



## **OMBUDSMAN SCHEME**

<b>VERSION</b>	<b>DATE OF APPROVAL / REVIEW</b>
V.1	21-02-2020
V.2	29-06-2021
V.3	27-05-2022

### **SONATA FINANCE PRIVATE LIMITED**

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226026, Uttar Pradesh, India

CIN: - U65921UP1995PTC035286Tel. No.  
0522 2334900

Website: [www.sonataindia.com](http://www.sonataindia.com)

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## **Introduction-**

Sonata Finance Private Limited (“*The Company*”) registered as a Non-Banking Finance Company- Micro Finance Institution with Reserve Bank of India, in compliance with Para 34 of the RBI Master Direction - Non-Banking Financial Company - Systemically Important Non-Deposit taking Company and Deposit taking Company (Reserve Bank) Directions, 2016 has framed a scheme for redressal of customer grievances through banking ombudsman in terms of Integrated Ombudsman Scheme for Non-Banking Financial Companies, 2021 (herein referred to as “*Ombudsman Scheme*”) which has been introduced by the Reserve Bank of India, repealing The Banking Ombudsman Scheme, 2006, the Ombudsman Scheme for Non-Banking Financial Companies, 2018, and the Ombudsman Scheme for Digital Transactions, 2019.

## **Definitions:**

- i. ‘Award’ means an award passed by the Ombudsman in accordance with the Scheme, and includes a direction for specific performance by the non-banking financial company concerned and/ or to pay compensation for the loss, if any, suffered by the complainant.
- ii. ‘Appellate Authority’ means the Executive Director in-Charge of the Department of the Reserve Bank administering the Scheme.
- iii. ‘Authorised Representative’ means a person other than an Advocate duly appointed and authorised by a complainant to act on his behalf and represent him in the proceedings under the Scheme before an Ombudsman for consideration of his complaint.
- iv. ‘Complaint’ means any representation or allegation made in writing or through electronic means, containing a grievance alleging deficiency in service and seeking relief thereof.
- v. “Deficiency in service” means a shortcoming or an inadequacy in any financial service, which the Company is required to provide statutorily or otherwise, which may or may not result in financial loss or damage to the customer;

## **I. PROCEDURE FOR REDRESSAL OF GRIEVANCE THROUGH OMBUDSMAN- GROUNDS OF COMPLAINT**

Para 9 of the Ombudsman Scheme as issued by the Reserve Bank of India specifies that any customer aggrieved by an act or omission of the Company resulting in deficiency in service may file a complaint under the Scheme personally or through an authorised representative.

1. The Scheme further provides that no complaint for deficiency in service shall lie under the scheme for matters involving:
  - (a) commercial judgment/commercial decision of a Company;
  - (b) a dispute between a vendor and a Company relating to an outsourcing contract;
  - (c) a grievance not addressed to the Ombudsman directly;
  - (d) general grievances against Management or Executives of a Company;
  - (e) a dispute in which action is initiated by a 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 Companies; and
  - (h) a dispute involving the employee-employer relationship of a Companies.

2. The Complaint under the scheme shall not be entertained unless:

- a) the complainant had, before making a complaint under the Scheme, 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 the complainant had not received any reply within 30 days after the Company received the complaint; and
  - (ii) the complaint is made to the Ombudsman within one year after the complainant has received the reply from the Company 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 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 under “procedure for filing the complaint”;
- 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.

Explanation 1: For the purposes of sub-clause (2)(a), ‘written complaint’ shall include complaints made through other modes where proof of having made a complaint can be produced by the complainant.

Explanation 2: For the purposes of sub-clause (2)(b)(ii), a 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.

## **II. PROCEDURE FOR FILING COMPLAINT**

1. Any borrower of the company who has a grievance against the Company may, herself or through her authorised representative (other than an Advocate), lodge an online complaint through the portal designed for the purpose (<https://cms.rbi.org.in>).
2. The complaint may also be submitted through electronic or physical mode to the Centralised Receipt and Processing Centre established by Reserve Bank of India for receiving and processing the complaints filed under the Scheme. The complaint, if submitted in physical form, shall be duly signed by the complainant or by the authorised representative. The complaint shall be submitted in electronic or physical mode in the form specifies in “Annexure I”.



