

Annex – XIII: Illustrative examples for apportionment of Compensation amount

A. Complaints registered with CIC by the complainant

ClIs have maximum 21 days' time and CICs have the remaining period, within the overall time period of 30 days from the date of receipt of the complaint for its resolution. Compensation payable by the CICs/ ClIs shall be calculated under various scenarios as illustrated below.

Case 1

- Complaint registered with a CIC on January 1, 2022.
- The CIC seeks confirmation from the CI (for e.g. Bank A) on January 12, 2022.
- Bank A provides confirmation to the CIC on February 2, 2022 (21st day would be February 2, 2022) – no delay by Bank A.
- The CIC resolves and provides rectified CIR to the complainant on February 3, 2022.
- Compensation of ₹300 shall be provided by the CIC to the complainant for delay of 3 days beyond the permissible period of 30 days (i.e. in this case by January 31, 2022).

Case 2

- Complaint registered with a CIC on January 1, 2022
- The CIC seeks confirmation from Bank A on January 5, 2022
- Bank A provides confirmation to the CIC on January 26, 2022 (i.e. within 21 days) – no delay by Bank A.
- The CIC resolves and provides rectified CIR to the complainant on February 3, 2022
- Compensation of ₹300 shall be provided by the CIC to the complainant for delay of 3 days beyond the permissible period of 30 days (i.e. in this case by January 31, 2022).

Case 3

- Complaint registered with a CIC on January 1, 2022

- The CIC seeks confirmation from Bank A on January 5, 2022
- Bank A provides confirmation to the CIC on January 28, 2022 (21st day would be January 26, 2022) – 2 days delay by Bank A.
- If CIC resolves and provides rectified CIR to the complainant on February 2, 2022 - Compensation of ₹200 shall be provided by the Bank A to the complainant for a delay of 2 days beyond the permissible period of 30 days (i.e. in this case by January 31, 2022).
- If CIC resolves and provides rectified CIR to the complainant on February 3, 2022 – Total compensation of ₹300 [₹200 by Bank A and ₹100 by CIC] shall be provided to the complainant for delay of 3 days beyond the permissible period of 30 days (i.e. in this case by January 31, 2022).

Case 4

- Complaint registered with a CIC on January 1, 2022
- The CIC seeks confirmation from Bank A, Bank B, Bank C, Bank D, Bank E on January 5, 2022 – i.e. the CIC has taken 4 days to seek confirmation.
- For Bank A, B, C, D and E – (21st day would be January 26, 2022)
- If Bank A provides confirmation to CIC on January 26, 2022 – No delay
- If Bank B provides confirmation to CIC on January 31, 2022 – 5 days delay
- If Bank C provides confirmation to CIC on February 2, 2022 – 7 days delay
- If Bank D provides confirmation to CIC on February 4, 2022 – 9 days delay
- If Bank E provides confirmation to CIC on February 6, 2022 – 11 days delay
- Therefore, total delay in resolution of complaint is as follows:
- If the CIC resolves and provides rectified CIR to the complainant on February 6, 2022 – Total compensation of ₹600 shall be provided to the complainant, on a weighted average basis, as under, for a delay of 6 days beyond the permissible period of 30 days (i.e. in this case by January 31, 2022):

32 days

Explanation: The delay of six days shall be apportioned by the CIs/CICs on weighted average of the extent of delay by each CIs/CICs. In the above case, the overall delay is 6 days and therefore the complainant shall be entitled for total compensation of ₹600. This needs to be apportioned between all the defaulting

banks (in this case Bank B, C, D and E). Cumulatively, the delay of all the defaulting banks put together is 32 days (5+7+9+11 days). Therefore, the compensation amount of ₹600 shall be apportioned on weighted average of the delay by each CIs in relation to the overall delay of 32 days in this case.

- Bank A = No compensation
 - Bank B = $(5*600)/32 = ₹93.75$
 - Bank C = $(7*600)/32 = ₹131.25$
 - Bank D = $(9*600)/32 = ₹168.75$
 - Bank E = $(11*600)/32 = ₹206.25$
 - CIC = No compensation
- If the CIC resolves and provides rectified CIR to the complainant on February 11, 2022, total days taken by CIC would be 9 days (i.e. 4+ 5 days). Total compensation of ₹1100 shall be provided to the complainant, on a weighted average basis, as under, for delay of 11 days beyond the permissible period of 30 days (i.e. in this case by January 31, 2022):

- Bank A = No compensation
- Bank B = $(5*1100)/32 = ₹171.88$
- Bank C = $(7*1100)/32 = ₹240.62$
- Bank D = $(9*1100)/32 = ₹309.38$
- Bank E = $(11*1100)/32 = ₹378.12$
- CIC = No compensation (as CIC has taken overall 9 days)

