:

Declaration

(i) I/We, the complainant/s herein declare that:

a) the information furnished above is true and correct; and

b) I/We have not concealed or misrepresented any fact stated above, and in the documents submitted herewith.

(ii) The complaint is filed before the expiry of a period of one year reckoned in accordance with the provisions of clause 10 (2) of the Scheme.

Yours faithfully

(Signature of the Complainant/Authorised Representative)

AUTHORISATION

If the complainant wants to authorise a representative to appear and make submission on her/his behalf before the Ombudsman, the following declaration should be submitted:

I/We hereby nominate Shri/Smt..... as my/our authorised representative whose contact details are as below:

Full Address

.....
.....
.....

Pin Code

Phone No:.....

Mobile Number.

E-mail

(Signature of the Complainant)