### **III. APPEAL BEFORE THE APPELLATE AUTHORITY**

The Complainant or the Company aggrieved by an Award of the Ombudsman allowing the complaint or rejecting the complaint, may within 30 days of the date of receipt of communication of Award or closure of complaint, prefer an appeal before the Appellate Authority;

Provided that in case of appeal by the Company, the period of thirty days for filing an appeal shall commence from the date on which the Company receives letter of acceptance of Award by the complainant;

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, which shall not ordinarily exceed 30 days;

Provided that appeal may be filed by the Company only with the previous sanction of the Chairman or the Managing Director.

The Appellate Authority shall, after giving the parties a reasonable opportunity of being heard may either;

- i. dismiss the appeal; or
- ii. allow the appeal and set aside the Award or order of the Ombudsman; or
- iii. remand the matter to the Ombudsman for fresh disposal in accordance with such directions as the Appellate Authority may consider necessary or proper; or
- iv. modify the order of the Ombudsman or Award and pass such directions as may be necessary to give effect to the order of the Ombudsman or Award so modified; or
- v. pass any other order as it may deem fit.

The order of the Appellate Authority shall have the same effect as the Award passed by Ombudsman or the order rejecting the complaint, as the case may be.



#### IV. **PRINCIPAL NODAL OFFICER**

1. *Mr. Tarun Kumar Shrivastava, is designated as the Principal Nodal Officer (PNO)* for representing the Company and furnishing information on behalf of the Company in respect of complaints filed against the Company:

**Mr. Tarun Kumar Shrivastava**

Principal Nodal Officer / Grievance Redressal Officer;

Phone No.- 8400333781;

e-mail id: [tarun.shrivastava@sonataindia.com](mailto:tarun.shrivastava@sonataindia.com)

#### **Display of Information**

1. The Company shall at all times display at its branches/ places where business is transacted, the name and contact details (Telephone/ Mobile numbers as also emailaddresses) of the PNO along with the details of the complaint lodging portal of the Ombudsman (<https://cms.rbi.org.in>).
2. The Company shall also display the salient features of the Scheme at their website and at all their offices and branches in such a manner that a person visiting the office or branch has easy access to the information. The salient feature of the Scheme to be displayed is enclosed as *Annexure II*.



**Annexure I**

**FORM OF COMPLAINT (TO BE LODGED) WITH THE OMBUDSMAN  
(TO BE FILLED UP BY THE COMPLAINANT)**

Madam/Sir,

Sub: Complaint against ..... (place of Company's branch or office) of  
.....(name of the  
Company)

Details of the complaint:

1. Name of the complainant .....
2. Age (years).....
3. Gender.....
4. Full address of the complainant .....

.....  
.....

Pin Code .....  
Phone No. (if available).....  
Mobile Number. ....  
E-mail (if available) .....

5. Complaint against (Name and full address of the branch or office of the Company)  
.....  
.....  
Pin Code .....

6. Nature of relationship/account number (if any) with the Company  
.....

7. Transaction date and details, if available  
.....

(a) Date of complaint already made by the complainant to the Company  
(Please enclose a copy of the complaint)  
.....

(b) Whether any reminder was sent by the complainant? Yes/No  
(Please enclose a copy of the reminder)  
.....

8. Please tick the relevant box (Yes/No)

**Whether your complaint:**

(i)	is sub-judice/under arbitration?	Yes	No
(ii)	is made through an advocate, except when the advocate is the aggrieved party?	Yes	No
(iii)	has already been dealt with or is under process on the same ground with the Ombudsman?	Yes	No
(iv)	is in the nature of general complaint/s against Management or Executives of a Regulated Entity?	Yes	No
(v)	is on account of a dispute between Regulated Entities?	Yes	No
(vi)	involves employer-employee relationship?	Yes	No

9. Subject matter of the complaint

.....

10. Details of the complaint:

*(If space is not sufficient, please enclose a separate sheet)*

.....  
.....  
.....  
.....  
.....  
.....

11. Whether any reply has been received from the Regulated Entity within a period of 30 days of receipt of the complaint by it? Yes/No  
(if yes, please enclose a copy of the reply)

12. Relief sought from the Ombudsman

.....  
.....

