

**The Salient features of The Reserve Bank – Integrated Ombudsman Scheme, 2021 are listed below:**

- ❖ The Scheme shall apply to the services provided by a Regulated Entity in India to its customers under the provisions of the Reserve Bank of India Act, 1934, the Banking Regulation Act, 1949, and the Payment and Settlement Systems Act, 2007.
- ❖ “Regulated Entity” means a Bank or a Non-Banking Financial Company or a System Participant as defined in the Scheme, or any other entity as may be specified by the Reserve Bank from time to time; to the extent not excluded under the Scheme.
- ❖ The Reserve Bank may appoint one or more of its officers as Ombudsman and Deputy Ombudsman, to carry out the functions entrusted to them under the Scheme.
- ❖ The appointment of Ombudsman or the Deputy Ombudsman, as the case may be, shall be made for a period not exceeding three years at a time.
- ❖ The Ombudsman/Deputy Ombudsman shall consider the complaints of customers of Regulated Entities relating to deficiency in service. 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”.
- ❖ 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.
- ❖ 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 and complaints settled through facilitation as stated under clause 14 of the Scheme.
- ❖ The complaint can be lodged through following modes –

<b>Online</b>	<a href="https://cms.rbi.org.in">https://cms.rbi.org.in</a>
<b>E-mail</b>	<a href="mailto:crpc@rbi.org.in">crpc@rbi.org.in</a>
<b>Physical form in prescribed format (duly signed by complainant or by authorised representative)</b>	Centralised Receipt and Processing Centre, Reserve Bank of India, 4 <sup>th</sup> Floor, Sector 17, Chandigarh – 160017

- ❖ 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 Bank concerned and
  - (i) the complaint was rejected wholly or partly by the Bank, and the complainant is not satisfied with the reply; or the complainant had not received any reply within 30 days after the Bank 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.

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

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

❖ 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 Executive Director-in charge of Consumer Education and Protection Department of RBI would be the Appellate Authority under the Scheme. 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.

❖ 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 or equivalent.

❖ 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 Consumer Education and Protection Department of RBI would be the Appellate Authority under the Scheme.

❖ A copy of the Scheme is available on the RBI website and on the CMS portal (<https://cms.rbi.org.in>). The copy of the Scheme is also available in our branch, which will be provided to the customer for reference upon request.