You are functioning as a financial fraud investigator and advisor, trained with comprehensive knowledge of the Reserve Bank of India's guidelines, and various legal principles pertaining to customer protection in India. You assist a user in redressing grievances against banks by making a very persuasive letter to the bank.  
Task: Using each and every element of the user's responses as given below and matching the user's response with each and every element of the provided RBI guidelines/legal framework given in various paragraphs at the end of these instructions, draft a complete and detailed letter to the grievance officer of the bank. You must completely and accurately capture all the facts in the user's response given below in a sequential manner and match with each and every element of the provided RBI guidelines/legal framework given in various paragraphs at the end of these instructions. In addition to the provided RBI guidelines / legal framework below in the instructions, in the application you should additionally include the following additional obligations of the bank that "the bank did not properly implement robust surveillance / monitoring of card transactions and related technologies including geo tagging and IP address mapping and CCTV related intelligence to verify whether it is the customer who is withdrawing from the ATM or someone else, and whether the customer was present in the same geo location where the transaction took place"; "bank's failure to properly investigate, trace and recover the fraudulently withdrawn amount"; "ask the bank whether the bank raised a claim under bank's insurance policy which bank may have taken against such fraudulent transactions occurring in their customer's account and while waiting for the claim settlement why the bank did not refund the amount and paid additional compensation to the user"; "the onus of the bank to prove the sole negligence of the customer without any contributory or sole negligence of the bank, failing which bank needs to refund and compensate the customer."  
Appeal to the bank to refund the fraudulently withdrawn amount and consider granting additional compensation as sought by and detailed in the user's answers along with an interest of 9% per annum.  
Application Tone: The application should be very detailed, persuasive, sympathetic towards the user as an innocent victim, and highly likely to garner the bank's positive and prompt action and support. It should highlight that the user was not negligent, and give detailed overview of bank's obligations and bank's negligence and deficiency of service to the user. The application should not be vindictive towards the bank as the grievance office will reject the application if it appears vindictive and you will be heavily penalized for the same.  
User's inputs and response is given below:  
 I am a senior citizen who banks with Canara Bank and I've fallen victim to financial fraud. Although I don't usually withdraw money regularly from ATMs, my ATM PIN was compromised. This happened after I shared it on a website that deceitfully appeared to be associated with Canara Bank, named Yen.bdjsk., contacted through an email address Jdhdj@hdh.ck. Despite not realizing my ATM card was lost until the fraud occurred, I hadn't informed the bank about losing the card beforehand but did notify them immediately when I found out about the illicit transactions.  
  
One particular transaction that stood out took place on March 3rd, 2024, where ₹6000 was withdrawn without my authorization—a sum exceeding the daily limit of what one can withdraw from an ATM. Neither an SMS nor an email notification was received for this transaction within an hour as is customary. However, it took me between four to seven days to report this fraudulent activity to my bank. The distressing part is that even after informing them of the first incident of fraudulence, more unauthorized transactions occurred.  
  
Given these circumstances and breaches in security despite taking necessary precautions and timely reporting, I expect a refund compensation amounting to ₹20,000 from Canara Bank.  
  
   
 Indian courts and the RBI have imposed heightened duty of care by banks towards senior citizens as they are susceptible to deceit and trickery and are not expected to be adept with advanced technology and operations requiring technical knowledge and finesse. India law and RBI standards emphasise the importance of protective measures to be adopted by the banks (including procedural technical and logical) for senior citizens who may not be as equipped to handle complex electronic banking interfaces or defend against fraudsters employing deceptive tactics. This includes the responsibility to provide immediate assistance and take swift action in cases of reported fraud. It is very much possible that my case is not an isolated case and the bank must have encountered many similar cases. It is on the bank to demonstrate what actions it has taken to deploy proactive tools and technology to protect the senior citizens.  
  
,To the best of my recollection, I am not withdrawing any money from the ATM from where the fraudulent transaction occurred. The bank is required by the RBI guidelines to implement robust surveillance / monitoring of card transactions and transaction velocity and transaction behavior. As I am not frequently withdrawing neither have withdrawn any money from the ATM it was incumbent on the bank to have pro-actively implemented other security measures to ensure the transaction is not fraud. Failing to do so has caused this loss to me.  
  
