

## **SALIENT FEATURES: THE RESERVE BANK – INTEGRATED OMBUDSMAN SCHEME, 2021**

- The Integrated Ombudsman Scheme, 2021 is effective from November 12, 2021.
- The Reserve Bank of India has established the Centralised Receipt and Processing Centre (CRPC) at Chandigarh for receipt of the complaints Pan India.
- The Scheme emphasizes on strengthening the grievance redress mechanism for customers of various services provided by the RBI regulated entities.
- Any customer aggrieved by 'deficiency in service' (a shortcoming or an inadequacy in any financial service, which the NBFC 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.
- 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. However, for any consequential loss suffered by the complainant, the Ombudsman shall have the power to provide a compensation up to Rupees 20 lakhs, in addition to, up to Rupees One lakh for the loss of the complainant's time, expenses incurred and for harassment/mental anguish suffered by the complainant.
- The Scheme has done away with the jurisdiction of each ombudsman office.
- **Complaint shall not lie under the Scheme, 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 NBFC, and the complainant is not satisfied with the reply; or the complainant had not received any reply within 30 days after the NBFC received the complaint; and
    - ii. the complaint is made to the Ombudsman within one year after the complainant has received the reply from the NBFC 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 NBFC 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 authorised representative other than an advocate unless the advocate is the aggrieved person.

**II. 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 a 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 NBFCs; and
- h) a dispute involving the employee-employer relationship of the NBFC.

• **How to file a Complaint under this scheme?**

- a) The complaint may be lodged online through <https://cms.rbi.org.in>
- b) The complaint may also be submitted through electronic or physical mode to the Centralized Receipt and Processing Centre as notified by the Reserve Bank.

The complaint, if submitted in physical form, shall be duly signed by the complainant or by the authorized representative. The complaint shall be submitted in electronic or physical mode in such format and containing such information as may be specified by Reserve Bank.

**Format of Complaint Form is provided on the website at <https://www.veritasfin.in/contact-us.php>**

• **Appeal before the Appellate Authority**

The complainant aggrieved by an Award or rejection of a complaint by Ombudsman Office may prefer an Appeal before the Appellate Authority within 30 days of the date of receipt of the Award or rejection of the complaint

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.

For more details, please refer to the Scheme details available on the Company's website at <https://www.veritasfin.in/contact-us.php> or at RBI website [www.rbi.org.in](http://www.rbi.org.in) .