

**ALL BRANCHES /  
ADMINISTRATIVE OFFICES.**

**BANKING OMBUDSMAN SCHEME-2007**

Please refer to our Circular No CSCD/01/2006 dated 25.03.2006 vide which amended Banking Ombudsman Scheme-2006 was forwarded. The scheme was introduced w.e.f. 1<sup>st</sup> January 2006.

RBI has advised that as the basis of feedback received from customers and as announced in the Annual Policy Document 2006-07 (Para 169) the some chapters of the scheme have been amended. The amendment has since been notified as on 24.05.2007. The amendments and notification are available on website of RBI viz <http://rbi.org.in/scripts/NotificationUser.aspx?id=3547&Mode=0>

We are enclosing herewith original chapters of the scheme and the relevant amendments advised by RBI in a tabular form.

In term of instructions received from the Reserve Bank of India a copy of the Banking Ombudsman Scheme 2006 along with the amendments should be always available with the branch / office head for reference by the customers. A notice that copy of the scheme is available for reference with the branch / office head to be displayed on the Noticed Board.

Please bring contents of this circular to the notice of all staff members posted at the branch / office and make a reference of this on the above referred circular.

**General Manager (Ops.)**

**Existing Scheme**

**Amended Scheme**

**13.REJECTION OF THE COMPLAINTS**

The Banking Ombudsman may reject a Complaint at any stage if it appears to him that the complaint made is:

- (a) frivolous, vexatious, malafide: or
- (b) without any sufficient cause: or
- (c) that it is not pursued by the complainant with reasonable diligence: or
- (d) in the opinion of the Banking Ombudsman there is no loss or damage or inconvenience caused to the complainant: or
- (e) beyond the pecuniary jurisdiction of Banking Ombudsman prescribed under clause 12(5).

**(2)**The Banking Ombudsman may reject a complaints at any stage if after the consideration of the complaint and evidence produced before him the Banking Ombudsman is of the opinion that the nature of the complaint requires consideration of elaborate documentary and oral evidence and the proceedings before the Banking Ombudsman are not appropriate for adjudication of such complaint. The decision of the Banking Ombudsman in this regard shall be final and binding on the bank.

**(3) 14. APPEAL BEFORE THE APPEALATE AUTHORITY;**

(1) Any person aggrieved by the Award may, within 45 days of the date of receipt of the Award, prefer an appeal against the Award before the

Appellate Authority;

Provided further that the Appellate Authority may, if he is satisfied that the applicant had sufficient cause for not making the appeal within time, allow a further period not exceeding 30 days;

**13.REJECTION OF THE COMPLAINTS**

The Banking Ombudsman may reject a Complaint at any stage if it appears to him that the complaint made is:

- (a) not on the grounds of complaint referred to in clause 8 or
- (b) beyond the pecuniary jurisdiction of Banking Ombudsman prescribed under clause 12(5) or
- (c) frivolous, vexatious, malafide, or
- (d) without any sufficient cause, or
- (e) that is not pursued by the complainant with reasonable diligence, or
- (f) in the opinion of the Banking Ombudsman there is no loss or damage or inconvenience caused to the complainant; or
- (g) requiring consideration of elaborate documentary and oral evidence and the proceedings

before the Banking Ombudsman are not appropriate for adjudication of such complaints."

**(2)** The clause be omitted.

**(3) 14. APPEAL BEFORE THE APPEALATE AUTHORITY**

14. Sub. clause (1) be substituted by the following;

In the principle scheme, in clause 14.sub.clause (1)shall be substituted by the following namely:-

"(1) Any person aggrieved by an Award under clause 12 or rejection of a complaint for the reasons referred to in sub. clauses (c) to (g) of clause 13 may within 30 days of the date of receipt of communication of

Provided further that the appeal may be filed by the bank only with the previous sanction of the Chairman or, in his absence, the Managing Director or the Executive Director or the Chief Executive Officer or any other officer of equal rank.

**(4) 12. AWARD BY THE BANKING OMBUDSMAN**

Sub. clause (8) An Award shall not be binding on a bank against which it is passed unless the complainant furnishes to it, within a period of 15 days from the date of receipt of copy of the Award, a letter of acceptance of the Award in full and final settlement of his claim in the matter. If the complainant does not accept the Award passed by the Banking Ombudsman or fails to furnish his letter of acceptance within the said period of 15 days that may be granted by the banking Ombudsman, the Award shall lapse and be of no effect.

**(5)**Sub. Clause (9) The bank shall within one month from the date of receipt by it of the acceptance in writing of the Award by the complainant under sub. clause (8), or which such time not exceeding a period of fifteen days that may be granted by the Banking Ombudsman, comply with the Award and intimate compliance to the Banking Ombudsman.

Award or rejection of complaint, prefer an appeal before the Appellate Authority;

Provided that in case of appeal by a bank, the period of thirty days for filing an appeal shall commence from the date on which the bank receives letter of acceptance of Award by complainant under sub. clause (8) of clause 12;

Provided that the Appellate Authority may, if he is satisfied that the applicant had sufficient cause for not making the appeal within time, allow a further period not exceeding 30 days;

Provided further that appeal may be filed by a bank only with the previous sanction of the Chairman or, in his absence the Managing Director or the Executive or the Chief Executive Officer or any other officer of equal rank."

**(4) 12. AWARD BY THE BANKING OMBUDSMAN**

4. In the principle scheme , in clause 12, sub. clause 8 be substituted by the following, namely

"(8) An award shall lapse and be of no effect unless the complainant furnishes to the bank concerned within a period of 30 days from the date of receipt of copy of the award, a letter of acceptance of the Award in full and final settlement of his claim.

Provided that no such acceptance may be furnished by the complainant if he has filed an appeal under sub. clause (1) of clause 14."

**(5)**. In the principle scheme, in clause 12, sub. clause (9) be substituted by the following namely:-

"(9) The bank shall, unless it has preferred an appeal under sub. clause (1) of clause 14, within one month from the date of receipt by it of the acceptance in writing of the Award by the complainant under sub-

	<p>clause (8), comply with the award and compliance to the Banking Ombudsman."</p>
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