

AROHAN FINANCIAL SERVICES LIMITED



SALIENT FEATURES OF THE RBI INTEGRATED OMBUDSMAN SCHEME, 2021

SALIENT FEATURES OF THE RESERVE BANK - INTEGRATED OMBUDSMAN SCHEME, 2021

RBI has integrated the existing three Ombudsman schemes of RBI namely, (i) the Banking Ombudsman Scheme, 2006; (ii) the Ombudsman Scheme for Non-Banking Financial Companies, 2018; and (iii) the Ombudsman Scheme for Digital Transactions, 2019; into one “The Reserve Bank- Integrated Ombudsman Scheme, 2021” (the “**Scheme**”). The Scheme adopts ‘One Nation One Ombudsman’ approach by making the RBI Ombudsman mechanism jurisdiction neutral. Any customer aggrieved by deficiency in service (a shortcoming or an inadequacy in any financial service or such other services related thereto, which the Company is required to provide statutorily or otherwise, which may or may not result in financial loss or damage to the customer) may file a complaint in writing or otherwise under the Scheme.

The Integrated Ombudsman Scheme, 2021 is effective from November 12, 2021.

Some of the salient features of the Scheme are:

1. It will no longer be necessary for a complainant to identify under which scheme he/she should file complaint with the Ombudsman.
2. 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”.
3. The Scheme has done away with the jurisdiction of each ombudsman office.
4. 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.
5. The responsibility of representing the Arohan (“**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.
6. 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.
7. A copy of the Scheme is available on the RBI website and on the CMS portal (<https://cms.rbi.org.in>).

8. Procedure for filing compliant: -

- i. The Complaints may be lodged online through the RBI portal (<https://cms.rbi.org.in>).
- ii. The complainants may also submit their complaints through the dedicated e-mail at 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 attached format (**Annexure A**).
- iii. Additionally, a Contact Centre with a toll-free number – 14448 (9:30 am to 5:15 pm) – is also being operationalised in Hindi, English and in eight regional languages to begin with and will be expanded to cover other Indian languages in due course.
- iv. The Principal Nodal officer appointed by the Regulated Entity shall be responsible for representing the Regulated Entity and furnishing information on behalf of the Regulated Entity in respect of complaints filed. Please visit our website for contact details of the Principal Nodal Officer of the Company.
- v. Regulated Entity on receipt of the Complaint, should furnish written response along with all the relevant documents to the Ombudsman within 15 days of receipt of the complaint. Provided that the Ombudsman may, at the request of the Regulated Entity in writing to the satisfaction of the Ombudsman, grant such further time as may be deemed fit to file its written version and documents.
- vi. The Ombudsman/Deputy Ombudsman may reject a complaint at any stage if the same is not maintainable under the Scheme.
- vii. The complainant aggrieved by an Award may within 30 days of the date of receipt of the Award or rejection of the complaint, prefer an appeal before the Appellate Authority. The Executive Director-in charge of Consumer Education and Protection Department of RBI would be the Appellate Authority under the Scheme. Provided that the Appellate Authority may, if he 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.

Grounds for non-maintainability of a Complaint:

(1) No complaint for deficiency in service shall lie under the Scheme in matters involving:

(a) commercial judgment/decision of a Regulated Entity;

- (b) a dispute between a vendor and a Regulated Entity the Company relating to an outsourcing contract;
- (c) a grievance not addressed to the Ombudsman directly;
- (d) general grievances against Management or Executives of a Regulated Entity;
- (e) a dispute in which action is initiated by a Regulated Entity in compliance with the orders of a statutory or law enforcing authority;
- (f) a service not within the regulatory purview of the Reserve Bank;
- (g) a dispute between Regulated Entities;
- (h) a dispute involving the employee-employer relationship of a Regulated Entity;
- (i) a dispute for which a remedy has been provided in Section 18 of the Credit Information Companies (Regulation) Act, 2005; and
- (j) a dispute pertaining to customers of Regulated Entity not included under the Scheme.

(2) A complaint under the Scheme shall not lie unless:

(a) the complainant had, before making a complaint under the Scheme, made a written complaint to the Regulated Entity concerned and –

- (i). 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
- (ii). 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.

(b) the complaint is not in respect of the same cause of action which is already

(i). pending before an Ombudsman or settled or dealt with on merits, by an Ombudsman, whether or not received from the same complainant or along with one or more complainants, or one or more of the parties concerned;

(ii). 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;

- (c) the complaint is not abusive or frivolous or vexatious in nature;
- (d) 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;
- (e) the complainant provides complete information as specified in clause 11 of the Scheme;
- (f) the complaint is lodged by the complainant personally or through an authorized representative other than an advocate unless the advocate is the aggrieved person.

For more details, please refer to the Scheme details available on the RBI website www.rbi.org.in. The copy of the Scheme is also available in our branches, which will be provided to customers upon request.

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 *?	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

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10. Details of the complaint:

(If space is not sufficient, please enclose a separate sheet)

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*| **Complaint is sub-judice/under arbitration** if the complaint in respect of the same cause of action is already pending/dealt with on merits by any Court, Tribunal or Arbitrator or any other Authority, whether individually or jointly.

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

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(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.....
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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)

