

AMENDMENTS TO PFRDA (REDRESSAL OF SUBSCRIBER GRIEVANCE) REGULATIONS, 2015 FOR PUBLIC COMMENTS

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| Name of the person / entity proposing comments | |
| Contact details (Email & Mobile no.) | |
| Category (Intermediary / public) | |

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|-------|----------------|---|---|-----------------------------|--------------------------|
| 1 | 1 | (4) These regulations shall apply to,- (i) all intermediaries or any person or entity regulated by the Authority under the National Pension System at any point of time; (ii) other pension scheme regulated by the Authority at any point of time; (iii) Departments under the Central Government or States or Union territories Governments and all other entities, bodies or employers, whose employees are covered under the National Pension System; and (iv) all subscribers under the National Pension System or any other pension scheme regulated by the Authority | (4) These regulations shall apply to,- (i) all intermediaries regulated by Authority or any person or entity providing any service under any of the pension scheme regulated or administered by Authority at any point of time (ii) Departments under the Central Government or States or Union territories Governments and all other entities, bodies or employers, whose employees are covered under the National Pension System; and (iii) all subscribers under the National Pension System or any other pension scheme regulated or administered by the Authority and shall include the | | |

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| | | and shall include the dependents or legal heirs of any deceased subscriber. | nominee or dependents or legal heirs of any deceased subscriber, as the case may be. | | |
| 2 | 2 | <p>(g) “grievances or complaint” includes any communication that expresses dissatisfaction, in respect of the conduct or any act of omission or commission or deficiency of service on the part of, an intermediary or an entity or a person governed by the provisions of the Act and in the nature of seeking a remedial action but do not include the following –</p> <ul style="list-style-type: none"> (i) complaints that are incomplete or not specific in nature; (ii) communications in the nature of offering suggestions; (iii) communications seeking guidance or explanation; (iv) complaints which are beyond the powers and functions of the Authority or beyond the provisions of the Act and the rules and regulations framed thereunder; | <p>(g) “grievances or complaint” includes any communication that expresses dissatisfaction, in respect of the conduct or any act of omission or commission or deficiency of service on the part of, an intermediary or an entity or a person governed by the provisions of the Act and in the nature of seeking a remedial action but do not include the following –</p> <ul style="list-style-type: none"> (i) complaints that are incomplete or not specific in nature; (ii) communications in the nature of offering suggestions; (iii) communications seeking guidance or explanation; (iv) complaints which are beyond the powers and functions of the Authority or beyond the provisions of the Act and the rules and regulations framed thereunder; | | |

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| | | <p>(v) any disputes between intermediaries; and</p> <p>(vi) complaints that are sub-judice (cases which are under consideration by court of law or quasi-judicial body) except matters within the exclusive domain of the Authority under the provisions of the Act;</p> <p>(h) "enquiry" or "an enquiry" means any communication from a subscriber for the primary purpose of requesting information about the National</p> | <p>(vi) any disputes between intermediaries; and</p> <p>(vi) complaints that are sub-judice (cases which are under consideration by court of law or quasi-judicial body) except matters within the exclusive domain of the Authority under the provisions of the Act;</p> <p>(v) complaints directed against or seeking modification of any policy, regulation or guideline issued by the Authority,</p> <p>Provided that any complaint relating to deficiency in service, non-implementation or improper implementation of any policy, regulation or guideline of the Authority, by an intermediary or entity shall not be excluded;</p> <p>(h) "enquiry" or "an enquiry" means any communication from a subscriber for the primary purpose of requesting information about the National Pension System or any other pension</p> | | |

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| | | <p>Pension System or any other pension scheme regulated by the Authority;</p> <p>(j) "Ombudsman" means any person appointed under regulation 11 of these regulations and includes a Stipendiary Ombudsman;</p> <p>(l) "Stipendiary Ombudsman" means a person appointed under regulation 17 for the purpose of acting as ombudsman in respect of a specific matter or matters in a specific territorial jurisdiction and for which he may be paid such expenses, honorarium or sitting fees as may be determined by the Authority from time to time.</p> | <p>scheme regulated or administered by the Authority;</p> <p>(j) "Ombudsman" means any person appointed under regulation 11 of these regulations and includes an Ombudsman appointed on Contract basis;</p> <p>(l) "Ombudsman appointed on Contract basis" means a person appointed under regulation 17 for the purpose of acting as ombudsman for which such ombudsman may be paid a fixed remuneration as may be determined by the Authority from time to time.</p> | | |

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| 3 | 3 | <p>Grievance redressal policy.— (1) Every intermediary under the National Pension System and any other pension scheme regulated by the Authority shall follow the grievance redressal policy as laid down under these regulations. In case of National Pension System, the National Pension System Trust shall lay down detailed guidelines and procedures for a two level grievance redressal policy for intermediaries and other entities with minimum conditions as referred to in regulation 4 and shall be responsible for the overall grievance management system. Every intermediary shall have in place a board approved policy, for redressal of subscriber grievances. It shall have two levels for the grievance redressal of subscribers and shall comprise a senior management level officer to be designated as Grievance Redressal Officer for compliance of the requirements laid down in such policy. In addition, every branch or</p> | <p>Grievance redressal policy.— (1) Every intermediary regulated by Authority or any person or entity providing any service under any of the pension scheme regulated or administered by Authority at any point of time shall follow the grievance redressal policy as laid down under these regulations. Every intermediary shall have in place a board approved policy, for redressal of subscriber grievances. It shall have two levels for the grievance redressal of subscribers and shall require a senior management level officer to be designated as Chief Grievance Redressal Officer (CGRO) for compliance of the requirements laid down in such policy. In addition, every branch or authorized office or centre of the intermediary dealing with National Pension System or any other pension scheme shall also have an officer nominated as the Grievance Redressal Officer (GRO) for that office or centre.</p> | | |

