



## RESERVE BANK – INTEGRATED OMBUDSMAN SCHEME 2021 - SALIENT FEATURES

The Integrated Ombudsman Scheme, 2021 (“**Scheme**”) is effective from November 12, 2021. The Scheme adopts ‘One Nation One Ombudsman’ approach by making the Reserve Bank of India (“**RBI**”) Ombudsman mechanism jurisdiction neutral. It integrates 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.

### 1. **APPLICABILITY:**

The Scheme is meant for resolving customer grievances in relation to services provided by entities regulated by RBI under the applicable provisions of the Reserve Bank of India Act, 1934, the Banking Regulation Act, 1949, the Payment and Settlement Systems Act, 2007, and the Credit Information Companies (Regulation) Act, 2005 (30 of 2005).

### **DEFINITIONS**

Capitalized terms used but not defined herein shall have the meaning assigned to them under the Scheme.

“**Appellate Authority**” means the Executive Director in-Charge of the Department of the RBI administering the Scheme;

“**Authorised Representative**” means a person, other than an advocate, duly appointed and authorised in writing to represent the complainant in the proceedings before the Ombudsman;

“**Complaint**” means a representation in writing or through other modes alleging deficiency in service on the part of a Regulated Entity, and seeking relief under the Scheme;

“**Deficiency in Service**” means a shortcoming or an inadequacy in any financial service or such other services related thereto, which the Regulated Entity is required to provide statutorily or otherwise, which may or may not result in financial loss or damage to the customer;

“**Regulated Entity(ies)**” or “**RE**” means a bank or a Non-Banking Financial Company, or a System Participant or a Credit Information Company as defined in the Scheme, or any other entity as may be specified by the RBI from time to time; to the extent not excluded under the Scheme.

### 1. **POWERS AND FUNCTIONS OF THE OMBUDSMAN**

- b. The Ombudsman/Deputy Ombudsman shall consider the Complaints of customers of Regulated Entities relating to Deficiency in Service.
  - a. 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 INR 20,00,000 (Indian Rupees Twenty Lakhs only), in addition to, up to INR 1,00,000 (Indian Rupees One Lakh only) for the loss of the complainant’s time, expenses incurred and for harassment/mental anguish suffered by the complainant.
  - a. While the Ombudsman shall have the power to address and close all Complaints, the Deputy Ombudsman shall have the power to close those Complaints falling under clause 10 of the Scheme (also mentioned in brief under paragraphs 4(B) and (C) of this document) and complaints settled through facilitation as stated under clause 14 of the Scheme (also mentioned in brief under paragraph 6 of this document).

- a. The Ombudsman shall send to the Deputy Governor, RBI, a report as on March 31st every year, containing a general review of the activities of the office during the preceding financial year, and shall furnish such other information as the Reserve Bank may direct.

## 1. PROCEDURE FOR GRIEVANCE REDRESSAL UNDER THE SCHEME:

- **Grounds of complaint:** Any customer aggrieved by an act or omission of a Regulated Entity resulting in Deficiency in Service may file Complaint under the Scheme personally or through an authorised representative.
  - a. Complaint shall not lie under the Scheme, unless: The complainant had, before making a complaint under the Scheme, made a written complaint to the Regulated Entity concerned and 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
  - b. 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.
  - c. The complaint is not in respect of the same cause of action which is already:
  - d. 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;
  - e. 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;
  - f. 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;
  - g. The complainant provides complete information as specified in clause 11 of the Scheme (also mentioned in brief under paragraph 5) of this document);
  - h. The complaint is lodged by the complainant personally or through an authorised representative other than an advocate unless the advocate is the aggrieved person.
- a. **II. Grounds for non-maintainability of a Complaint:** No complaint for Deficiency in Service shall lie under the Scheme in matters involving:
  - b.
  - c. Commercial judgment/commercial decision of an RE;
  - iv. Dispute between a vendor and an RE relating to an outsourcing contract;
  - v. Grievances which are not addressed to the Ombudsman directly;
  - vi. General grievances against Management or Executives of an RE;
  - vii. Dispute in which action is initiated by an RE in compliance with the orders of a statutory or law enforcing authority;
  - viii. Service not within the regulatory purview of the RBI;
  - ix. Dispute between REs;
  - x. Dispute involving the employee-employer relationship of a RE;
  - xi. A dispute for which a remedy has been provided in Section 18 of the Credit Information Companies (Regulation) Act, 2005; and
  - xii. A dispute pertaining to customers of Regulated Entity not included under the Scheme.

## 1. PROCESS FOR FILING COMPLAINT:

**Written Complaint to RE:** The customer can approach any of our service touch points to register a complaint and expect a response within defined time period from complaint registration. The detailed grievance redressal procedure is given on below link:

**www.bizloanindia.com**

**Details of Nodal Officer(s)/Principal Nodal Officer/ Grievance Redressal Officer:**

For ease of reference, the details of the nodal officer/ principal nodal officer/ grievance redressal officer are mentioned below:

**Attention:** Mr. Aashish Srivastava

**Address:** 134, Qutab Plaza, DLF City Phase 1, Gurugram 122002

**Email ID:** aashish.srivastava@bizloanindia.com

**Contact:** +919999115114

**Procedure to file a Complaint with Ombudsman**

- i. The complaint may be lodged online through the portal designed for the purpose (<https://cms.rbi.org.in>).
- ii. The complaint may also be submitted through electronic or physical mode to the Centralised 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 authorised 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.