(Please enclose a copy of documentary proof, if any, in support of your claim)

13. Nature and extent of monetary loss, if any, claimed by the complainant by way of compensation (please refer to clauses 15 (4) & 15 (5) of the Scheme)

Rs.....  
.....  
.....

14. List of documents enclosed:

Declaration

(i) I/We, the complainant/s herein declare that:

- a) the information furnished above is true and correct; and
- b) I/We have not concealed or misrepresented any fact stated above, and in the documents submitted herewith.

(ii) The complaint is filed before the expiry of a period of one year reckoned in accordance with the provisions of clause 10 (2) of the Scheme.

Yours faithfully

(Signature of the Complainant/Authorised Representative)

**AUTHORISATION**

If the complainant wants to authorise a representative to appear and make submission on her behalf before the Ombudsman, the following declaration should be submitted:

I/We ..... hereby nominate Shri/Smt..... as my/our authorised representative whose contact details are as below:

Full Address .....

Pin Code .....

Phone No:.....

Mobile Number. ....

E-mail.....

(Signature of the Complainant)



## Annexure II

### Ombudsman Scheme of Sonata Finance Private Limited (“the Company”)

#### Salient Features

#### Grounds for filing a complaint by a customer:

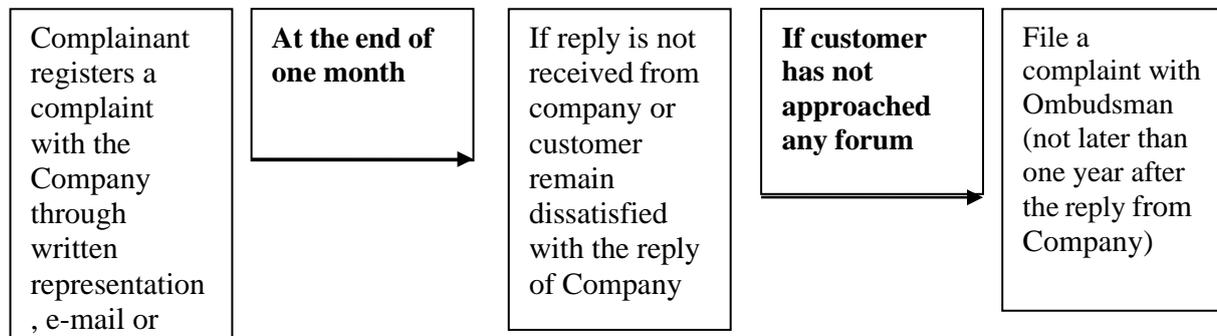
1. The Reserve Bank Integrated Ombudsman Scheme, 2021 (“the Scheme”) specifies that any customer aggrieved by an act or omission of the Company resulting in deficiency in service may file a complaint under the Scheme personally or through an authorised representative.
2. However as per the Scheme no complaint for deficiency in service shall lie for the matters involving:
  - (a) commercial judgment/commercial decision of a Company;
  - (b) a dispute between a vendor and a Company relating to an outsourcing contract;
  - (c) a grievance not addressed to the Ombudsman directly;
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  - 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 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. ;
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Explanation 2: For the purposes of sub-clause (2)(b)(ii), a 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.

### **How can a customer file complaint**



The Company has appointed Principal Nodal Officers (NO) who shall be responsible for representing the Company and furnishing information to the Ombudsman in respect of Complaints filed against the Company.

### **Mr. Tarun Kumar Shrivastava**

Principal Nodal Officer / Grievance Redressal Officer;

Phone No.- 8400333781;

e-mail id: [tarun.shrivastava@sonataindia.com](mailto:tarun.shrivastava@sonataindia.com)



**How does Ombudsman take decision?**

- Proceedings before Ombudsman are summary in nature
- Promotes settlement through conciliation ☐ If not reached, can issue Award/Order

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

**Yes,** Ombudsman’s decision is appealable to

**Appellate Authority:** Executive Director in-Charge of the Department of the Reserve Bank administering the Scheme

**Note:**

- This is an Alternate Dispute Resolution mechanism
- Customer is at liberty to approach any other court/forum/authority for the redressal at any stage
- Matters which are sub-judice cannot be taken up with the Banking Ombudsman

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