

KINARA CAPITAL PRIVATE LIMITED

(formerly known as Visage Holdings and Finance Private Limited)

RBI Registration: B-02.00255 | CIN: U74899KA1996PTC068587



Ombudsman Scheme

INTEGRATED OMBUDSMAN SCHEME, 2021

PREAMBLE

The Integrated Ombudsman Scheme 2021 of RBI emphasizes on strengthening the grievance redress mechanism for consumers of various services provided by the RBI regulated entities.

The following existing ombudsman schemes are being integrated into a single scheme which will offer the benefit of a single platform to customers for getting speedy resolution of their grievances:

- the Banking Ombudsman Scheme, 2006
- the Ombudsman Scheme for Non-Banking Financial Companies, 2018;
- the Ombudsman Scheme for Digital Transactions, 2019;

The Scheme adopts 'One Nation One Ombudsman' approach by making the RBI Ombudsman mechanism jurisdiction neutral.

DEFINITIONS

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.

Appellate Authority means the Deputy Governor-in-Charge of the Department of the Reserve Bank implementing the Scheme

Authorized Representative means a person other than an Advocate duly appointed and authorized 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.

'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.

'Company' means Kinara Capital Private Limited (Formerly known as Visage Holdings and Finance Private Limited)

'Non-Banking Financial Company' (NBFC) means a 'non-banking financial company', as defined in Section 45-I(f) of the Reserve Bank of India Act, 1934, and registered with the Reserve Bank under Section 45-IA of the Reserve Bank of India Act, 1934

'Ombudsman' means any person appointed under Clause 4 of the Scheme.

'Reserve Bank' means the Reserve Bank of India constituted by Section 3 of the Reserve Bank of India Act, 1934

'Scheme' means the Integrated Ombudsman Scheme 2021.

SALIENT FEATURES

1. Ground of Complaint:

- 1) 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 authorized representative
- 2) Deficiency in Service - 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

2. Grounds for non-maintainability of a Complaint: No complaint for deficiency in service shall lie under the Scheme in matters involving

- a) commercial judgment/commercial decision of ("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 the Company; and
- 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 a dispute pertaining to customers of the Company not included under the Scheme

3. A Complaint under the schemes shall not lie unless:

- a) the complainant had, before making a complaint under the Scheme, made a written complaint to the Company concerned 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 to the complaint 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 in clause 11 of the Scheme issued by RBI;
- f) the complaint is lodged by the complainant personally or through an authorized 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.

4. How to file complaint?

Step 1: Written complaint to the Company.

Step 2: If the Company has not replied or customer remain dissatisfied with the reply of Company

Step 3: After the expiry of 30 days from the date of lodging the Complaint

Step 4: File a complaint with RBI Ombudsman online through the CMS portal of RBI <https://cms.rbi.org.in> along with the details guided by RBI (not later than one year after the reply from Company).

Step 5: Complaints can also be filed through CRPC@rbi.org.in or sent in physical mode (letter/post) in the form as specified in Annexure in the scheme (issued by RBI) to the 'Centralized Receipt and Processing Centre' set up at Reserve Bank of India, 4th Floor, Sector 17, Chandigarh - 160017 in the format. The complaint, if submitted in physical form, shall be duly signed by the complainant or by the authorized representative

Call on the Toll-Free number: 1800-103-2683 between 9:30 am and 6:00 pm

The Company has a separate customer grievance redressal policy which is available on the website of the Company under the below link:

<https://kinaracapital.com/customer-grievance-redressal-policy/>

5. Rejection of a Complaint

The Ombudsman may reject a complaint at any stage if it appears that the complaint made:

- i. is non-maintainable under clause 10 of the scheme; or
- ii. is in the nature of offering suggestions or seeking guidance or explanation
- iii. other grounds as specified under clause 16(2) of the Reserve Bank of India – Integrated Ombudsman Scheme, 2021.

6. Decision Making Process at Ombudsman's end:

- a) Ombudsman/Deputy Ombudsman endeavors to promote settlement of a complaint by agreement between the complainant and the Company through facilitation or conciliation or mediation.
- b) Proceedings before Ombudsman are summary in nature and shall not be bound by any rule of evidence.
- c) Complaint is deemed to be resolved when: -
 - i. It is settled by Company upon intervention of Ombudsman or
 - ii. Complainant has agreed in writing or otherwise (recorded) that manner and extent of resolution of grievance is satisfactory or
 - iii. Complainant has withdrawn complaint voluntary
- d) Unless complaint is rejected under clause 16 of the scheme, Ombudsman shall pass an award.

7. Appeal before the Appellate Authority

The complainant may, aggrieved by an Award or rejection of a complaint within 30 days of the date of receipt of award or rejection appeal before the Executive Director- in charge of Consumer Education and Protection Department of Reserve Bank of India (RBI) as per Clause 14 of the Ombudsman Scheme for Non-Banking Financial Companies, 2018 issued on February 23, 2018.

8. The Contact details of Nodal officer and Principal Nodal Officer is as below:

Name of the Nodal Officer – Riji K

Phone No: 6364464957

Email: headcustomercare@kinaracapital.com

Address: #50, 2nd Floor, 100 Feet Road HAL 2nd Stage (Defence Colony), Indiranagar Bangalore Karnataka 560038

Name of the Principal Nodal Officer – Aiswarya Ravi

Phone No: 6364464957

Email: chiefnodalofficer@kinaracapital.com

Address: #50, 2nd Floor, 100 Feet Road HAL 2nd Stage (Defence Colony), Indiranagar Bangalore Karnataka 560038

In case if the customer is not happy with the response provided and if the issue is not resolved within 1 month of submission, the customer can write to the NBFC Ombudsman, details as provided below:

Address and Area of Operation of RBI Ombudsmen		
Sl. No.	Centre	Name & Address of the Office of RBI Ombudsman
1	Ahmedabad	C/o Reserve Bank of India
		4th Floor, "Riverfront House", Behind H.K. Arts College,
		Between Gandhi & Nehru Bridge,
		Pujya Pramukh Swami Marg (Riverfront Road - West),
		Ahmedabad-380 009
		STD Code: 079

		Tel. No. 26582357
2	Bengaluru	C/o Reserve Bank of India
		10/3/8, Nrupathunga Road
		Bengaluru -560 001
		STD Code: 080
		Tel. No. 22277660/22180221
3	Chennai (I)	C/o Reserve Bank of India
		Fort Glacis, Chennai 600 001
		STD Code: 044
		Tel No. 25395964
		Fax. 25395488
4	Hyderabad	C/o Reserve Bank of India
		6-1-56, Secretariat Road
		Saifabad, Hyderabad-500 004
		STD Code: 040
		Tel. No. 23210013
5	Mumbai (I)	C/o Reserve Bank of India
		4th Floor, RBI Byculla Office Building,
		Opp. Mumbai Central Railway Station,
		Byculla, Mumbai-400 008
		STD Code: 022
		Tel No. 23022028
6	Mumbai (II)	C/o Reserve Bank of India,
		1st Floor, RBI Byculla Office
		Building, Opp. Mumbai Central
		Railway Station, Byculla,
		Mumbai-400 008
		STD Code: 022
		Tel No.: 23001280