

1. What Is Defective Service?

Defective service refers to a situation where a service provided to a consumer is **faulty, incomplete, careless, or below the promised standard**.

A service is considered defective when it:

- Does not meet agreed quality or performance standards
- Is performed negligently or improperly
- Causes inconvenience, loss, or damage to the consumer
- Fails to deliver the expected outcome

Under the **Consumer Protection Act, 2019**, defective service is treated as **deficiency in service** and is legally actionable.

2. Common Services Where Defects Occur

Defective service disputes commonly arise in the following areas:

- **Electronics repair services** – laptop repair, mobile servicing, TV repair
- **Home appliance servicing** – air conditioners, washing machines, refrigerators
- **Internet and telecom services** – frequent disconnections, poor network quality
- **Transportation services** – cab services, courier delivery, logistics
- **Professional services** – coaching institutes, training programs, maintenance contracts

Consumer rights apply **across all service categories**, regardless of service provider size.

3. Example Scenarios of Defective Service

Example 1: Laptop Repair Service

A consumer gives a laptop for repair.

After servicing, the problem persists or new issues arise.

The service provider refuses free re-service or correction.

Example 2: Air Conditioner Maintenance

An AC servicing company performs maintenance, but cooling issues continue.

Despite full payment, the service quality remains poor.

Example 3: Internet Service Provider

The consumer experiences frequent outages and slow speeds, contrary to promised service levels.

Example 4: Courier or Delivery Service

A package is delayed, mishandled, or damaged due to negligence during delivery.

These situations qualify as defective service under consumer law.

4. Legal Position Under Indian Consumer Law

According to the **Consumer Protection Act, 2019**:

- Service providers must deliver services with reasonable care and skill
- Any shortfall in quality or performance is considered deficiency
- Consumers are entitled to fair and reliable service

A service provider **cannot avoid responsibility** by:

- Claiming internal policies
 - Blaming third-party vendors
 - Refusing accountability after payment
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5. Consumer Rights in Defective Service Cases

When a service is defective, consumers have the right to:

- **Free re-service** to correct the defect
- **Refund** if the service cannot be properly delivered
- **Compensation** for financial loss or inconvenience
- **Compensation for mental harassment**, where applicable

Repeated defective service strengthens the consumer's legal claim.

6. When Defective Service Becomes a Serious Violation

Defective service becomes more serious when:

- The issue remains unresolved after multiple attempts
- The service provider ignores complaints

- The consumer suffers financial loss or damage
- There is clear negligence or misrepresentation

In such cases, higher compensation may be awarded.

7. Steps Consumers Should Take

Step 1: Raise the Issue Immediately

- Contact customer support or the service provider
- Explain the defect clearly

Step 2: Request Re-service or Refund

- Ask for free correction of the service
- Set a reasonable deadline

Step 3: Escalate the Complaint

- Approach grievance or escalation channels
- Keep communication records

Step 4: Seek Legal Remedy

- File a consumer complaint if unresolved
 - No lawyer is mandatory
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8. Evidence Required to Support a Complaint

Consumers should preserve:

- Service invoices or receipts
- Communication records (emails, messages)
- Photos, videos, or reports showing poor service
- Service agreements or promises made

Proper documentation strengthens the case significantly.

9. Relief Available Through Consumer Forums

Consumer forums may grant:

- Re-service at no cost
- Refund of service charges
- Compensation for loss or harassment
- Litigation costs
- Penalties against the service provider

Relief depends on the nature and impact of the defective service.

10. Key Takeaways

- Defective service is legally actionable
 - Service providers are bound to deliver promised quality
 - Consumers can seek re-service, refund, or compensation
 - Documentation and timely action are crucial
 - Consumer law offers accessible and effective remedies
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