

Salient features of the Integrated Ombudsman Scheme, 2021

Preamble:

The integrated Ombudsman Scheme 2021 (“the Scheme”) of RBI was launched on 12th November 2021.

The Scheme emphasizes on strengthening the grievance redressal mechanism for consumers of various services provided by the RBI regulated entities.

The following existing ombudsman schemes are being integrated into a single scheme which will offer the benefit of a single platform to customers for getting speedy resolution of their grievances:

- the Banking Ombudsman Scheme, 2006
- the Ombudsman Scheme for Non-Banking Financial Companies, 2018;
- the Ombudsman Scheme for Digital Transactions, 2019;

The Scheme adopts ‘One Nation One Ombudsman’ approach by making the RBI Ombudsman mechanism jurisdiction neutral.

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 have 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.
- 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.

Which complaints are not maintainable?

- (1) No complaint for deficiency in service shall lie under the Scheme in matters involving:
- commercial judgment/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 dispute for which a remedy has been provided in Section 18 of the Credit Information Companies (Regulation) Act, 2005; and
- a dispute pertaining to customers of Regulated Entity not included under the Scheme.

(2) 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 -
 - (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.
- 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;
- 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;
- the complaint is lodged by the complainant personally or through an authorised representative other than an advocate unless the advocate is the aggrieved person.

Explanation 1: For the purposes of sub-clause (2)(a), 'written complaint' shall include complaints made through other modes where proof of having made a complaint can be produced by the complainant.

Explanation 2: For the purposes of sub-clause (2)(b)(ii), a complaint in respect of the same cause of action does not include criminal proceedings pending or decided before a Court or Tribunal or any police investigation initiated in a criminal offence.

How can a customer lodge a complaint?

Complaints may be lodged online through the portal designed for the purpose i.e, <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 specified format which is available at <https://cms.rbi.org.in>. Additionally, a Contact Centre with a toll-free number – #14448 (24*7) – is also available with the facility to speak to executives in Hindi and English is available from 8.00 AM to 10.00 PM and in ten regional languages from 9.30 AM to 10.30 PM from Monday to Friday except National Holidays.

A copy of the Scheme is available on the RBI website and on the CMS portal (<https://cms.rbi.org.in>). The Company has also displayed the Integrated Ombudsman Scheme at all branches.

Details of Principal Nodal Officer:-

Name: Mr. Mayank Vajpeyee

Address: Plot No 59 & 60 - 23, 22nd Cross, 29th Main BTM Layout, 2nd Stage, Bangalore, Bengaluru, Karnataka, India, 560076

Email ID: pno@vistaarfinance.com

Contact no: +91 6362801856