

Reserve Bank - Integrated Ombudsman Scheme, 2021 – Salient Features

The Reserve Bank of India (RBI) had vide Notification Reference No. CEPD. PRD. No. S873/13.01.001/2021-22 dated November 12, 2021, integrated the three Ombudsman schemes i.e. (i) the Banking Ombudsman Scheme, 2006, as amended up to July 01, 2017; (ii) the Ombudsman Scheme for Non-Banking Financial Companies, 2018; and (iii) the Ombudsman Scheme for Digital Transactions, 2019 into the Reserve Bank - Integrated Ombudsman Scheme, 2021 (the Scheme). Thus, the said Scheme covers the customers of:

- i. All Commercial Banks, Regional Rural Banks, Scheduled Primary (Urban) Co-operative Banks and Non-Scheduled Primary (Urban) Co-operative Banks with deposits size of Rupees 50 crore and above as on the date of the audited balance sheet of the previous financial year;
- ii. All Non-Banking Financial Companies (excluding Housing Finance Companies) which (a) are authorised to accept deposits; or (b) have customer interface, with an assets size of Rupees 100 crore and above as on the date of the audited balance sheet of the previous financial year;
- iii. All System Participants as defined under the Scheme.

Customer filing a complaint with the Company:

In case of grievance, the customer may prefer a written complaint with the Customer Care Unit at Head Office of the Company or its Branches, in respect to deficiency in service.

Customer filing a complaint with Ombudsman:

- (1) The complaint may be lodged online through the portal (<https://cms.rbi.org.in>) in the required format.
- (2) The complaint, if submitted in physical form, should be duly signed by the complainant and in the prescribed format can be sent to “Centralised Receipt and Processing Centre’ set up at Reserve Bank of India, 4th Floor, Sector 17, Chandigarh – 160017”.
- (3) A Centralised Receipt and Processing Centre has been set up at RBI, Chandigarh for receipt and initial processing of physical and email complaints.
- (4) Complain can be send through the dedicated e-mail– crpc@rbi.org.in in any language.
- (5) Contact Centre with a toll-free number – 14448 (9:30 am to 5:15 pm) – is also being operationalised in Hindi, English and in eight regional languages to guide the complainant for filing the complaint.

Note: 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.

The complainant before making a complaint under the Scheme, should write complaint to the Regulated Entity (RE) if:

- Reply is not received from the Company within one month, OR complaint is rejected wholly or partly by RE OR, the customer remains dissatisfied with the reply OR he did not receive any reply within 30 days after the RE received the complaint;
- The customer may file a complaint with Ombudsman not later than one year and 30 days of the reply received from the Company.
- The customer Should not file complaint if the said complaint is already 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.

Clause 10 - Grounds for non-maintainability of a Complaint

1) (1) No complaint for deficiency in service shall lie under the Scheme in matters involving: 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 Bank;
- (g) a dispute between Regulated Entities; and
- (h) a dispute involving the employee-employer relationship of a Regulated Entity.

How does Ombudsman take decision?

- Shall consider the complaints relating to deficiency in service only.
- Proceedings before Ombudsman shall be summary in nature;
- Settlement thro' conciliation – Ombudsman promotes the settlement of the complaint by mutual agreement between the complainant and the Company through conciliation or mediation;

- In case, RE's fails to submit reply along with supporting documents within the time of 15 days, the Ombudsman may proceed ex-parte based on the evidence available on record and pass appropriate Order or issue an Award
- If not reached any settlement, Ombudsman pass an Award / Order either allowing or rejecting the complaint along with reasons for passing such Award/Order;
- 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.
- 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.

Note: Ombudsman may reject a complaint at any stage if the case is non-maintainable under clause 10 above or in the nature of offering suggestions or seeking guidance. OR if they found there is not deficiency in service or no financial loss or damage to the complainant, etc

Can a customer file appeal, if not satisfied with decision of Ombudsman?

- Yes, Ombudsman's decision is appealable;
- If customer is not satisfied with the decision of Ombudsman, he may prefer an appeal with the Appellate Authority within 30 days of the date of receipt of the Award or rejection of the complaint.
- The regulated entity will not have any right to appeal in cases where an award is issued by the ombudsman against it for not furnishing satisfactory of documents and timely information.
- RE may go in for appeal within 30 days from the date of receipt of the letter of Award after approval of Chairman / MD / CEO;
- RBI's Executive Director-in charge of Consumer Education and Protection Department would be the Appellate Authority under the integrated scheme.
- The customer is at liberty to approach any other court/forum/authority for the redressal at any stage.

Note: You may also refer to <http://sbfc.com> for further details of the Scheme and contact details of the Nodal Officer of the Company who can be approached by the customer.

You are also further advised to keep a copy of the RBI circular No. CEPD. PRD. No.S873/13.01.001/2021-22 dated November 12, 2021 for ready reference in case of need for providing guidance to customer.

Contact Details of Nodal Officer of the Company is given below:

Centre	Name & Contact Details of Nodal Officers of the Company	Area of Jurisdiction
HO @ Mumbai	The Manager, Customer Care SBFC Finance Private Limited, Neptune Element, Ground Floor, Plot No. F3 & F3-1, Road No. 22, Wagle Industrial Estate, Kishan Nagar, Thane West, Maharashtra – 400604 Toll Free No.: 022 68313333 Email: customercare@sbfc.com	Pan India
HO @ Mumbai	Ms. Rhutuja Parab Grievance Redressal Officer / Principal Nodal Officer SBFC Finance Private Limited., Unit No. 103 First Floor, C & B Square, Andheri Kurla Road, Chakala, Andheri east, Mumbai-400059 Tel:022-67875313 Email: management.sbfc@sbfc.com	Pan India
Chennai	Raj.Subramani Mob: 9786166614 Email: raj.subramani@sbfc.com	Tamil Nadu, Andaman and Nicobar Islands, Karnataka, Andhra Pradesh, Telangana, Kerala, Union Territory of Lakshadweep and Union Territory of Puducherry

Centre	Name & Contact Details of Nodal Officers of the Company	Area of Jurisdiction
Mumbai	Pragnesh Soneji Mob: 9327527279 Email: pragnesh.soneji@sbfc.com	Maharashtra, Goa, Gujarat, Madhya Pradesh, Chhattisgarh, Union Territories of Dadra and Nagar Haveli, Daman and Diu
New Delhi	Gaurang Goel Mob: 7007184488 Email: gaurang.goel@sbfc.com	Delhi, Uttar Pradesh, Uttarakhand, Haryana, Punjab, Union Territory of Chandigarh Himachal Pradesh, and Rajasthan and State of Jammu and Kashmir
Kolkata	Shivendra Gupta Mob: 7980180567 Email: shivendra.gupta@sbfc.com	West Bengal, Sikkim, Odisha, Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Tripura, Bihar and Jharkhand