



Ombudsman Scheme

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 RBI Circular No. RBI/2017-18/133 DNBR.PD.CC.No 091/03.10.001/2017-18 dated 23rd February, 2018 has framed a scheme for redressal of customer grievances through banking ombudsman in terms of ombudsman scheme for Non-Banking Financial Companies, 2018 (“*Scheme*”).

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 Deputy Governor-in-Charge of the Department of the Reserve Bank implementing 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 as mentioned in Clause 8 of the Scheme.

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

Para 8 of the Ombudsman Scheme for Non-Banking Financial Companies, 2018 as issued by the Reserve Bank of India specifies the grounds on which the complaint can be made against any NBFC by the customer. The deficiencies in the services of the company which shall fall under the ambit of ‘grievance’ as per this policy shall be as under and any person may file a complaint with the ombudsman having jurisdiction, alleging the deficiency of services on these grounds :

- a) non-presentation or inordinate delay in the presentation of post-dated cheques provided by the customer;
- b) failure to convey in writing, the amount of loan sanctioned along with terms and conditions including annualized rate of interest and method of application thereof;



- c) failure or refusal to provide sanction letter/ terms and conditions of sanction in vernacular language or a language as understood by the borrower;
- d) failure or refusal to provide adequate notice on proposed changes being made in sanctioned terms and conditions in vernacular language as understood by the borrower;
- e) failure or inordinate delay in releasing the securities documents to the borrower on repayment of all dues;
- f) levying of charges without adequate prior notice to the borrower/ customer;
- g) failure to provide legally enforceable built-in repossession clause in the contract/ loan agreement;
- h) failure to ensure transparency in the contract/ loan agreement regarding (i) notice period before taking possession of security; (ii) circumstances under which the notice period can be waived; (iii) the procedure for taking possession of the security; (iv) a provision regarding final chance to be given to the borrower for repayment of loan before the sale/ auction of the security; (v) the procedure for giving repossession to the borrower and (vi) the procedure for sale/ auction of the security;
- i) non-observance of directions issued by Reserve Bank to the non-banking financial companies;
- j) non-adherence to any of the other provisions of Reserve Bank Guidelines on Fair Practices Code for Non-Banking Financial Companies.

II. PROCEDURE FOR FILING COMPLAINT

1. Any borrower of the company who has a grievance against the Company on any one or more of the grounds mentioned above may, herself or through her authorised representative (other than an Advocate), make a complaint to the Ombudsman within whose jurisdiction the Branch/ Registered Office of the Company, is located.
 - a) The complaint, when in writing, shall be duly signed by the complainant or his authorized representative and shall be, as far as possible, in the form specified in '*Annexure I*' or as near as thereto as circumstances admit, stating clearly:
 - i. the name and address of the complainant,
 - ii. the name and address of the branch or registered office of the company
 - iii. the facts giving rise to the complaint,
 - iv. the nature and extent of the loss caused to the complainant, and
 - v. the relief sought for.
 - b) A complaint made through electronic means shall also be accepted by the Ombudsman and a print out of such complaint shall be taken on the record of the Ombudsman.



III. APPEAL BEFORE THE APPELLATE AUTHORITY

Any person 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 rejection 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
- 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 Award and pass such directions as may be necessary to give effect to the 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. SCHEME OF OMBUDSMAN

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

<p><u>I Allahabad Zone</u></p> <p>Mr. Satya Prakash Yadav Zonal Head e-mail id: satya.prakash@sonataindia.com Contact No:- 8400333671</p> <p><u>Falling within jurisdiction of New</u></p> <p><u>Delhi Centre :</u></p> <p>C/o Reserve Bank of India Sansad Marg, New Delhi -110001 STD Code: 011 Tel. No. 23724856 Fax No. 23725218-19</p>	<p><u>II Moradabad Zone</u></p> <p>Mr. Anil Kumar Singh Zonal Head e-mail id: anil.singh@sonataindia.com Contact No:- 7318080067</p> <p><u>Falling within jurisdiction of New</u></p> <p><u>Delhi Centre :</u></p> <p>C/o Reserve Bank of India Sansad Marg, New Delhi -110001 STD Code: 011 Tel. No. 23724856 Fax No. 23725218-19</p>
<p><u>III Patna Zone</u></p> <p>Mr. Vinod Singh Zonal Head e-mail id: vinod.singh@sonataindia.com Phone No:-8400333799</p> <p><u>Falling within jurisdiction of</u></p> <p><u>Kolkata Centre :</u></p> <p>C/o Reserve Bank of India 15, Netaji Subhash Road, Kolkata-700 001 STD Code: 033 Tel. No. 22304982 Fax No. 22305899</p>	<p><u>IV Jabalpur Zone</u></p> <p>Mr. Dharmendra Kumar Singh Zonal Head e-mail id: dharmendra.singh@sonataindia.com Phone No:- 8400333667</p> <p><u>Falling within jurisdiction of</u></p> <p><u>Mumbai Centre :</u></p> <p>C/o Reserve Bank of India, RBI Byculla Office Building, Opp. Mumbai Central Railway Station, Byculla, Mumbai-400 008</p>



2. As the Allahabad and Moradabad Zones are falling within the jurisdiction of New Delhi Ombudsman therefore ***Mr. Tarun Kumar Shrivastava, is designated as the Principal Nodal Officer (PNO) for such zones.***

Mr. Tarun Kumar Shrivastava

Principal Nodal Officer / Grievance Redressal Officer;

Phone No.- 8400333781;

e-mail id: tarun.shrivastava@sonataindia.com;

The PNO/NO so appointed shall be responsible for coordinating and liaising with the Customer Education and Protection Department (CEPD), RBI, Central Office.