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| | | <p>authorized office or centre of the intermediary dealing with National Pension System shall also have an officer nominated as the Grievance Redressal Officer for that office or centre.]</p> <p>(2) Any other pension scheme regulated by the Authority shall also provide for a two level grievance redressal policy approved by its board or decision making body.</p> <p>(3) All such grievance redressal policies for National Pension System and for other pension schemes regulated by the Authority shall be filed with the Authority or National Pension System Trust as the case may be, by the intermediary or entity or person governed by the provisions of the Act and details of internal grievance redressal mechanism, along with the address and contact details of Ombudsman shall be placed prominently in public domain.]</p> | <p>(2) Any other pension scheme regulated or administered by the Authority shall also provide for a grievance redressal policy approved by its board or decision-making body.</p> <p>(3) All such grievance redressal policies for National Pension System and for other pension schemes regulated or administered by the Authority shall be placed prominently in public domain, including on the website of the intermediary, entity or person governed by the provisions of the Act, along with the address and contact details of Ombudsman.]</p> | | |

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| | | <p>(4) The National Pension System Trust shall be required to monitor and periodically conduct review and perform oversight on the grievance management system in respect of schemes under the National Pension System. The National Pension System Trust shall, forward to the Authority, reports on its review and oversight, within such period as may be specified by the Authority</p> | <p>(4) The Authority may require intermediaries or entities to furnish grievance-related reports or information to the Authority or to such other entity as may be determined by the Authority from time to time.</p> | | |
| 4 | 4 | <p>Filing of grievance redressal policy.- The grievance redressal policy to be filed in all cases with the Authority or the National Pension System Trust needs to adhere to the following minimum conditions, namely:-</p> <p>(a) every intermediary under the National Pension System and any other pension scheme regulated by the Authority shall designate a senior management level officer as Grievance Redressal Officer for compliance of the requirements laid down in such policy. In addition, every branch or</p> | <p>Public disclosure of grievance redressal policy.- The grievance redressal policy shall adhere to the following minimum conditions, namely:-</p> <p>(a) every intermediary under the National Pension System and any other pension scheme regulated or administered by the Authority shall designate a senior management level officer as Chief Grievance Redressal Officer (CGRO) for compliance of the requirements laid down in such policy. In addition, every branch or</p> | | |

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| | | <p>authorized office or centre other than the central or head or corporate or principal office dealing with National Pension System or any other pension scheme regulated by the Authority shall also have an officer nominated as the Grievance Redressal Officer for that office or centre;</p> <p>(b) every intermediary under the National Pension System and any other pension scheme regulated by the Authority shall have a clearly defined system and procedure for receiving, registering, acknowledging and effectively disposing off of grievances received in a prompt and fair manner;</p> <p>(c) every intermediary under the National Pension System and any other pension scheme regulated by the Authority must inform a subscriber at the commencement of relationship with the subscriber and at such other time when the information is likely to be required by the subscriber, of -</p> <p>(i) the subscribers' right to seek redressal of any complaints, through</p> | <p>authorized office or centre other than the central or head or corporate or principal office dealing with National Pension System or any other pension scheme regulated or administered by the Authority shall also have an officer nominated as the Grievance Redressal Officer (GRO) for that office or centre;</p> <p>(b) every intermediary under the National Pension System and any other pension scheme regulated or administered by the Authority shall have a clearly defined system and procedure for receiving, registering, acknowledging and effectively disposing off of grievances received in a prompt and fair manner;</p> <p>(c) every intermediary under the National Pension System and any other pension scheme regulated or administered by the Authority must inform a subscriber at the commencement of relationship with the subscriber and at such other time when the information is likely to be required by the subscriber, of -</p> | | |

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| | | <p>the redressal mechanism as specified under these regulations; and</p> <p>(ii) the processes followed by the intermediaries under the National Pension System and other pension scheme regulated by the Authority, to receive and redress complaints from subscribers;</p> <p>(d) the grievance redressal policies would need to conform to the benchmarks and standards as laid down or amended by the Authority from time to time. These benchmarks may include <i>inter alia</i> resolution time for a grievance, service quality, manner of receiving grievances, number of outstanding grievances against intermediaries under the National Pension System or any other pension scheme and any other matters which in the opinion of the Authority, are relevant for redressing such grievances;</p> | <p>(i) the subscribers' right to seek redressal of any complaints, through the redressal mechanism as specified under these regulations; and</p> <p>(ii) the processes followed by the intermediaries under the National Pension System and other pension scheme regulated or administered by the Authority, to receive and redress complaints from subscribers;</p> <p>(d) the grievance redressal policies would need to conform to the benchmarks and standards as laid down or amended by the Authority from time to time. These benchmarks may include <i>inter alia</i> resolution time for a grievance, service quality, manner of receiving grievances, number of outstanding grievances against intermediaries under the National Pension System or any other pension scheme and any other matters which in the opinion of the Authority, are relevant for redressing such grievances;</p> | | |

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| | | <p>¹[(e) details of turnaround times shall be clearly laid down in the two level grievance redressal policy to be filed with the Authority and the National Pension System Trust by the intermediaries or respective Government or any other entity governed by the provisions of the Act;]</p> <p>(f) every two level grievance redressal policy to be filed with the Authority and the National Pension System Trust, shall be placed in public domain, including its website and displayed in Hindi, English and other applicable regional languages by each intermediary under the National Pension System and other pension schemes regulated by the Authority.</p> | <p>(e) details of turnaround times shall be clearly laid down in the two-level grievance redressal policy to be placed in public domain by the intermediaries or respective Government or any other entity governed by the provisions of the Act;]</p> <p>(f) every two-level grievance redressal policy shall be placed prominently in public domain, including on its website, and displayed in Hindi, English and other applicable regional languages by each intermediary under the National Pension System and other pension schemes regulated or administered by the Authority.]</p> | | |
| 5 | 5 | (1)(a)(ii) Government nodal offices or PAOs or PrAOs or DTAs or DTOs or DDOs, which shall be in accordance with the circulars or guidelines issued by the Authority, National Pension System Trust or the Central | (1)(a)(ii) Government nodal offices or PAOs or PrAOs or DTAs or DTOs or DDOs, which shall be in accordance with the circulars or guidelines issued by the Authority, or the Central Government or the concerned State | | |

