

FEDEX FINANCE PRIVATE LIMITED

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

RBI has integrated the 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;

into one “The Reserve Bank - Integrated Ombudsman Scheme, 2021”. The Scheme adopts ‘One Nation One Ombudsman’ approach by making the RBI Ombudsman mechanism jurisdiction neutral.

The Integrated Ombudsman Scheme, 2021 is effective from November 12, 2021.

Following are the salient features of the Integrated Ombudsman Scheme, 2021:

1. Any customer aggrieved by deficiency in service (a shortcoming or an inadequacy in any financial service, 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.
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. Reserve Bank of India has established the Centralised Receipt and Processing Centre (CRPC) at Chandigarh for receipt of the complaints Pan India.
4. The complaint can be lodged online through the RBI portal (<https://cms.rbi.org.in>)
5. The complaint may also be submitted through electronic or 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

Additionally, a 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 begin with and will be expanded to cover other Indian languages in due course. The Contact Centre will provide information/clarifications regarding the alternate grievance redressal mechanism of RBI and to guide complainants in filing of a complaint.

6. 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 NBFC 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.

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

- (a) commercial judgment/commercial decision of NBFC;
- (b) a grievance not addressed to the Ombudsman directly;
- (c) general grievances against Management or Executives of NBFC;
- (d) a dispute in which action is initiated by NBFC in compliance with the orders of a statutory or law enforcing authority;
- (e) a service not within the regulatory purview of the Reserve Bank;

- (f) a dispute involving the employee-employer relationship of NBFC.
8. NBFC 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. Provided that the Ombudsman at the request of the NBFC in writing to the satisfaction of the Ombudsman, grant such further time as may be deemed fit to file its written version and documents.
 9. In case NBFC 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.
 10. The NBFC will not have any right to appeal in case the NBFC omits or fails to file its written version and documents within the time as provided in terms of Clause 15(1)(a) of the Integrated Ombudsman Scheme.
 11. 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 NBFC, within a period of 30 days from the date of receipt of the copy of the Award.
 12. 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
 13. 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 RBI website www.rbi.org.in.