,RBI has mandated banks to actively monitor for the non-genuine/ unauthorised/ malicious applications (with similar name/ features) on popular app-stores and the websites and respond accordingly to bring them down. RBI has also recognized that multiple options are available to scan the internet / website ecosystem to identify potential fraudsters and RBI has further recognised the importance of vigil in cyberspace and recommended that banks put in place mechanisms to identify fraudsters, especially those impersonating the banks through similar looking websites, posting wrong contact details, etc. As the customer poses utmost trust in the bank when they deposit and store their hard earned money which casts a further duty on the bank to protect its customers against deceitful tactics adopted by bad actors to steal the money of the customer lying with the bank. The bank has clearly failed to comply with the RBI directions and its general duty to implement processes and technologies to ensure bad actors do not misuse bank’s name, website, logo or brand to deceit the customers. As per the RBI guidelines and settled legal principles, the onus is on the bank to prove its innocence here.  
  
,As per the RBI guidelines it is very much clear that the bank is liable for any losses that a customer incur in the bank account after notifying the loss of ATM card to the bank. The bank has failed to block the ATM card after being notified of the loss of ATM card, and thereby failed to perform its duties as mandated by the RBI and under other laws.  
  
,The bank has clearly failed to comply with its duties to safeguard my account against the misuse of the ATM card and was negligent in implementing security standards and processes. This is one of the instances where instead of preventing the fraudulent transaction to be undertaken by the fraudster it permitted the fraudster to withdraw the amount more than the limit that I had set. In addition to returning back the money to me and paying me the compensation the bank should also undertake internal investigation to ensure no such incident occurs ever again which materially affects the trust posed by the general public in the banking system.  
  
,RBI has directed the banks to immediately send SMS to the registered mobile number of the customer for any banking transaction. In this case, since I received the SMS after a considerable delay which allowed the fraudster to do full harm to my account I was unable to immediately contact the bank to stop or resolve this fraudulent transaction due to delay in receiving the SMS. The bank should be asked to produce the relevant logs and other information to prove that they have sent the SMS to me immediately. Irrespective of sending the SMS immediately or late, a mere sending SMS is not the only obligation on the bank to safeguard the account and money of the customer. RBI has also mandated banks to adopt robust monitoring and surveillance technologies to ensure no fraud occurs on the customers account. The bank has not only failed to implement the necessary technical processes or safeguard but in this specific case failed to send the SMS to me immediately to take any reactive actions in a timely manner.  
  
,RBI has directed the banks to immediately send email to the registered email ID of the customer for any banking transaction. In this case since I did not receive any email, I was unable to immediately contact the bank to stop or resolve this fraudulent transaction. The bank should be asked to produce the relevant logs and other information to prove that they have sent the email to me. Irrespective of sending or not sending the email, a mere sending of email is not the only obligation on the bank to safeguard the account and money of the customer. RBI has also mandated banks to adopt robust monitoring and surveillance technologies to ensure no fraud occurs on the customers account. The bank has not only failed to implement the necessary technical processes or safeguard but in this specific case failed to send the email to me to take any reactive actions in a timely manner.  
  
,As per the RBI guidelines and settled legal principles a mere delayed intimation of the transaction by customer does not absolve bank from getting away from its primary duty to implement adequate monitoring / surveillance and other technologies to prevent the frauds in the account of the customer. Even if there is contributory negligence by the customer which in this case is a mere delayed intimation between 4 to 7 days, the bank is still fully liable to compensate the customer if the bank has been found negligent or there is a deficiency in service by the bank to protect the account of the customer. As per RBI guidelines the onus of proof is on the bank that the fraudulent transaction occurred due to sole negligence of the customer and there was no negligence from the bank's side and that the bank should also be asked to demonstrate what actions and investigations it had undertaken to recover the money from the fraudulent person or from the account of the beneficiary or thereafter if there is a chain of onward transactions. In fact the Supreme Court has also held that the development in means of communication science & technology etc. have led to an enormous increase in economic crimes viz. phishing ATM frauds etc. which are being committed by intelligent but devious individuals involving huge sums of public or government money. These are actually public wrongs or crimes committed against society and the gravity and magnitude attached to these offences is concentrated on the public at large.  
  
,As per the RBI guidelines it is very much clear that the bank is liable for any losses that a customer incur in the bank account after notifying or informing of any previous fraudulent transaction to the bank. The bank has failed to block the ATM card and thereby failed to perform its duties as mandated by the RBI and under other laws.  
  
,As I am not aware whether the fraudulent ATM withdrawal occurred within the city where I live or work, it is incumbent on the bank to demonstrate that bank has complied with the RBI guidelines to implement robust surveillance / monitoring of card transactions and transaction velocity and transaction behavior including geotagging and IP address mapping to have prevented this fraudulent transaction, irrespective where it may have happened. RBI has mandated the bank to implement security measures including CCTV surveillance to ensure no fraudulent and unauthorized transactions are carried out from the ATMs. Bank failed to implement adequate monitoring / surveillance technologies to identify that a person other than me is withdrawing money from the ATM and have immediately blocked the ATM to dispense the money.