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| | | Government or the concerned State Government from time to time on registration of subscribers, incorporating change or modification in subscriber details, timelines for remittance of National Pension System contributions including legacy contributions, compensation of loss to the subscribers due to delay of such remittance and any other related issue to protect the interest of the subscribers; and | Government from time to time on registration of subscribers, incorporating change or modification in subscriber details, timelines for remittance of National Pension System contributions including legacy contributions, compensation of loss to the subscribers due to delay of such remittance and any other related issue to protect the interest of the subscribers; and | | |
| 6 | 6 | <p>Turnaround times for grievance redressal:</p> <p>(3) In case the complaint received does not pertain to the intermediary to which the same has been lodged, the complaint shall be transferred to the concerned intermediary within three working days, under intimation to the complainant.</p> <p>(4) Where the intermediaries under National Pension System or any other pension scheme regulated by Authority has resolved the complaint, within three working days, it may</p> | <p>Turnaround times for grievance redressal:</p> <p>(3) In case the complaint received does not pertain to the intermediary to which the same has been lodged, the complaint shall be transferred to the concerned intermediary by CRA within two working days, under intimation to the complainant.</p> <p>(4) Where the intermediaries under National Pension System or any other pension scheme regulated or administered by Authority has resolved the complaint, it may</p> | | |

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| | | <p>communicate the resolution along with the acknowledgement to the complainant.</p> <p>(5) Every grievance shall be disposed off within a period of thirty days of its receipt and a final reply shall be sent to the complainant, containing details of resolution or rejection of the complaint, with reasons thereof recorded in writing.</p> <p>(6) The intermediary under National Pension System or any other pension scheme regulated by Authority, while disposing off the complaint, shall inform the complainant the manner in which he or she may pursue the complaint, if dissatisfied with such resolution or rejection, as the case may be.</p> <p>(7) If the complainant is not satisfied with the redressal of his grievances or if it has not been resolved by the intermediary by the end of thirty days of the filing of the complaint, he may escalate the grievance to the National</p> | <p>communicate the resolution along with the acknowledgement to the complainant within three working days.</p> <p>(5) Every grievance shall be disposed off within a period of fourteen days of its receipt and a final reply shall be sent to the complainant, containing details of resolution or rejection of the complaint, with reasons thereof recorded in writing.</p> <p>(6) The intermediary under National Pension System or any other pension scheme regulated or administered by Authority, while disposing off the complaint, shall inform the complainant the manner in which he or she may pursue the complaint, if dissatisfied with such resolution or rejection, as the case may be.</p> <p>(7) If the complainant is not satisfied with the redressal of his grievances or if it has not been resolved by the intermediary by the end of fourteen days of the filing of the complaint, the complainant may escalate the</p> | | |

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| | | <p>Pension System Trust in accordance with the provisions contained in regulation 10. If the grievance remains unresolved after its receipt at the National Pension System Trust, on the expiry of a period of twenty one days from the receipt thereof, the complainant may file an appeal with the Ombudsman for redressal of the grievances of the complainant, within such period as has been specified for the purpose.</p> <p>Provided that provisions of this sub-regulation, shall not apply where the complaint is directly in relation to a grievance against the National Pension System Trust and no other intermediary.</p> <p>Provided further that where the complaint is directly against the National Pension System Trust and no other intermediary, the National Pension Trust shall resolve the grievance of the subscriber in the manner and within the period of twenty one days and if the grievance remains unresolved, the complainant</p> | <p>grievance to the Grievance Cell, PFRDA for follow up with the concerned intermediaries.</p> <p>Where the grievance remains unresolved after expiry of seven days from the date of escalation to the Grievance Cell, or where the complainant is dissatisfied with the response furnished by the concerned intermediary, nodal office or entity pursuant to such escalation, the complainant may prefer an appeal to the Ombudsman within next thirty days in accordance with regulation 22.</p> | | |

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| | | <p>may file an appeal with the Ombudsman to be appointed by the Authority under these regulations for redressal of the grievances of the complainant, within such period as has been specified for the purpose.]</p> <p>(8) Any intermediary under the National Pension System and any other pension scheme regulated by the Authority is required to maintain records of each complaint received by it and the measures taken by it for its redressal.</p> <p>(9) The intermediary under the National Pension System and other pension scheme regulated by the Authority is also required to submit periodic reports to the National Pension System Trust or Authority as may be specified from time to time.</p> | <p>(8) Every intermediary under the National Pension System and any other pension scheme regulated or administered by the Authority is required to maintain records of each complaint received by it and the measures taken by it for its redressal.</p> <p>(9) The intermediary under the National Pension System and other pension scheme regulated or administered by the Authority shall submit periodic reports to Authority as may be specified from time to time.</p> | | |
| 7 | 7 | <p>Closure of grievance. -</p> <p>(c) where the complainant has not responded within forty-five days of the receipt of the written response of</p> | <p>Closure of grievance. -</p> <p>(c) where the complainant has not responded within thirty days of the receipt of the written response of the</p> | | |

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| | | <p>the intermediary or entity regulated by the Authority;</p> <p>(e) where the complainant has not preferred any appeal within forty-five days from the date of receipt of resolution or rejection of the grievance communicated by the intermediary or entity regulated by the Authority or the National Pension System Trust, as the case may be;</p> | <p>intermediary or entity regulated by the Authority;</p> <p>(e) where the complainant has not preferred any appeal within thirty days from the date of receipt of resolution or rejection of the grievance communicated by the intermediary or entity or Grievance cell constituted in the Authority, as the case may be;</p> | | |
| 8 | 8 | <p>Categorisation of complaints. - Categorisation of complaints as may be specified by the Authority from time to time shall be adopted by the intermediaries or any entity under National Pension System or any other pension scheme regulated by the Authority and incorporated in their systems.</p> | <p>Categorisation of complaints. - Categorisation of complaints as may be determined by the Authority from time to time shall be adopted by the intermediaries or any entity under National Pension System or any other pension scheme regulated or administered by the Authority and incorporated in their systems.</p> | | |
| 9 | 9 | <p>System Requirements. - The grievance redressal policy shall provide for automated systems to enable online registration, tracking of status of grievances by the complainant(s) and generation of</p> | <p>System Requirements.- The grievance redressal policy shall provide for automated systems to enable online registration, tracking of status of grievances by the complainant(s) and generation of periodical reports as may</p> | | |