**1. RESOLUTION OF COMPLAINTS:**

- a. The Ombudsman/Deputy Ombudsman shall endeavour to promote settlement of a complaint by agreement between the complainant and the Regulated Entity through facilitation or conciliation or mediation.
- a. The Regulated Entity shall, on receipt of the complaint, file its written version in reply to averments in the complaint enclosing therewith copies of the documents relied upon, within 15 days before the Ombudsman for resolution. 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.
- a. In case the Regulated Entity omits or fails to file its written version and documents within the time provided above, the Ombudsman may proceed ex-parte based on the evidence available on record and pass appropriate Order or issue an award.
- a. Proceedings before Ombudsman are summary in nature and shall not be bound by any rules of evidence.
- a. If any amicable settlement of the complaint is arrived at between the parties, the same shall be recorded and signed by both the parties.
- a. The complaint would be deemed to be resolved when:

(a) it has been settled by the Regulated Entity with the complainant upon the intervention of the Ombudsman; or

(b) the complainant has agreed in writing or otherwise (which may be recorded) that the manner and the extent of resolution of the grievance is satisfactory; or

(c) the complainant has withdrawn the complaint voluntarily.

a. There shall be no right of appeal to the RE in respect of the award issued on account of non-response or non-furnishing of information sought within the stipulated time.

a. In case the complaint is not resolved through facilitation, such action as may be considered appropriate, including a meeting of the complainant with the officials of the RE, for resolution of the complaint by conciliation or mediation may be initiated.

a. The parties to the complaint shall cooperate in good faith with the Ombudsman/Deputy Ombudsman, as the case may be, in resolution of the dispute and comply with the direction for production of any evidence and other related documents within the stipulated time.

#### **1. AWARD BY THE OMBUDSMAN:**

a. Unless the complaint is rejected under clause 16 of the Scheme (also mentioned in brief under paragraph 8 of this document), the Ombudsman shall pass an award in the event of non-furnishing of documents/information; or the matter not getting resolved under clause 14(9) of the Scheme (also mentioned in brief under paragraph 6(f) of this document), based on records placed, and after affording a reasonable opportunity of being heard to both the parties.

a. The Ombudsman shall not have the power to pass an award directing payment by way of compensation, for an amount which is more than the consequential loss suffered by the complainant or INR 20,00,000, whichever is lower. The Ombudsman may also award a compensation not exceeding INR 1,00,000 to the complainant, taking into account the loss of the complainant's time, expenses incurred, harassment and mental anguish suffered by the complainant.

#### **1. REJECTION OF A COMPLAINT:**

a. The Deputy Ombudsman or the Ombudsman may reject a complaint at any stage if it appears that the complaint made:

i. is non-maintainable under clause 10 of the Scheme (also mentioned in brief under paragraph 4 of this document); or

i. is in the nature of offering suggestions or seeking guidance or explanation.

- a. The Ombudsman may reject a complaint at any stage if:
  - i. in his opinion there is no deficiency in service; or
  - i. the compensation sought for the consequential loss is beyond the power of the Ombudsman to award the compensation as indicated in clause 8(2) of the Scheme (also mentioned in brief under paragraph 3(b) of this document); or
  - ii. the complaint is not pursued by the complainant with reasonable diligence; or
  - i. the complaint is without any sufficient cause; or
  - i. the complaint requires consideration of elaborate documentary and oral evidence and the proceedings before the Ombudsman are not appropriate for adjudication of such complaint; or
  - i. in the opinion of the Ombudsman there is no financial loss or damage, or inconvenience caused to the complainant.

**1. APPEAL BEFORE APPELLATE AUTHORITY:**

- a. The complainant aggrieved by an award or rejection of a complaint by the Ombudsman, may within 30 (thirty) days of date of receipt of award or rejection of complaint, prefer an appeal before the Appellate Authority. Provided that: (a) an appeal may be filed by an RE only with the previous sanction of the Chairman or the Managing Director/Chief Executive Officer or, in their absence, the Executive Director/Official of equal rank; and (b) in the case of an appeal by an RE, the period of 30 (thirty) days for filing an appeal shall commence from the date on which the RE receives the letter of acceptance of award by the complainant
- a. The Appellate Authority may, if it is satisfied that the complainant had sufficient cause for not making the appeal within the time, allow a further period not exceeding 30 (thirty) days.

**NOTE:**

- i. This is an alternate grievance redressal framework.
- i. Complainant is at liberty to approach Court, Tribunal or Arbitrator or any other forum or authority.

For more details, please refer to the Scheme, available on the Company website ([www.bizloanindia.com](http://www.bizloanindia.com)) or at RBI website [www.rbi.org.in](http://www.rbi.org.in). The copy of the Scheme is also available in our offices, which will be provided to the customer for reference upon request.

