

2023-24



TAMILNAD MERCANTILE BANK LTD
INTERNAL OMBUDSMAN SCHEME
2023-2024

Internal Ombudsman Scheme 2023-24

The Scheme is introduced with a view to strengthen the Internal Grievance Redress mechanism within the Bank and ensure a proper and speedy resolution of customer complaints by enabling a review before their rejection, by an apex level authority within the Bank.

1.SHORT TITLE, COMMENCEMENT AND EXTENT

- 1) This Scheme may be called the Internal Ombudsman Scheme of the Bank
- 2) It shall extend to whole of India and applicable with immediate effect.

2.SUSPENSION OF THE SCHEME BY RBI

- 1) The Reserve Bank, if it is satisfied that it is expedient so to do, may by order suspend for such period as may be specified in the order, the operation of all or any of the provisions of the Scheme, either generally or in relation to the Bank.
- 2) The Reserve Bank may, by order, extend from time to time, the period of any suspension ordered as aforesaid by such period, as it thinks fit.

3. DEFINITIONS

- 1) "Bank" means Tamilnad Mercantile Bank Ltd.
- 2) "Banking Outlet" is a fixed-point service delivery unit, manned by either bank's staff or its business correspondent where services of acceptance of deposits, encashment of cheques / cash withdrawal or lending of money are provided for a minimum of four hours per day for at least five days a week;
- 3) "Competent Authority" means Managing Director and CEO of the Bank.
- 4) "Complaint" means a representation in writing or through other modes alleging deficiency in service on the part of the regulated entity and seeking relief thereon;
- 5) "Deficiency in service" means a shortcoming or an inadequacy in any service, which the regulated entity is required to provide statutorily or otherwise, which may or may not result in financial loss or damage to the customer;
- 6) "Deputy Internal Ombudsman" means any person appointed under clause 5 of this policy (5.APPOINTMENT OF DEPUTY INTERNAL OMBUDSMAN)



- 7) “Financial Sector Regulatory Body” means regulatory body for financial sector entities and includes:
- a. The Reserve Bank of India established under the Reserve Bank of India Act, 1934;
 - b. The Securities and Exchange Board of India established under the Securities and Exchange Board of India Act, 1992;
 - c. The Insurance Regulatory and Development Authority of India established under the Insurance Regulatory and Development Authority of India Act, 1999;
 - d. The Pension Fund Regulatory and Development Authority established under the Pension Fund Regulatory and Development Authority Act, 2013;

4.APPOINTMENT OF INTERNAL OMBUDSMAN

- 1) The Bank shall appoint the Internal Ombudsman after satisfying themselves that the following prerequisites are fulfilled for the appointment of Internal Ombudsman;
 - a) The Internal Ombudsman shall either be a retired or serving officer, in the rank equivalent to a General Manager of another bank / Financial Sector Regulatory Body / NBSP / NBFC / CIC, having necessary skills and experience of minimum seven years of working in areas such as banking, non-banking finance, regulation, supervision, payment and settlement systems, credit information or consumer protection;
 - b) The Internal Ombudsman shall previously not have been employed, nor presently be employed, by the Bank or the Bank’s related parties.
- 2) The Internal Ombudsman shall not be over 70 years of age before the completion of the tenure.
- 3) The Bank may appoint more than one Internal Ombudsman depending on the volume of complaints received by the Bank to ensure continuity of operations during the absence of the Internal Ombudsman.
- 4) While appointing additional Internal Ombudsman, the Bank entity shall consider the need for diversity of experience of the incumbents to deal with different types of cases. In such cases, the Bank may clearly define the jurisdiction of each Internal Ombudsman.

5.APPOINTMENT OF DEPUTY INTERNAL OMBUDSMAN

- 1) Bank may appoint one or more Deputy Internal Ombudsman depending on the volume of complaints received by the Bank, who would assist the Internal



- Ombudsman in the quality disposal of the complaints.
- 2) The Deputy Internal Ombudsman shall either be a retired or serving officer, not below the rank of Deputy General Manager of another bank / Financial Sector Regulatory Body / NBSP / NBFC / CIC, having necessary skills and experience of minimum five years of working in areas such as banking, non-banking finance, regulation, supervision, payment and settlement systems, credit information or consumer protection.
 - 3) The Deputy Internal Ombudsman shall not be over 70 years of age before the completion of the tenure.
 - 4) The Deputy Internal Ombudsman shall functionally report to the Internal Ombudsman, who will be the final authority / decision-making authority while dealing with the complaints. In the temporary absence of the Internal Ombudsman, not exceeding a period of 15 working days, the Deputy Internal Ombudsman may function as the Internal Ombudsman for the limited purpose of reviewing the rejected complaints. Prior information shall be provided to Consumer Education and Protection Department, Central Office, Reserve Bank of India (iocepd@rbi.org.in) in case of temporary absence of the Internal Ombudsman exceeding 15 working days, advising inter-alia, details of alternate arrangements being put in place. However, such temporary absence should not exceed 30 days.