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| | | periodical reports as may be determined by the Authority. The system shall also be designed to ensure that it can integrate seamlessly with the system of the Authority and the National Pension System Trust in the manner as may be determined by the Authority from time to time | be determined by the Authority. The system shall also be designed to ensure that it can integrate seamlessly with the system of the Authority in the manner as may be determined by the Authority from time to time | | |
| 10 | 10 | <p>Escalation of Grievance to National Pension System Trust.-</p> <p>(1) Any subscriber whose grievance has not been resolved within thirty days from the date of receipt of the grievance by the intermediary, or who is not satisfied with the resolution provided by any intermediary (other than National Pension System Trust) may register a grievance with the National Pension System Trust, against such intermediary. The National Pension System Trust shall follow up the grievance with the concerned intermediary for redressal of the raised subscriber grievance. The National Pension</p> | <p>Escalation of Grievance to Grievance Cell, PFRDA.-</p> <p>(1) Any subscriber whose grievance has not been resolved within fourteen days from the date of receipt of the grievance by the intermediary, or who is not satisfied with the resolution provided by any intermediary may escalate that grievance to the Grievance Cell, PFRDA, against such intermediary. Grievance Cell, PFRDA shall follow up the grievance with the concerned intermediary for redressal of the raised subscriber grievance. Grievance Cell, PFRDA for the facilitation of the resolution, may call for information, records or clarification from the concerned intermediary, nodal office or any other entity, and</p> | | |

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| | | <p>System Trust shall seek the resolution of the subscriber grievance in accordance with the provisions of the Act, rules, regulations and applicable guidelines and respond appropriately to the subscriber within twenty one days from the date of receipt of the grievance under this sub-regulation.</p> <p>(2) The subscriber whose grievance has not been resolved by the intermediary within twenty one days from the date of submission of the grievance to the National Pension System Trust, or who is not satisfied with the resolution provided by the National Pension System Trust may prefer an appeal to the Ombudsman against the concerned intermediary or entity.</p> <p>(3) Nothing contained in sub-regulation (1) shall apply to a grievance which is directly against the National Pension System Trust, and it shall be resolved by the National</p> | <p>may require such intermediary, nodal office or entity to re-examine the grievance and furnish an appropriate response to the complainant within seven days from the date of escalation.</p> <p>(2) Where the grievance remains unresolved after expiry of seven days from the date of escalation to the Grievance Cell, or where the complainant is dissatisfied with the response furnished by the concerned intermediary, nodal office or entity pursuant to such escalation, the complainant may prefer an appeal to the Ombudsman in accordance with regulation 22.</p> <p>Provided that the grievance cell of the Authority, acting as a facilitator for the resolution of the grievance, shall not be a party in proceedings before the Ombudsman.</p> | | |

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| | | Pension System Trust in accordance with the provisions of regulation 6 | | | |
| 11 | 12 | (4) At the request of the Authority, the Selection Committee may also prepare a panel of persons out of which a person may be appointed as Stipendiary Ombudsman. | (4) At the request of the Authority, the Selection Committee may also prepare a panel of persons out of which a person may be appointed as Ombudsman on Contract basis. | | |
| 12 | 14 | (v) has been a whole-time director in the office of an intermediary under the National Pension System or any other pension scheme regulated by the Authority and a period of two years has not elapsed from the date of his cessation as such director | (v) has been a whole-time director in the office of an intermediary under the National Pension System or any other pension scheme regulated or administered by the Authority and a period of two years has not elapsed from the date of his cessation as such director | | |
| 13 | 17 | Stipendary Ombudsman.- (1) Without prejudice to the provisions of sub-regulation (2) of regulation 12, the Authority may appoint a person as a Stipendiary Ombudsman out of the panel prepared by the selection committee under sub-regulation (4) of regulation 12, for the purpose of acting as an Ombudsman in respect of a specific matter or matters in a specific | Ombudsman on contract basis.- (1) Without prejudice to the provisions of sub-regulation (2) of regulation 12, the Authority may appoint a person as an Ombudsman on contract basis out of the panel prepared by the selection committee under sub-regulation (4) of regulation 12, for the purpose of acting as an Ombudsman as may be | | |

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| | | <p>territorial jurisdiction, as may be specified in the order of appointment.</p> <p>(2) A person who is eligible to be appointed as Ombudsman under these regulations shall be eligible to be appointed as a Stipendiary Ombudsman.</p> <p>[(3) Save as otherwise specified by the Authority, the Stipendiary Ombudsman shall exercise all powers and functions as are vested in an Ombudsman under these regulations.]</p> <p>(4) The Stipendiary Ombudsman shall be paid such fees or honorarium and allowances for the services rendered by him, as may be determined by the Authority from time to time.</p> | <p>determined in the order of appointment.</p> <p>(2) A person who is eligible to be appointed as Ombudsman under these regulations shall be eligible to be appointed as an Ombudsman on Contract basis.</p> <p>(3) Save as otherwise specified by the Authority, the Ombudsman on Contract basis shall exercise all powers and functions as are vested in an Ombudsman under these regulations.]</p> <p>(4) The Ombudsman on contract basis shall be paid a fixed remuneration as may be determined by the Authority from time to time.</p> | | |
| 14 | 18 | <p>Territorial jurisdiction.- Every Ombudsman or Stipendiary Ombudsman shall exercise jurisdiction in relation to an area as may be specified by the Authority by an order</p> | <p>Territorial jurisdiction.- Every Ombudsman shall exercise jurisdiction in relation to an area as may be determined by the Authority.</p> | | |

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| 15 | 19 | <p>Location of Office.- (1) The office of Ombudsman shall be located at the head office of the Authority and if more than one Ombudsmen are appointed then the office of any such Ombudsmen may be located at any other office of the Authority or any other place as may be specified by the Authority from time to time:</p> <p>Provided that the Stipendiary Ombudsman when appointed for any specific complaint or complaints shall be located at such place as may be specified.</p> <p>(2) In order to expedite disposal of complaints, the Ombudsman or Stipendiary Ombudsman, as the case may be, may hold sittings at such places within his area of jurisdiction as may be considered necessary and proper by him.</p> <p>(3) The Authority may provide the premises and other infrastructures including staff or secretarial assistance for the office of Ombudsman or</p> | <p>Location of Office.- (1) The office of Ombudsman shall be located at the head office of the Authority and if more than one Ombudsmen are appointed then the office of any such Ombudsmen may be located at any other office of the Authority or any other place as may be determined by the Authority from time to time:</p> <p>(2) In order to expedite disposal of complaints, the Ombudsman, as the case may be, may hold sittings at such places within his area of jurisdiction as may be considered necessary and proper by him.</p> <p>(3) The Authority may provide the premises and other infrastructures including staff or secretarial assistance</p> | | |

