

Salient Features: The Reserve Bank – Integrated Ombudsman Scheme, 2021

RBI has integrated the 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 Integrated Ombudsman Scheme, 2021 is effective from 12 November 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 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. Reserve Bank of India has established the Centralised Receipt and Processing Centre (CRPC) at Chandigarh for receipt of the complaints Pan India.

While 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 provided. 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. The Contact Centre will provide information/clarifications regarding the alternate grievance redress mechanism of RBI and to guide complainants in filing of a complaint.

8. A copy of the Scheme is available on the RBI website and on the CMS portal (<https://cms.rbi.org.in>).

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.

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

- (a) commercial judgment/commercial decision of the NBFC;
- (b) a dispute between a vendor and the NBFC relating to an outsourcing contract;
- (c) a grievance not addressed to the Ombudsman directly;
- (d) general grievances against Management or Executives of the NBFC;
- (e) a dispute in which action is initiated by the NBFC 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; and
- (h) a dispute involving the employee-employer relationship of a NBFC.

For more details, please refer to the Scheme details available on the Company's website <https://www.vivriticapital.com/digital-lending-partners.html> or at 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.