6.TENURE OF INTERNAL OMBUDSMAN / DEPUTY INTERNAL OMBUDSMAN

- 1) The appointment of the Internal Ombudsman / Deputy Internal Ombudsman in the Bank is of a contractual nature. The tenure of the Internal Ombudsman / Deputy Internal Ombudsman in the Bank shall be a fixed term of not less than three years, but not exceeding five years.
- 2) The Internal Ombudsman / Deputy Internal Ombudsman shall not be eligible for reappointment or for extension of term. The tenure of the Internal Ombudsman / Deputy Internal Ombudsman shall be indicated in the appointment letter.
- 3) The Internal Ombudsman / Deputy Internal Ombudsman cannot be removed before the completion of his / her contracted term without the explicit approval of the Reserve Bank of India. In case the vacancy arises on account of reasons beyond the control of the Bank (such as death, resignation, incapacitation, terminal illness, etc.), the Bank shall inform Reserve Bank of India within 10 working days from the date of such vacancy. The Bank shall appoint a new Internal Ombudsman / Deputy Internal Ombudsman as per eligibility criteria specified under clause 4 and clause 5 of this policy, within three months from the date of vacancy and submit a report within 5 working days from the date of appointment of the new Internal Ombudsman / Deputy Internal Ombudsman as per clause 14 of this policy.
- 4) The Principal Nodal Officer or the Nodal Officer, liaising with the offices of the RBI Ombudsman, shall not act as Internal Ombudsman / Deputy Internal Ombudsman or vice versa, even during the temporary absence of either.



- 5) The Bank shall ensure that the post of the Internal Ombudsman does not remain vacant at any point of time. The regulated entity shall undertake the process of fresh appointment well in advance to fill the vacancy before the expiry of the tenure of the incumbent Internal Ombudsman and ensure that there is a minimum overlap of at least one month between the time of demitting of office of the outgoing Internal Ombudsman and the incoming Internal Ombudsman. The regulated entity shall undertake the process of fresh appointment at least three months before the expiry of the term of the incumbent Internal Ombudsman.

7. ADMINISTRATIVE OVERSIGHT

The Internal Ombudsman shall report to the MD & CEO of the Bank and to the SRCPC Board.

8. SECRETARIAT AND COST OF THE OFFICE OF INTERNAL OMBUDSMAN

- 1) The Bank shall depute such number of the officers or other staff to the office of the Internal Ombudsman as is considered necessary for the smooth functioning of the offices of the Internal Ombudsman. All other requisite office infrastructure, including information technology support shall be made available to the office of the Internal Ombudsman to enable the Internal Ombudsman discharge his / her responsibilities effectively and efficiently.
- 2) Stakeholders Relationship and Capital Planning Committee of the Board shall determine the structure of emoluments, facilities and benefits accorded to the Internal Ombudsman / Deputy Internal Ombudsman, which should be appropriate keeping in view the stature and position of the Internal Ombudsman / Deputy Internal Ombudsman being at the apex of the grievance redress mechanism of the regulated entity as also the need to attract experienced persons with requisite expertise. These emoluments, facilities and benefits accorded to the Internal Ombudsman / Deputy Internal Ombudsman, once determined, shall not be changed during the tenure of Internal Ombudsman / Deputy Internal Ombudsman.
- 3) The office of the Internal Ombudsman shall preferably be placed in the Head Office or Corporate Office of the regulated entity.

9. INTERNAL AUDIT

- 1) The Bank shall conduct an internal audit of the implementation of the Internal Ombudsman Scheme formulated in this policy, on a yearly basis. The internal audit of the Bank shall cover the implementation and compliance with this policy inter-alia, including:



- (a) The adequacy of the infrastructure (space, IT infrastructure, human resources, etc.) provided to the office of Internal Ombudsman and whether it is in line with the volume of complaints and the stated position of the Internal Ombudsman at the apex of the grievance redress mechanism;
 - (b) Implementation of auto-escalation of the partly or wholly rejected complaints to the Internal Ombudsman within 20 days and adherence with various timelines indicated in this policy;
 - (c) Actions by the Internal Ombudsman with regard to analysis of complaints, reports submitted to RBI and the regulated entity, efforts made by Internal Ombudsman for review and quality disposal of the rejected complaints, support provided by the Bank towards raising awareness about types of grievances, and developing uniformity of approach in handling of complaints across the regulated entity as also the support provided to the Internal Ombudsman for redress of the complaints;
 - (d) Adherence with various timelines indicated in this policy.
- 2) The scope of the internal audit shall exclude any assessment of the correctness of decisions taken by the Internal Ombudsman.