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| | | Stipendiary Ombudsman, as the case may be. | for the office of Ombudsman, as the case may be. | | |
| 16 | 22 | <p>Filing of appeal with Ombudsman.- (1) An appeal may be filed with the Ombudsman under these regulations where-</p> <p>(a) by a complainant whose grievance has not been resolved within twenty one days from the escalation of grievance with the National Pension System Trust under regulation 10;</p> <p>(b) by a complainant, where a complaint has been made directly against the National Pension System Trust and is unresolved within twenty one days; or]</p> <p>(c) by a complainant, in relation to a complaint against any other pension scheme regulated by the Authority, whose grievance remains unresolved for a period of thirty days from the filing of his complaint against such pension scheme;</p> <p>The complainant may, himself or through an authorised representative</p> | <p>Filing of appeal with Ombudsman.- (1) An appeal may be filed with the Ombudsman under these regulations where-</p> <p>(a) by a complainant whose grievance has not been resolved within the period specified under regulation 6 and regulation 10, or who is dissatisfied with the response furnished by the concerned intermediary, nodal office or entity pursuant to escalation before the Grievance Cell of the Authority.</p> <p>(c) by a complainant, in relation to a complaint against any other pension scheme regulated or administered by the Authority, whose grievance remains unresolved for a period of twenty-one days from the filing of his complaint against such pension scheme;</p> <p>The complainant may, himself or through an authorised representative</p> | | |

| S. No. | Regulation No. | Existing Regulation | Proposed Regulation | Stakeholder/Public Comments | Rationale for suggestion |
|--------|----------------|--|--|-----------------------------|--------------------------|
| | | <p>(not being a legal practitioner) file an appeal with the Ombudsman within whose jurisdiction the branch office or head office or registered office of an intermediary under the National Pension System or of any other pension scheme regulated under the Act, is located:</p> <p>Provided that if the Authority has not notified any Ombudsman for a particular locality or territorial jurisdiction, the complainant may request the Ombudsman located at the Head Office of the Authority for forwarding his appeal to the Ombudsman of competent jurisdiction.</p> <p>(2) The appeal shall be in writing duly signed by the complainant or his authorised representative (not being a legal practitioner) in the Form specified in the Schedule to these regulations and supported by documents, if any.</p> | <p>(not being a legal practitioner) file an appeal with the Ombudsman within whose jurisdiction the branch office or head office or registered office of an intermediary under the National Pension System or of any other pension scheme regulated or administered under the Act, is located:</p> <p>Provided that if the Authority has not notified any Ombudsman for a particular locality or territorial jurisdiction, the complainant may request the Ombudsman located at the Head Office of the Authority for forwarding his appeal to the Ombudsman of competent jurisdiction.</p> <p>(2) The appeal shall be in writing duly signed by the complainant or his authorised representative (not being a legal practitioner) in the Form specified in the Schedule I to these regulations and supported by documents, if any.</p> | | |

| S. No. | Regulation No. | Existing Regulation | Proposed Regulation | Stakeholder/Public Comments | Rationale for suggestion |
|--------|----------------|--|--|-----------------------------|--------------------------|
| | | <p>(3) No appeal to the Ombudsman shall lie -</p> <p>[(a) unless the complainant had, before making an appeal to the Ombudsman concerned, made a written complaint to the concerned entity (viz. intermediary or entity under National Pension System or any other pension scheme regulated by the Authority) named in the complaint and the concerned entity has rejected the complaint or the complainant has not received any reply within a period of thirty days after the concerned entity received his complaint or the complainant is not satisfied with the reply given to him by the concerned entity and thereafter the grievance has been raised to the National Pension System Trust and the complainant has not received any reply within period of twenty one days from National Pension System Trust or where the complaint has been made directly against the National Pension System Trust and no other intermediary, and remains unresolved within the period</p> | <p>(3) No appeal to the Ombudsman shall lie -</p> <p>[(a) unless the complainant had first made a complaint to the concerned intermediary or entity named in the complaint and such complaint has either been rejected, or no response has been received within fourteen days, or the complainant is dissatisfied with the response, and thereafter the grievance has been escalated to the Grievance Cell of the Authority under regulation 10 and the grievance remains unresolved within seven days from such escalation, or the complainant is dissatisfied with the response furnished pursuant to such escalation.</p> | | |

| S. No. | Regulation No. | Existing Regulation | Proposed Regulation | Stakeholder/Public Comments | Rationale for suggestion |
|--------|----------------|---|---|-----------------------------|--------------------------|
| | | <p>of twenty one days, or is not satisfied with the reply given to him as the case may be;]</p> <p>(b) unless the appeal is made within forty-five days from the date of receipt of response of the National Pension System Trust under regulation 10 or under regulation 6, as the case may be, or within next forty-five days, following the date of expiry of twenty one days from the date of filing a representation or complaint with the National Pension System Trust, as the case may be, and no reply having been received to such representation or complaint.</p> | <p>(b) unless the appeal is made within thirty days from the date of receipt of response pursuant to regulation 10 or, where no response has been received, within thirty days from the expiry of the period specified under regulation 10.</p> | | |
| 17 | 23 | <p>Power to call for information.-</p> <p>(1) For the purpose of carrying out his duties under these regulations, an Ombudsman may require the intermediary or any entity under the National Pension System or any other pension scheme regulated by the Authority named in the complaint or any other person, institution or body to</p> | <p>Power to call for information.-</p> <p>(1) For the purpose of carrying out his duties under these regulations, an Ombudsman may require the intermediary or any entity under the National Pension System or any other pension scheme regulated or administered by the Authority named in the complaint or any other person,</p> | | |

