

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

The Reserve Bank of India introduced the Integrated Ombudsman Scheme, 2021 (“the Scheme”) on November 12, 2021. This scheme amalgamates 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. The Scheme adopts ‘One Nation One Ombudsman’ approach by making the RBI Ombudsman mechanism jurisdiction neutral.

The salient features of the Integrated Ombudsman Scheme, 2021 are as under:

1. Any customer aggrieved by an act or omission of the Regulated Entity resulting in deficiency in service may file a complaint in writing or otherwise under the Scheme.
2. 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 lakh, 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
3. The complaint can be lodged online through the RBI portal (<https://cms.rbi.org.in>)
4. The complaint may also be submitted through electronic by e-mail at crpc@rbi.org.in or in physical mode to the Centralised Receipt and Processing Centre, Chandigarh at the given address: Centralised Receipt and Processing Centre (CRPC) Reserve Bank of India, Central Vista, Sector 17 Chandigarh – 160017. Complainants having queries on the Scheme or desiring information relating to their complaints lodged through the above methods, can reach the Contact Centre of RBI at toll-free #14448 (currently available from 9:30 am to 5:15 pm on working days) in Hindi, English and nine regional languages.
5. 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 Bank 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 Bank 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.

6. No complaint for deficiency in service shall lie under the Scheme in matters involving:
 - (a) commercial judgment/commercial decision of a Regulated Entity;
 - (b) a dispute between a vendor and a Regulated Entity 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 Regulated Entity;
 - (g) a dispute between Regulated Entities; and
 - (h) a dispute involving the employee-employer relationship of a Regulated Entity.
7. Regulated Entity on receipt of the complaint, should furnish written reply along with all the relevant documents to the Ombudsman within 15 days of receipt of complaint.
8. In case Regulated Entity omits /fails to file its written version and documents within 15 days, then Ombudsman may proceed ex-parte based on the evidence available on record and pass appropriate Order or issue an Award.
9. The Award shall lapse and be of no effect unless the complainant furnishes a letter of acceptance of the Award in full and final settlement of the claim to the Regulated Entity, within a period of 30 days from the date of receipt of the copy of the Award.
10. 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.
11. For more details, please refer to the Scheme details available on the website of the Company (www.profectuscapital.com) or at RBI website www.rbi.org.in.