- If the CIC resolves and provides rectified CIR to the complainant on February 15, 2022. CIC has taken 13 days (i.e. 4 days + 9 days) to provide a final rectified CIR. Total compensation of ₹1500 shall be provided to the complainant, on a weighted average basis as under, for the delay of 15 days beyond the permissible period of 30 days (i.e. in this case by January 31, 2022):

- Bank A = No compensation
- Bank B = $(5*1500)/36 = ₹208.34$
- Bank C = $(7*1500)/36 = ₹291.66$
- Bank D = $(9*1500)/36 = ₹375.00$

32 + 4 = 36
days

- Bank E = $(11*1500)/36 = ₹458.34$
- CIC = $(4*1500)/36 = ₹166.66$

Case 5

- Complaint registered with a CIC on January 1, 2022
- The CIC seeks confirmation from Bank A on January 5, 2022
- Bank A provides confirmation to the CIC on January 28, 2022 (21st day would be January 26, 2022) – 2 days delay.
- If, CIC resolves and provides rectified CIR to Bank A on January 31, 2022 (i.e. resolution done within 30 days of receiving the complaint) - No case for Compensation²⁶.

B. Complaints registered with CIs by the complainant

Case 6

- Complaint registered with a CI²⁷ (for e.g. Bank A) on January 1, 2022
- Bank A provides rectified details to CIC on January 22, 2022 (21st day would be January 22, 2022) – no delay by Bank A.
- If the CIC resolves and provides rectified CIR to Bank A on January 31, 2022 and Bank A provides the rectified CIR to the complainant on January 31, 2022 – No case for compensation.
- If the CIC resolves and provides rectified CIR to Bank A on January 31, 2022 and Bank A provides the rectified CIR to the complainant on February 1, 2022 – A compensation of ₹100 shall be provided by the Bank A to the complainant for delay of 1 days beyond the permissible period of 30 days (i.e. in this case by January 31, 2022).

²⁶ However, the CI would be liable for penal action as deemed fit by the Reserve Bank of India as per provisions of CICRA, 2005 and Rules and Regulations framed thereunder.

²⁷ Where the grievance/ complaint involves inaccurate credit information of more than one (1) CI, the complaint shall be registered by the customer with the concerned CIC. The CIC shall coordinate with all CIs concerned, and furnish to the customer a comprehensive resolution of grievance.

- If the CIC resolves and provides rectified CIR to Bank A on February 1, 2022 and Bank A provides the rectified CIR to the complainant on February 1, 2022 - A compensation of ₹100 shall be provided by the CIC to the complainant for delay of 1 day beyond the permissible period of 30 days (i.e. in this case by January 31, 2022).
- If the CIC resolves and provides rectified CIR to Bank A on February 1, 2022 and Bank A provides the rectified CIR to the complainant on February 2, 2022 - Total compensation of ₹200 shall be provided [₹100 by the CIC and ₹100 by Bank A] to the complainant for delay of 2 day beyond the permissible period of 30 days (i.e. in this case by January 31, 2022).

Case 7

- Complaint registered with a CI (for e.g. Bank A) on January 1, 2022
- Bank A resolves and provides rectified details to the CIC on January 25, 2022 (21st day would be January 22, 2022) – 3 days delay by Bank A.
- If the CIC resolves and provides rectified CIR to Bank A on January 31, 2022 and Bank A provides rectified CIR to complainant on January 31, 2022 - No case for Compensation.
- If the CIC resolves and provides rectified CIR to Bank A on February 3, 2022 (i.e. the CIC takes 9 days after being informed by Bank A) and Bank A provides rectified CIR to the complainant on February 3, 2022 – A compensation of ₹300 shall be provided by Bank A to the complainant for delay of 3 days beyond the permissible period of 30 days (i.e. in this case by January 31, 2022).
- If the CIC resolves and provides rectified CIR to Bank A on February 3, 2022 and Bank A provides rectified CIR to the complainant on February 4, 2022 – A compensation of ₹400 shall be provided by Bank A to the complainant for delay of 4 days beyond the permissible period of 30 days (i.e. in this case by January 31, 2022).
- If the CIC resolves and provides rectified CIR to Bank A on February 4, 2022 and Bank A provides rectified CIR to the complainant on February 4, 2022 – Total

compensation of ₹400 [₹100 by the CIC and ₹300 by Bank A] shall be provided to the complainant for delay of 4 days beyond the permissible period of 30 days (i.e. in this case by January 31, 2022).

- If the CIC resolves and provides rectified CIR to Bank A on February 4, 2022 and Bank A provides rectified CIR to the complainant on February 5, 2022 – Total compensation of ₹500 [₹100 by CIC and ₹400 by Bank A] shall be provided to the complainant for delay of 5 days beyond the permissible period of 30 days (i.e. in this case by January 31, 2022).