

## JM FINANCIAL CAPITAL LIMITED

### SALIENT FEATURES OF RESERVE BANK – INTEGRATED OMBUDSMAN SCHEME 2021

JM Financial Capital Limited (“the Company”), regulated entity under the Reserve Bank of India (RBI), had adopted The Banking Ombudsman Scheme for Non-Banking Financial Companies, 2018, as required under the provisions of The Ombudsman Scheme for Non-Banking Financial Companies, 2018

The aforesaid scheme is now repealed and has been integrated with The Integrated Ombudsman Scheme, 2021 (“the Scheme”). The Scheme is effective from November 12, 2021 with an objective to adopt ‘One Nation One Ombudsman’ approach by making the RBI Ombudsman mechanism jurisdiction neutral. The Scheme now integrates the existing 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.

As required under the Scheme below are the Key Salient Features of the Scheme:

#### **I. Grounds of Complaint:**

Any customer aggrieved by an act or omission of the Company resulting in deficiency in service may, if it fulfils the requirements under para II below, file a complaint under the Scheme personally or through an authorised representative who shall include a person, other than an advocate (unless the advocate is the aggrieved person), duly appointed and authorised in writing to represent the complainant in the proceedings before the Ombudsman.)

#### **II. Which complaints can be filed under the Scheme:**

- a. Only those complaints for which the complainant had, first made a written complaint to the Company and
  - i. the complaint was rejected wholly or partly by the Company, and the complainant is not satisfied with the reply;
  - OR
  - ii. the complainant had not received any reply within 30 days after the Company received the complaint;

In both the above cases, the complainant to ensure:

- If reply was received as per point no. i above, the complaint should be made to the Ombudsman within one year after the complainant has received the reply from the Company
- If no reply was received as per point no. ii above, the complaint should be made to the Ombudsman within one year and 30 days from the date of the complaint.

Explanation - 'written complaint' shall include complaints made through other modes where proof of having made a complaint can be produced by the complainant.

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.

Explanation - complaint in respect of the same cause of action does not include criminal proceedings pending or decided before a Court or Tribunal or any police investigation initiated in a criminal offence.

- c. the complaint should not be abusive or frivolous or vexatious in nature;
- d. the complaint to the Company 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 (available on the website of the Company);
- 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.

### **III. Grounds for non-maintainability of a Complaint:**

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

- a. commercial judgment/decision of the Company;
- b. a dispute between a vendor and the Company relating to an outsourcing contract;

- c. a grievance not addressed to the Ombudsman directly;
- d. general grievances against Management or Executives of the Company;
- e. a dispute in which action is initiated by the Company 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;
- h. a dispute involving the employee-employer relationship of the Company;
- i. a dispute for which a remedy has been provided in Section 18 of the Credit Information Companies (Regulation) Act, 2005; and
- j. a dispute pertaining to customers of Regulated Entity not included under the Scheme.

#### **IV. Procedure to file a complaint with Ombudsman**

If the complaint filed by complainant is rejected wholly or partly by the Company AND the customer is not satisfied with the reply

**OR**

No reply is received from the Company within 30 days AND If the customer has not approached any Forum;

**THEN**

Complainant can file a Complaint with Ombudsman within one year of reply received from the Company or one year and 30 days from the date of the complaint if no reply received from the Company, as below:

- Lodge a complaint online through <https://cms.rbi.org.in>

**OR**

- Submit through physical mode to Centralised Receipt and Processing Centre (CRPC) on –

Address	–	CRPC, 4 <sup>th</sup> Floor Sector -17, Chandigarh – 160017
Contact centre (toll-free no)	–	14448
Timing	–	9:30 am to 5:15 pm

The complaint, if submitted in physical form, needs to be duly signed by the complainant or by the authorised representative. The complaint shall be submitted in electronic or physical mode in such format and containing such information as may be specified by RBI.

## V. Appeal before Appellate Authority

- a. The complainant aggrieved by an Award or rejection of a complaint by Ombudsman Office, may, within 30 days of date of receipt of award or rejection of complaint, prefer an appeal to Executive Director, Consumer Education & Protection Department, RBI.
- b. 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.

### **CONTACT DETAILS OF THE NODAL AND PRINCIPAL NODAL OFFICER OF JM FINANCIAL CAPITAL LIMITED**

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If anyone desires to obtain the copy of the Scheme can contact Nodal and Principal Nodal Officer of the Company.

Further, the Scheme is also available on Company's website - [www.jmfl.com](http://www.jmfl.com) and RBI website - [www.rbi.org.in](http://www.rbi.org.in) and CMS Portal - <https://cms.rbi.org.in>. The Scheme is also available at all branches and can be provided to the customer for reference upon request.