

## KNOW WHEN AND HOW TO COMPLAIN IF YOUR TV, FRIDGE IS NOT WORKING

If the new refrigerator or television set you have purchased does not work and is defective, what course of action would you take to get it rectified? Some of you may visit the dealer or telephone him to arrange for repairs. A majority of the consumers would immediately file a complaint in the consumer forums. Increasingly, consumers are making use of the law as the first resort to settle their grievances.

The long delay in civil and consumer courts, the procedures to be followed, the documents to be produced and other hurdles can be avoided if consumers try to settle grievances by visiting shops or complaining in writing.

Most times, a simply-worded complaint to the manufacturer or a visit to the shop has the desired results. However, before writing a letter, you should know when and how to complain.

You can complain to the dealer under three circumstances. Firstly, when goods are not as described by the salesman or the manufacturer. Secondly, when goods are not of marketable quality and finally, when the goods are not fit for the purpose for which they are purchased. In legal terminology, these are called 'implied terms'.

A salesman may give a vivid description of the product and if you purchase it based on this description, the goods should match. In both cases, if the product does not live up to the description, you can file a complaint.

In certain cases, a dealer or manufacturer shows samples of the product and induces you to buy. In case the sample shown and the product you have bought do not match, you can file a complaint. In some cases, the goods purchased may not be of marketable quality, they may be damaged or not working properly, which gives you the right to complain.

But you should be cautious. For example, if you are aware of the defect before purchasing the product, you cannot complain. In addition, if you have examined the product it is deemed that you are accepting the product as it is. You have lost the right to complain in both cases.

In case the goods do not fulfil the purpose for which they are bought, a complaint can be lodged. For example, if a washing machine does not clean clothes, you can complain.

When to complain is not enough. You should also know how to complain or express your displeasure. If you find the product is not good, the first step would be to stop using the product. Inform the dealer at once. If you delay, you may lose some of your rights. While handing over the product to the dealer, ensure that you get a receipt or acknowledgement. Do not part with original documents. If necessary, furnish Xerox copies.

Normally, the seller will understand your problem and offer a new product, a replacement or free repair. Your letter should contain the name, address of the person or shop, the date the goods were bought, the receipt number etc. Don't forget to explain the problem. Use plain language.

In your letter, mention the relief you are ready to accept-it could be the refund of the amount, replacement of the product or repair.

In case you don't get a reply after about a fortnight, write to the top management along with a copy of the earlier letter. This will bring immediate results.

If this does not evoke any response, you can make use of the media by writing to the editor or to a 'Complaints' column which appear regularly. Some newspapers forward these complaints to the concerned authorities for necessary action.

If all these attempts fail, you can approach the local consumer associations for assistance. Normally, consumer associations forward your complaints without insisting on any fee. You may enrol yourself as a member and request them to take up your grievance. If there is no consumer group in your locality, why not start one..?

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