Display of Information

1. The Company shall at all times display at their branches/ places where business is transacted, the name and contact details (Telephone/ Mobile numbers as also email addresses) of the PNOs/NOs and the name and contact details of the Ombudsman, who can be approached by the customer.
2. The Company shall also display the salient features of the Scheme 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 NBFC OMBUDSMAN
(TO BE FILLED UP BY THE COMPLAINANT)**

To:

The NBFC Ombudsman

Place of office of the NBFC Ombudsman

Dear Sir,

Sub: Complaint against(Name of the branch) of Sonata Finance Private Limited.

Details of the complaint are as under:

1. Name of the Complainant

2. Full Address of the Complainant

.....

.....

Pin Code

Phone No/ Fax No.

Email

3. Complaint against (Name and full

Address of the branch & NBFC)

.....

Pin Code

Phone No. / Fax No.

Email

4. Particulars of NBFC Account (If any)

.....

(Please state the number and the nature of account viz. deposit/ loan account etc. related to the subject matter of the complaint being made.)

5. (a) Date of representation already made by the complainant to the NBFC

(Please enclose a copy of the representation)

.....

(b) Whether any reminder was sent by the complainant? YES/NO

(Please enclose a copy of the reminder)

6. Subject matter of the complaint *(Please refer to Clause 8 of the Scheme)*

.....

.....



7. Details of the complaint:

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

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

8. Whether any reply (Within a period of one month after the NBFC concerned received the representation) has been received from the NBFC? Yes/ No

(if yes, please enclose a copy of the reply)

9. Nature of Relief sought from the NBFC Ombudsman

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

10. Nature and extent of monetary loss, if any, claimed by the complainant by way of compensation (please refer to Clauses 12 (5) & 12 (6) of the Scheme) Rs.....

11. List of documents enclosed:
(Please enclose a copy of all the documents)

12. Declaration:

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

a) the information furnished herein above is true and correct;
and

b) I/ We have not concealed or misrepresented any fact stated in the above columns and in the documents submitted herewith.

(ii) The complaint is filed before expiry of period of one year reckoned in accordance with the provisions of Clause 9(A)(a) and (b) of the Scheme.

(iii) The subject matter of the present complaint has never been brought before the Office of the NBFC Ombudsman by me/ us or by any of the parties concerned with the subject matter to the best of my/ our knowledge.

(iv) The subject matter of the present complaint has not been decided by/ is not pending with any forum/ court/ arbitrator.

(v) I/ We authorise the NBFC to disclose any such information/ documents furnished by us to the NBFC Ombudsman and disclosure whereof in the opinion of the NBFC Ombudsman is necessary and is required for redressal of our complaint.

(vi) I/ We have noted the contents of the Ombudsman Scheme for NBFCs, 2018

Yours faithfully,



(Signature of Complainant)

NOMINATION – (If the complainant wants to nominate his representative to appear and make submissions on his behalf before the NBFC Ombudsman or to the Office of the NBFC Ombudsman, the following declaration should be submitted.)

I/We the above named complainant/s hereby nominate Shri/ Smt..... who is not an Advocate and whose address is as my/ our REPRESENTATIVE in all proceedings of this complaint and confirm that any statement, acceptance or rejection made by him/her shall be binding on me/ us. He/ She has signed below in my presence.

ACCEPTED

(Signature of Representative)

(Signature of Complainant)

Note: If submitted online, the complaint need not be signed.



Annexure II

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

Salient Features

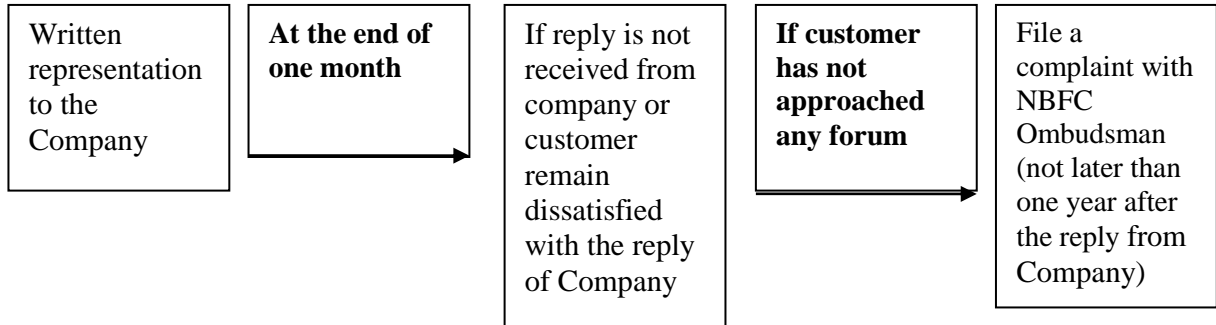
Grounds for filing a complaint by a customer:

Ombudsman Scheme for Non-Banking Financial Companies, 2018 as issued by the Reserve Bank of India specifies the grounds on which the complaint can be made against any NBFC by the customer. The deficiencies in the services of the company which shall fall under the ambit of grievance as per this policy shall be as under and any person may file a complaint with the ombudsman having jurisdiction, alleging the deficiency of services on these grounds:

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- i) non-observance of directions issued by Reserve Bank to the non-banking financial companies;
- j) non-adherence to any of the other provisions of Reserve Bank Guidelines on Fair Practices Code for Non-Banking Financial Companies.



How can a customer file complaint



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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: Deputy Governor Incharge of the Department of Reserve Bank implementing 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