| S. No. | Regulation No. | Existing Regulation | Proposed Regulation | Stakeholder/Public Comments | Rationale for suggestion |
|--------|----------------|--|--|-----------------------------|--------------------------|
| | | <p>provide any information or furnish certified copy of any document relating to the subject- matter of the complaint which is or is alleged to be in its or his possession:</p> <p>Provided that in the event of failure of the intermediary or entity under National Pension System or any other pension scheme regulated by the Authority to comply with the requisition made under sub-regulation (1) without any sufficient cause, the Ombudsman may, if he deems fit, draw the inference that the information, if provided or copies if furnished, would be unfavourable to the intermediary or entity under the National Pension System or any other pension scheme regulated by the Authority:</p> | <p>institution or body to provide any information or furnish certified copy of any document relating to the subject-matter of the complaint which is or is alleged to be in its or his possession:</p> <p>Provided that in the event of failure of the intermediary or entity under National Pension System or any other pension scheme regulated or administered by the Authority to comply with the requisition made under sub-regulation (1) without any sufficient cause, the Ombudsman may, if he deems fit, draw the inference that the information, if provided or copies if furnished, would be unfavourable to the intermediary or entity under the National Pension System or any other pension scheme regulated or administered by the Authority:</p> | | |
| 18 | 25 | <p>Award on adjudication.- (1) In the event, the matter is not resolved by mutually acceptable agreement within a period of thirty days of the receipt of the complaint or such extended period</p> | <p>Award on adjudication.- (1) In the event, the matter is not resolved by mutually acceptable agreement within a period of ten days of the receipt of the complaint or such extended period as</p> | | |

| S. No. | Regulation No. | Existing Regulation | Proposed Regulation | Stakeholder/Public Comments | Rationale for suggestion |
|--------|----------------|--|--|-----------------------------|--------------------------|
| | | <p>as may be permitted by the Ombudsman, he shall, based upon the material placed before him and after giving opportunity of being heard to the parties, give his award in writing or pass any other directions or orders as he may consider appropriate.</p> <p>(2) The award on adjudication shall be made by the Ombudsman within a period of ninety days from the date of the filing of the complaint:</p> | <p>may be permitted by the Ombudsman, he shall, based upon the material placed before him and after giving opportunity of being heard to the parties, give his award in writing or pass any other directions or orders as he may consider appropriate in accordance with the provisions of the PFRDA Act 2013, regulations, circulars, guidelines, directions and policy of the Authority or any other applicable rules, instructions or policies issued by the appropriate Authorities.</p> <p>Explanation: The grievance cell of the Authority, acting as a facilitator for the resolution of the grievance, shall not be a party in proceedings before the Ombudsman.</p> <p>(2) The award on adjudication shall be made by the Ombudsman within a period of thirty days from the date of the filing of the complaint:</p> | | |
| 19 | 28 | Finality of award and circumstances of revision: | Finality of award and circumstances of revision: | | |

| S. No. | Regulation No. | Existing Regulation | Proposed Regulation | Stakeholder/Public Comments | Rationale for suggestion |
|--------|----------------|---|--|-----------------------------|--------------------------|
| | | <p>(2) Any party aggrieved by the award passed by the Ombudsman may within thirty days from the receipt of the award under regulation 24 or corrected award under regulation 25, file an application for revision before the Authority setting out the grounds for revision of the award:</p> <p>(7) The designated member of the Authority shall endeavour to dispose of the matter within a period of sixty days of the filing of the application for revision.</p> | <p>(2) Any party aggrieved by the award passed by the Ombudsman may within thirty days from the receipt of the award under regulation 24 or corrected award under regulation 25, file an application for revision before the Authority setting out the grounds for revision of the award in the Form specified in Schedule II. The application shall be in writing duly signed by applicant or authorised representative (not being a legal practitioner) in the Form specified in the Schedule to these regulations and supported by documents, if any.</p> <p>(7) The designated member of the Authority shall endeavour to dispose of the matter within a period of fifteen days of the filing of the application for revision.</p> | | |
| 20 | 30 | <p>Implementation of the award</p> <p>(1) The award shall be implemented by the party so directed within thirty days of receipt of the award from the Ombudsman or an order of the</p> | <p>Implementation of the award</p> <p>(1) The award shall be implemented by the party so directed within thirty days of receipt of the award from the Ombudsman or an order of the</p> | | |

| S. No. | Regulation No. | Existing Regulation | Proposed Regulation | Stakeholder/Public Comments | Rationale for suggestion |
|--------|----------------|---|---|-----------------------------|--------------------------|
| | | <p>designated member of the Authority passed in confirmation or revision, as the case may be, or within such period as specified in the award or order of the Authority.</p> <p>(2) If any person fails to implement the award or order of the designated member of the Authority passed in the revision petition, without reasonable cause -</p> <p>(a) he shall be deemed to have failed to redress subscribers' grievances and shall be liable to a penalty under subsection (3) of section 28 of the Act;</p> <p>(b) he shall also be liable for -</p> <p>(i) an action for suspension or cancellation of certificate of registration; or</p> <p>(ii) such other action permissible which may be deemed appropriate in the facts and circumstances of the case:</p> <p>Provided that no such order shall be passed without following the procedure laid down under the relevant rules or regulations.</p> | <p>designated member of the Authority passed in confirmation or revision, as the case may be, or within such period as specified in the award or order of the Authority.</p> <p>(2) If any person fails to implement the award or order of the designated member of the Authority passed in the revision petition, without reasonable cause -</p> <p>(a) he shall be deemed to have failed to redress subscribers' grievances and shall be liable to a penalty under subsection (3) of section 28 of the Act;</p> <p>(b) he shall also be liable for -</p> <p>(i) an action for suspension or cancellation of certificate of registration in accordance with relevant regulations.</p> <p>(ii) such other action permissible which may be deemed appropriate in the facts and circumstances of the case including disciplinary proceedings by the employer.</p> | | |