10. ROLE AND RESPONSIBILITIES OF INTERNAL OMBUDSMAN

- 1) The Internal Ombudsman shall not handle complaints received directly from the complainants or members of the public but deal with the complaints that have already been examined by the regulated entity but have been partly or wholly rejected by the regulated entity.
- 2) The following types of complaints shall be outside the purview of this Internal Ombudsman Scheme and shall not be handled by the Internal Ombudsman:
 - (a) Complaints related to corporate frauds, misappropriation etc., except those resulting from deficiency in service, if any, on the part of the Bank;
 - (b) References in the nature of suggestions and commercial decisions of the Bank. However, service deficiencies in cases falling under 'commercial decisions' will be valid complaints for the Internal Ombudsman;
 - (c) Complaints / references relating to (i) internal administration, (ii) human resources, or (iii) pay and emoluments of staff in the regulated entity;
 - (d) Complaints which have been decided by or are already pending in other fora such as the Consumer Disputes Redressal Commission, courts, etc.;
 - (e) Disputes for which remedy has been provided under Section 18 of the Credit Information Companies (Regulation) Act, 2005.

The Bank shall forward all rejected / partially rejected complaints under the categories (a) and (b) above to the Internal Ombudsman/s. The Internal Ombudsman shall look for inherent deficiency in service in such cases and take a



view whether any of these complaints can be exempted under (a) and / or (b) above as decided by the Bank.

- 3) Complaints that are outside the purview of this scheme shall be immediately referred back to the Bank by the Internal Ombudsman.
- 4) The Internal Ombudsman shall analyse the pattern of complaints such as product / category wise, consumer group wise, geographical location wise, etc., and suggest means for taking actions to address the root cause of complaints of similar / repeat nature and those that require policy level changes in the Bank. The Internal Ombudsman shall examine the complaints based on records available with the Bank, including any documents submitted by the complainant and comments or clarifications furnished by the Bank to the specific queries of the Internal Ombudsman. The Internal Ombudsman may seek additional information and documents from the complainant, through the Bank. The Internal Ombudsman must record a “reasoned decision” in each case.
- 5) The Internal Ombudsman may hold meetings with the concerned functionaries of the Bank and seek any record / document available with the Bank that are necessary for examining the complaint and reviewing the decision. The Bank shall furnish all records and documents sought by the Internal Ombudsman to enable expeditious resolution of the complaints without any undue delay.
- 6) The Internal Ombudsman shall, on a quarterly basis, analyse the pattern of all complaints received against the Bank, such as entity-wise (for CICs), product-wise, category-wise, consumer group-wise, geographical location-wise, etc., and may provide inputs to the regulated entity for policy intervention, if so warranted.
- 7) The Internal Ombudsman shall not represent the Bank in legal cases before any court or fora or authority.
- 8) In cases of conciliation, where the decision of the Internal Ombudsman is accepted by the complainant, a statement showing the terms of agreement duly signed by the complainant, shall be kept on record.

11. BOARD OVERSIGHT

- 1) The Internal Ombudsman shall furnish periodic reports (including the analysis of complaints) on his / her activities to the Stakeholders Relationship and Capital Planning Committee of the Board at quarterly intervals. Bank shall put in place a system for discussion of cases, in which the decision of the Internal Ombudsman



has been rejected by the Bank, by the Stakeholders Relationship and Capital Planning Committee of the Board. The rejection of the decision taken by the Internal Ombudsman shall be done with the approval of the Competent Authority Managing Director and CEO of the Bank .

- 2) The Audit Committee of the Board of the Bank can refer to the Internal Ombudsman, matters in respect of cases mentioned at Clause 10(2)(a) of this policy.
- 3) The Internal Ombudsman shall be designated as an ex-officio member or a permanent invitee to the meetings of the Stakeholders Relationship and Capital Planning Committee of the Board.

