

Frequently Asked Questions (FAQ'S) on Grievance Redressal Mechanism

Q1. How a grievance/complaint can be raised?

Ans. Grievances shall be communicated in writing preferably on the prescribed format, and must include the following:

- a. Name, Address and designation of the complainant
- b. E-mail address of the complainant, where the complaint is sent by post
- c. Registration number of the insolvency professional against whom complaint is made
- d. Name of the IP/Entity against whom/which complaint is made
- e. Name of the corporate debtor and details of the case to which the complaint relates
- f. Relevant Sections of the Code or Regulations therein which are violated
- g. Nature and details of the complaint
- h. Copies of documents, if any, to ascertain or support the complaint must be attached

Q2. Who can raise a grievance?

Ans. Grievance can be raised by:

- a. any professional member of the agency
- b. any person who has engaged the services of the concerned professional members of the Agency; or
- c. any other person or class of persons as may be provided by the Governing Board.

Q3. Can a grievance be filed in any language?

Ans. A grievance should be in English language. Any document/s in Hindi or in any Regional Language should be sent along with English translation thereof, duly verified as "true copy".

Q4. Who is GRO?

Ans. Grievance Redressal Officer (GRO), the Nodal Officer is dealing with all complaints and grievances addressed to or relating to the Agency.

Q5. What are the role and functions of the GRO?

Ans. Role and functions will include:

- a. Receiving and maintaining a record of all complaints
- b. Allocating a Reference/Unique Grievance Number and issuing an acknowledgement
- c. Preliminary scrutiny and request for details/additional details and/or evidence
- d. Convening Grievance Redressal Committee (GRC) Meetings
- e. Submission of recommendations for closure or further action to GRC through CEO
- f. Recording of minutes of GRC Meetings and initiating action thereon
- g. In case of Mediation Proceedings initiated by GRC, to follow-up for timely closure and submission of the report to GRC

- h. Submit a periodic review as per frequency determined by GRC to the Committee detailing the receipt and disposal of complaints
- i. Maintain necessary records of all complaints received and disposed along with the related documents, minutes, reports (if any), etc.
- j. Report to the Governing Board at each of their meetings the details of the complaints/grievances received and disposed between two intervening Board meetings and submit an Annual review of the Grievance Redressal Mechanism.
- k. Any other function assigned by Board/GRC/CEO relating to Grievance Redressal.

Q6. What are the modes of filing a grievance?

Ans. The grievance(s) should be submitted through the following modes:

By sending an email, with the word "Grievance" recorded in the subject head to:

a. lggrievance@icai.in

b. By letter to:

The Grievance Redressal Officer (GRO)

Indian Institute of Insolvency professional of ICAI

Address: ICAI Bhawan, Hostel Block, VIII Floor, A-29 Sector-62, Noida -201301(Uttar Pradesh)

Q7. Is there any prescribed format for filing a grievance?

Ans. A stake holder, who wishes to file a grievance/complaint, shall file it with IIIPI in the prescribed Form. Form is available on the website of IIIPI.

Q8. Is there any fee prescribed for filing a grievance?

Ans. A stake holder, who wishes to file a grievance, shall submit a demand draft for One thousand and five hundred rupees drawn in favour of the Indian Institute of Insolvency Professionals of ICAI payable at New Delhi or an online acknowledgement of One thousand and five hundred rupees paid to the credit of the IIIPI towards fee, along with the application.

Q9. Is there any specified period within which a grievance is to be filed?

Ans. A grievance/complaint shall be filed within Thirty days of the occurrence of the cause of action for the grievance or the complaint.

Q10. Is there any extension of time provided if the grievance is not filed within the specified period?

Ans. A grievance or a complaint may be filed after the aforesaid period, if there are sufficient reasons justifying the delay, but such period shall not exceed a further 15 days, i.e. total 45 days.

Q11. How a grievance is registered?

Ans. A reference number/ unique grievance number will be allocated by GRO to each complaint / grievance received either through email or letter and an acknowledgement sent by email/post as per details provided by the complainant.

Q12. What happens if more than one grievance is received in the same matter?

Ans. Where IIIPI is in receipt of more than one grievance/complaint in the same matter, it may club such grievance/complaint together for their disposal.

Q13. Does the complainant receive any acknowledgement after filing a grievance?

Ans. An acknowledgement shall be sent by the GRO to the Complainant within five days of the receipt of the grievance.

Q14. What is the procedure of redressal of grievance?

Ans. On receipt of the complaint/request for grievance redressal, the application will be scrutinized for completeness by GRO who may request for additional information or clarification(s) in this regard.

Once the application is deemed to be complete, it will be submitted to the Grievance Redressal Committee for consideration and necessary action.

The Committee, after examining the grievance, the observations of the GRO and the facts associated with it, may:

- a. Dismiss the grievance if it is felt to be devoid of merit, or
- b. Refer the matter to the Disciplinary Committee, if deemed appropriate, for suitable action against the IP who is the subject of the complaint, or
- c. Direct the parties to seek mediation as a means of redressal of grievance.
- d. In case of a Mediation Process initiated by GRC, the GRO will ensure adherence to the timelines approved by the GRC.

Q15. Can the details of the parties be disclosed in public domain?

Ans. Complaint details will be kept confidential and shall be shared with other organizations /regulatory authorities only if in accordance with the relevant laws and the parties to the complaint/grievance will be kept apprised about the same. Sharing of information with an external agency/organization will be done only with a written consent of the parties where such input is felt to be necessary for resolving the complaint.

Q16. When can the grievance be considered as closed?

Ans. A grievance shall be considered as disposed off and closed in any of the following instances, namely:

- a. when the IIIPI has decided in favor of the complainant and initiated appropriate action;
- b. where the complainant has indicated in writing, its acceptance of the response of the IIIPI;

- c. where the complainant has withdrawn his complaint/grievance;
- d. where the complainant has not responded within thirty days of the receipt of any written communication from IIIPI seeking further details/clarification or advising closure with reason(s) therefore.

Q17. Can a reverse action be taken against the Complainant?

Ans. In case the Committee, on investigation of the complaint, finds that a false complaint has been made or that a complaint has been made with a malicious intent, the Committee shall take such reasonable steps as they deem necessary to curb the initiation of such false and malicious complaints in the future.

A mere inability to provide adequate proof to substantiate the complaint shall not be construed as false and malicious complaint.