

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

The Reserve Bank - Integrated Ombudsman Scheme, 2021 (the Scheme) was launched on November 12, 2021. The Scheme adopts 'One Nation One Ombudsman' approach by making the RBI Ombudsman mechanism jurisdiction neutral. The Scheme provides cost-free redressal of customer complaints involving deficiency in services rendered by entities regulated by RBI, if not resolved to the satisfaction of the customers or not replied within a period of 30 days by the Regulated Entity.

Some of the salient features of the Scheme are -

1. A complaint can be filed on RBI CMS portal/ Centralised Receipt and Processing Centre from anywhere in the country irrespective of the address of the complainant, Regulated Entity (RE) or branch involved.
2. One address and one email for lodging of physical/ email complaints from anywhere in the country.
3. Automatic acknowledgement to the complainant on registration of online complaint.
4. Facility for real-time tracking of the status of complaint.
5. Facility for online submission of additional documents on the CMS itself.
6. Detailed letter intimating decision/ closure of complaint.
7. The Scheme defines 'deficiency in service' as a shortcoming or an inadequacy in any financial service, which the Regulated Entity is required to provide, which may or may not result in financial loss or damage to the customer, 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".

Filing a complaint under the Scheme -

A complaint under the Scheme shall not lie unless -

1. The complainant had, before making a complaint under the Scheme, made a written complaint to Stripe India Private Limited and -
 - a. the complaint was rejected wholly or partly by the Regulated Entity and the complainant is not satisfied with the response, or the complainant has not received any response 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.
2. The complaint is not in respect of the same cause of action which is already -

- a. 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;
 - b. 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;
3. the complaint is not abusive or frivolous or vexatious in nature;
 4. 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;
 5. the complainant provides complete information as specified in clause 11 of the Scheme;
 6. the complaint is lodged by the complainant personally or through an authorised representative other than an advocate unless the advocate is the aggrieved person.

Grounds for non-maintainability of a complaint -

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

1. commercial judgment/commercial decision of a Regulated Entity;
2. a dispute between a vendor and a Regulated Entity relating to an outsourcing contract;
3. a grievance not addressed to the Ombudsman directly;
4. general grievances against management or executives of a Regulated Entity;
5. a dispute in which action is initiated by a Regulated Entity in compliance with the orders of a statutory or law enforcing authority;
6. a service not within the regulatory purview of the RBI;
7. a dispute between regulated entities; and
8. a dispute involving the employee-employer relationship of a Regulated Entity.

Complaints can be filed through any of the following modes -

1. Online: File complaint on the CMS portal of RBI at <https://cms.rbi.org.in>.
2. Physical (letter/post): in the form as specified in Annexure 'A' in the Integrated Ombudsman Scheme addressed to: Centralised Receipt and Processing Centre, 4th Floor, Reserve Bank of India, Sector -17, Central Vista, Chandigarh - 160017.

3. Email: File complaint with prescribed full details to crpc@rbi.org.in.

For more details, please refer to the Ombudsman Scheme details available on the Stripe website or at RBI website [www.rbi.org.in]. The copy of the Scheme is available on our website and at our offices which will be provided to customers upon request.