12.PROCEDURE FOR COMPLAINT REDRESS BY INTERNAL OMBUDSMAN

- 1) The Bank shall, according to a Standard Operating Procedure (SOP) approved by the Stakeholders Relationship and Capital Planning of the Board, fully automate our internal Software for handling complaints so that all the complaints that are partly or wholly rejected in the Bank's internal grievance redress mechanism are auto-escalated to the Internal Ombudsman within 20 days of receipt, for a final decision.
- 2) The Internal Ombudsman and the Bank shall ensure that the final decision is communicated to the complainant within a period of 30 days from the date of receipt of complaint by the Bank.
- 3) The Bank shall provide read-only access to our internal Software for handling complaints so that all the complaints are accessible to the Internal Ombudsman who shall follow up cases of delayed escalation with the concerned department in the Bank. The Bank shall also provide access to the Internal Ombudsman in the internal Software for handling complaints, for adding his / her decisions on complaints escalated to the Internal Ombudsman.
- 4) The Internal Ombudsman shall also have 'read-only' access to the Reserve Bank's Complaints Management System to enable the Internal Ombudsman to keep track of (i) the cases forwarded by the RBI Ombudsman to the Bank, (ii) decisions of the RBI Ombudsman thereon, and (iii) where applicable, the decision of the Appellate Authority, under the Reserve Bank – Integrated Ombudsman Scheme. Once the Internal Ombudsman has joined the regulated entity, the Bank shall seek read-only access for the Internal Ombudsman from the Consumer Education and Protection Department of the Reserve Bank.
- 5) The Bank shall furnish all records / documents sought by the Internal Ombudsman to enable him / her to redress / resolve customer grievances expeditiously.
- 6) The decision of Internal Ombudsman shall be binding on the Bank, except in cases where the Bank has obtained approval for disagreeing with such decision as stated in sub-clause (8) below.



- 7) Where the Internal Ombudsman upholds the decision of the Bank to reject or partly reject the complaint, the reply to the complainant should explicitly state the fact that the complaint has been examined by the Internal Ombudsman and for the reasons stated in the reply, the decision of the Bank has been upheld.
- 8) Where the Internal Ombudsman overrules the decision of the Bank to reject or partly reject the complaint, the Bank can disagree with the decision of the Internal Ombudsman only with the approval of the MD & CEO. In such cases, the reply to the complainant shall explicitly state the fact that the complaint was examined by the Internal Ombudsman and the decision of the regulated entity was overruled by the Internal Ombudsman in favour of the complainant; however, the regulated entity, with the approval of the MD & CEO, has disagreed with the decision of the Internal Ombudsman. Such decision must be communicated to the complainant within 7 days of communication of the decision of the Internal Ombudsman on the case to the Bank. All such cases shall be subsequently reviewed on a quarterly basis by the Stakeholders Relationship and Capital Planning Committee of the Board or the Board of the Bank
- 9) For complaints that are fully or partly rejected even after examination by the Internal Ombudsman, the Bank shall necessarily advise the complainant, as part of the reply, that he/she can approach the RBI Ombudsman for redress (excluding complaints against regulated entities not covered under the RB-IOs, 2021) along with complete details of the complaint. The Bank in its reply shall mention physical address of the Centralised Receipt and Processing Centre (CRPC) of RBI, Central Vista, Sector 17, Chandigarh – 160017, as well as the address of Reserve Bank's Complaint Management System portal for online filing of customer complaints (<https://cms.rbi.org.in>).
- 10) The decision of the Internal Ombudsman shall be mandatorily included in the information submitted by the Bank to the RBI Ombudsman, while furnishing documents related to the complaints received in the Office of the RBI Ombudsman.
- 11) In cases where the complainant has approached the RBI Ombudsman before the Internal Ombudsman has examined the complaint, the Bank should obtain the views of Internal Ombudsman and include the Internal Ombudsman's views in its submissions to the RBI Ombudsman.
- 12) The Bank shall use the analysis of complaints handled by Internal Ombudsman in their training programmes / conferences to raise awareness about the pattern of complaints including the root causes, remedial measures, etc., among the frontline staff, in order to evolve consistency in handling of complaints. The Internal Ombudsman may also be involved for such trainings, where necessary.
- 13) While assessing the performance of the Internal Ombudsman, in addition to the level of pendency and work done by the Internal Ombudsman towards developing uniformity across the Bank in the redress of complaints, the Bank shall also analyse the number of cases where there is substantive difference between the decisions of the Internal Ombudsman vis-à-vis those given by the RBI



Ombudsman subsequently.

- 14) The regulated entity shall widely disseminate the guidelines / instructions regarding this Internal Ombudsman Scheme among their staff while communicating the appointment of Internal Ombudsman in the organization (all branches and administrative offices)
- 15) The Bank shall not provide the contact details of the Internal Ombudsman in the public domain as the Internal Ombudsman shall not handle complaints received directly from the customers.