| S. No. | Regulation No. | Existing Regulation | Proposed Regulation | Stakeholder/Public Comments | Rationale for suggestion |
|--------|----------------|--|---|-----------------------------|--------------------------|
| 21 | 31 | <p>Display of the particulars of the ombudsman in office premises and documents.</p> <p>(1) Every intermediary or entity under the National Pension System and any other pension scheme regulated by the Authority shall display the name, address and contact details of the Grievance Redressal Officer within such intermediaries or entities and also the name, address and contact details of Ombudsman as specified by the Authority to whom the complaints are to be made by any aggrieved person in public domain including its website and office premises in such manner and at such place, so that it is put to sufficient notice of the subscribers visiting its office premises.]</p> <p>(2) The intermediary or entity under the National Pension System and any other pension scheme regulated by the Authority in its offer document or subscriber's agreements or notifications, office memorandum or circulars shall give full disclosure about the grievance redressal</p> | <p>Display of the particulars of the ombudsman in office premises and documents.</p> <p>(1) Every intermediary or entity under the National Pension System and any other pension scheme regulated or administered by the Authority shall display the name, address and contact details of the Grievance Redressal Officer within such intermediaries or entities for the purpose of lodging any grievance and also the name, address and contact details of Ombudsman appointed by the Authority to whom the appeal, if any, is to be made by the aggrieved. Such information shall be placed on the website and displayed at office premises in such manner and at such place, so that it is put to sufficient notice of the subscribers visiting its office premises.](2) The intermediary or entity under the National Pension System and any other pension scheme regulated or administered by the Authority in its offer document or subscriber's agreements or notifications, office memorandum or</p> | | |

| S. No. | Regulation No. | Existing Regulation | Proposed Regulation | Stakeholder/Public Comments | Rationale for suggestion |
|--------|----------------|--|---|-----------------------------|--------------------------|
| | | mechanism through the Ombudsman under these regulations. | circulars shall give full disclosure about the grievance redressal mechanism through the Ombudsman under these regulations. | | |

SCHEDULE I

[See regulation 22 (2)]

FORM FOR APPEAL TO OMBUDSMAN, PFRDA

(FOR OFFICE USE ONLY)

| Complaint Number | Year | Date of Receipt |
|------------------|------|-----------------|
| | | |

(TO BE FILLED UP BY THE COMPLAINANT)

To

The Ombudsman,

Pension Fund Regulatory and Development Authority,

(* give address of the office of the Authority or the address of the Ombudsman having jurisdiction)

Dear Sir/Madam,

Sub: Complaint against(Name of the intermediary or entity under National Pension System or any other pension scheme)**

(** Grievance Cell, PFRDA is a facilitator and not a party to any proceeding)

1. DETAILS OF THE COMPLAINANT:

| Sr. No. | Particulars | Details |
|---------|-------------|---------|
| | | |

| | | |
|----|--------------|------------------------|
| 1. | Name (s) | |
| 2. | Full Address | |
| 3. | Contact No. | Tel. No. Mobile No. |
| 4. | Email ID | |

2. DETAILS OF THE COMPLAINT:

| Sr. No. | Particulars | Details | Remarks |
|---------|---|---------|---|
| 1. | Subject Matter/Grounds of the complaint | | |
| 2. | Details of the complaint | | <i>If space is not sufficient, please enclose separate sheet</i> |
| 3. | Name of the intermediary/entity against which complaint has been made | | Please enclose a copy of the complaint |
| 4. | Address and contact details of the intermediary/entity | | |
| 5. | Date of the Complaint made to the intermediary/entity | | |
| 6. | Unique Grievance Number provided by intermediary | | |
| 7. | Whether any reminder was sent by the complainant | YES/NO | If yes, please enclose a copy of the reminder |
| 8. | Whether any reply has been received by the complainant | YES/NO | <i>If yes, please enclose a copy of the reply of the intermediary under National Pension System or any other pension scheme</i> |
| 9. | If yes, whether the complainant is satisfied with the reply | YES/NO | |
| 10. | Date of representation by the complainant to the Grievance cell, PFRDA. | | Please enclose a copy of the representation |

| | | | |
|-----|--|--------|--|
| 11. | Whether any reminder was sent by the complainant to the Grievance cell, PFRDA. | YES/NO | If yes, please enclose a copy of the reminder |
| 12. | Whether the complainant has received any reply of the intermediary or Grievance cell, PFRDA. after representation with Grievance cell, PFRDA. | YES/NO | If yes, please enclose a copy of the reply of the intermediary or Grievance cell, PFRDA. |

3. NATURE OF RELIEF SOUGHT FROM THE OMBUDSMAN

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

4. DECLARATION

1. 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 aforesaid columns and the documents submitted herewith.

2. The complaint is filed before expiry of prescribed period reckoned in accordance with the provisions of these regulations.

3. (i) The subject matter of the present complaint has never been brought before the Office of the Pension Fund Regulatory and Development Authority/ Ombudsman by me/or by any one of us or by any of the parties concerned with the subject matter to the best of my/our knowledge.

(a) The subject matter of the present complaint is not in respect of the same which was settled through the Office of the Pension Fund Regulatory and Development Authority/Ombudsman in any previous proceedings.

(b) The subject matter of the present complaint has not been decided by any forum/court.

OR

(ii) The subject matter of the present complaint is pending since..... (please mention the date when the matter was filed) before (*Please mention the name of the forum/court/before whom pending) and the proceedings are likely to take longer time in its final adjudication as contemplated in the regulations.

4. I/We authorise the intermediary or entity under National Pension System or any other pension scheme provider to disclose any such information/ documents furnished by us to the Pension Fund Regulatory and Development Authority/Ombudsman and disclosure whereof in the opinion of the Pension Fund Regulatory and Development Authority/Ombudsman is necessary and is required for redressal of any other complaint or our complaint.

5. I/We have carefully gone through the provisions of the Pension Fund Regulatory and Development Authority (Redressal of subscriber Grievance) Regulations, 2015.

Yours faithfully

(Signature)

(Complainant)

NOMINATION/ AUTHORISATION - (If the complainant wants to nominate/authorise his representative, not being a legal practitioner, to appear and make submissions on his behalf before the Ombudsman, the following declaration should also be submitted.)