13. REGULATORY AND SUPERVISORY OVERSIGHT BY RESERVE BANK OF INDIA

- 1) The implementation of this Internal Ombudsman scheme will be reviewed by the Department of Supervision of RBI.
- 2) Consumer Education and Protection Department of the Reserve Bank may review the cases where the decision of the Internal Ombudsman has not been accepted by the Bank and the aggrieved complainant approaches the RBI Ombudsman, for assessing the effectiveness of the internal grievance redress mechanism of the Bank and initiating corrective actions as it may deem fit.

14. REPORTING TO RESERVE BANK OF INDIA

- 1) The Bank shall put in place a system of periodic reporting of information to Consumer Education and Protection Department, Central Office, Reserve Bank of India, on a quarterly and annual basis as per formats provided in the Annexure. These reports shall be submitted on or before the 10th day of the month following the quarter/year for which they are due.
- 2) The Bank shall, within five working days of appointment of the Internal Ombudsman or Deputy Internal Ombudsman, furnish the details of the official so appointed to the Consumer Education and Protection Department, Central Office, Reserve Bank of India (iocepd@rbi.org.in) in the following format:

1.	Name of the Internal Ombudsman / Deputy Internal Ombudsman	
2.	Details of the last positions held/ organization names	
3.	Date of Appointment	
4.	Term (in years)	
5.	Brief professional profile, including previous exposure to financial services highlighting those that make them eligible for appointment	
6.	Contact details (telephone, email, address)	



Annexure
Report to Consumer Education and Protection Department, Reserve Bank of India
Office of Internal Ombudsman (IO), Name of the Regulated Entity (RE):

Report for quarter ended _____

Part A: Quarterly Reporting (For all regulated entities including Credit Information Companies)

Table I - Information pertaining to Internal Grievance Redress (IGR)

Number of Complaints received by the Regulated Entity during the quarter	Number of Complaints processed by the Regulated Entity during the quarter	Number of complaints under (B) that are rejected (Partly or Wholly) by RE	Number of complaints falling under the domain of IO under (C)	Number of complaints referred by the RE to the IO
(A)	(B)	(C)	(D)	(E)

Reasons for difference between (D) and (E) – case-wise

Table II - Information pertaining to Alternate Grievance Redress (AGR)

Number of times RBIO / AA@ sought IO Comments	Number of cases not referred to IO earlier but referred to IO after information sought by RBIO / IO	Number of times AA had advised the regulated entity to refer the decision of the AA to the Board / IO	Number of Root Cause Analysis (RCA) put up by the Office of the IO to the Board	Number of suggestions of the IO accepted by the Board

@ RBIO – Reserve Bank of India Ombudsman and AA – Appellate Authority as per Reserve Bank – Integrated Ombudsman Scheme, 2021

a. Major findings from the RCA



b. Details of suggestions made by the IO and accepted by the Board

Table III - Subjective assessment (For all regulated entities including CICs)

Details of analysis and inputs on the pattern of:

- (i) Complaints received against the RE, such as entity wise (for CICs), product wise, category-wise, consumer group-wise, geographical location-wise, any other.

Top 3 Products against complaints were received:

Product Name (eg. Credit cards)	Number of complaints received	RCA done (Yes / No)

Top 3 Consumer groups from where complaints were received:

Consumer group Name (eg. Pensioners, Proprietary firms)	Number of complaints received	RCA done (Yes / No)

Top 3 Geographical locations from where complaints were received:

Geographical locations (eg. - State name – Kerala, Odisha or West Bengal)	Number of complaints received	RCA done (Yes / No)

Part-B: Annual Reporting (For all regulated entities)

Internal Ombudsman Scheme 2023-24



Report for year ended _____

Table – I

Number of complaints referred by the RE to the IO during the year	Number of complaints Closed by IO	Number of complaints where decision of the RE was not upheld by the IO	Number of complaints wherein the decision of the IO was rejected *	Number of decisions of the IO implemented by the RE	Number of IO decisions yet to be implemented by bank			
					1 Month	2 Months	3 Months	More than 3 Months

*To be rejected only with prior approval of the Competent Authority

Table – II

Number of complaints that should have been referred by the regulated entity to the IO during the year (as per the Directions)	Number of complaints under (A) referred by the regulated entity to the IO during the year	Out of Number of complaints under A, Number of complaints not referred to IO within twenty days	Number of complaints where the complainants were not responded to within one month of the date of filing the complaint
(A)	(B)	(C)	(D)

Major reasons that complaints are not referred to the IO:

- 1.
- 2.