I/We the above named complainant/s hereby nominate Shri/Smt..... who is not a legal practitioner and whose address isas 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)

- I. Key details to be captured for filing of grievances with the Ombudsman
 1. Name, address, contact number and e-mail address of the complainant
 2. Permanent Retirement Account Number (PRAN), if available
 3. CRA/POP/Other Intermediary/Other Pension Scheme Acknowledgement Reference Number (in case of reminder)
 4. Nature of complaint type/category
 - a. Registration
 - b. Contributions
 - c. Investment option (Tier I/II)
 - d. Subscriber Account
 - e. Investment management
 - i. Disclosures
 - ii. Unit allocation
 - iii. Performance
 - f. Portability of investments
 - i. Change in location
 - ii. Change in fund manager
 - iii. Change in scheme
 - g. Charges and fees
 - h. Annuity and commutation at retirement
 - i. Process
 - ii. Valuation
 - i. Premature Withdrawals

- i. Process
- ii. Valuations
- j. Service quality
 - i. Intermediary
 - ii. Website
 - iii. Key comments
- k. Any other grievance not listed above.

5. Dates and details of earlier correspondence with the intermediary under National Pension System or any other pension scheme.

6. Dates and details of correspondence of escalation of grievance with Grievance cell, PFRDA.

7. Enclosures, if any.

SCHEDULE II

[See regulation 28 (2)]

FORM FOR REVISION APPLICATION TO DESIGNATED MEMBER, PFRDA

(FOR OFFICE USE ONLY)

| Complaint Number | Year | Date of Receipt |
|------------------|------|-----------------|
| | | |

Note: As per the Regulation 28 (4) of PFRDA (Redressal of Subscriber Grievance) Regulations, 2015, an award may be revised by the designated member of the Authority only if--

- (a) there is substantial mis-carriage of justice; or*
- (b) there is an error apparent on the face of the award."*

To

The Designated Member,

Pension Fund Regulatory and Development Authority
(* give address of the office of the Authority)

Dear Sir/Madam,

Sub: Revision Application arising out of Award/Order dated _____ of the Ombudsman in Case No. against(Name of the intermediary or entity under National Pension System or any other pension scheme/ complainant).**

(** Grievance Cell, PFRDA is a facilitator and not a party to any proceeding)

1. DETAILS OF THE REVISION APPLICANT:

| Sr. No. | Particulars | Details |
|---------|--------------|---------|
| 1 | Name (s) | |
| 2 | Full Address | |
| 3 | Contact No. | |
| 4 | Email ID | |
| 5 | PRAN number | |

2. DETAILS OF THE REVISION APPLICATION:

| Sr. No. | Particulars | Details | Remarks |
|---------|-------------|---------|---------|
| . | | | |

| | | | |
|---|---|--|--|
| 1 | Subject Matter of the Revision Application | | |
| 2 | Details of the original complaint | | <i>If space is not sufficient, please Enclose separate sheet</i> |
| 3 | Name of the intermediary/entity against which complaint has been made | | <i>Please enclose a copy of the complaint</i> |
| 4 | Address and contact details (including E-mail id.) of the intermediary/entity | | |
| 5 | Date of the Complaint escalated to the Ombudsman | | |
| 7 | Date of the Award/Order issued by the Ombudsman, PFRDA | | <i>Please enclose a copy of the Award/Order issued by the Ombudsman.</i> |
| 8 | Grounds for revision of the award/order of the Ombudsman | | <i>If space is not sufficient, please Enclose separate sheet</i> |
| 9 | Relief Sought | | |

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

3. DECLARATION

1. I/We, the revision applicant/s herein, declare that:

a. The information furnished hereinabove is true and correct; and

- b. I/We have not concealed or misrepresented any fact stated in the aforesaid columns and the documents submitted herewith.
2. The revision application is filed before expiry of the specified period reckoned in accordance with the provisions of these regulations. In case any relaxation with regard to timeline in preferring present Revision is needed, please provide reasons for seeking such relaxation.
3. (i) The subject matter of the present application has never been brought before the Office of the Pension Fund Regulatory and Development Authority by me/us or by any of the parties concerned with the subject matter, to the best of my/our knowledge.
- a. The subject matter of the present complaint is not the same as that which was settled through the Office of the Pension Fund Regulatory and Development Authority in any previous proceedings.
- b. The subject matter of the present revision application has not been decided by any forum/court.

OR

- (ii) The subject matter of the present complaint is pending since..... (please mention the date when the matter was filed) before (please mention the name of the forum/court before whom it is pending), and the proceedings are likely to take longer time in its final adjudication as contemplated in the regulations.
4. I/We authorise the intermediary or entity under the National Pension System or any other pension scheme provider to disclose any such information/documents furnished by us to the Pension Fund Regulatory and Development Authority, and disclosure thereof, in the opinion of the Authority, is necessary and required for redressal of any other complaint or our complaint.
5. I/We have carefully gone through the provisions of the Pension Fund Regulatory and Development Authority (Redressal of Subscriber Grievance) Regulations, 2015.

Yours faithfully

(Signature) (Revision Application)

NOMINATION/AUTHORISATION - (If the Applicant wants to nominate/authorise his representative, not being a legal practitioner, to appear and make submissions on his behalf before the Authority, the following declaration should also be submitted.)

I/We, the above-named complainant/s, hereby nominate Shri/Smt _____, who is not a legal practitioner 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)

Annexure

- I. Key details to be captured for filing of revision application with the Designated Member, PFRDA
 1. Name, address, contact number and e-mail address of the complainant
 2. Permanent Retirement Account Number (PRAN), if available
 3. CRA/POP/Other Intermediary/Other Pension Scheme Acknowledgement Reference Number (in case of reminder)
 4. Nature of complaint type/category
 - a. Registration
 - b. Contributions
 - c. Investment option (Tier I/II)
 - d. Subscriber Account
 - e. Investment management
 - i. Disclosures
 - ii. Unit allocation

iii. Performance

f. Portability of investments

i. Change in location

ii. Change in fund manager

iii. Change in scheme

g. Charges and fees

h. Annuity and commutation at retirement

i. Process

ii. Valuation

i. Premature Withdrawals

i. Process

ii. Valuations

j. Service quality

i. Intermediary

ii. Website

iii. Key comments

k. Any other grievance not listed above.

5. Dates and details of earlier correspondence with the intermediary under National Pension System or any other pension scheme.

6. Dates and details of correspondence of escalation of grievance with Grievance cell, PFRDA.

7. Enclosures, if any.
