Consumer Grievance Assistance Chatbot: Hi! I am your consumer grievance assistance tool. Kindly let me know how I can help you.

User: There was medical negligence by the doctor while operating on me

Consumer Grievance Assistance Chatbot: Can you please elaborate what medical negligence was there on part of the doctor.

User. I have already gone through the sterilization in hospital but still I got pregnant. I already have two kids and this news of getting pregnant has caused me emotional distress and mental agony. As I already have two children.

Chatbot. Can you give the details as to dates on which sterilization was performed and subsequently when you got pregnant.

User: Yes, The sterilization was performed on 15.05.2018. And subsequently I found out that I got pregnant on 22.12.2018.

Consumer Grievance Assistance Chatbot: Okay, sterilization procedure. May I know the reason you opted for this procedure?

User: I already have 2 kids and I didn't want more children given my and my husband's limited income. So I consulted the doctor at the hospital.The doctor, Dr. Rashmi Rao, examined me and recommended I undergo sterilization surgery. She assured me it would ensure I don't conceive again.

Consumer Grievance Assistance Chatbot: I see. So Dr. Rashmi Rao is the doctor who advised this procedure. Did you sign any consent form before the surgery?

User: Yes, I signed a consent form before the surgery where risks were mentioned. But Dr. Rashmi Rao categorically assured me there won't be any complications.

Consumer Grievance Assistance Chatbot: I am really sorry for what you went through. Do you have the bill for all the hospital visits?

User: Yes, I have kept the receipt of the bill dated 14.05.2018, where I paid 6700 Rs. Also I have a medical report that has details of the sterilization performed and mentions Dr. Rashimi Rao who operated on me for the sterilization procedure.

Consumer Grievance Assistance Chatbot: Alright. Do you have the discharge summary document ?

User: Yes I have kept that document. It mentions the sterilization procedure details.

Consumer Grievance Assistance Chatbot: That's good, please keep it safe. It might be needed for the purpose of evidence. Now you mentioned there was some negligence during this procedure. Can you elaborate what happened later?

User: Within 5-6 months of the surgery, I missed my period. When I went back to the doctor, an ultrasound revealed I was pregnant again!

Consumer Grievance Assistance Chatbot: Oh that's really unfortunate. Do you have a copy of this ultrasound report as well?

User: Yes I have the ultrasound report that confirmed the pregnancy.

Consumer Grievance Assistance Chatbot: What is the date mentioned on the ultrasound report?

User: The ultrasound report is dated 22nd December 2018.

Consumer Grievance Assistance Chatbot: I understand this must have been very stressful for you. Did you take up this issue with the doctor and hospital?

User: I did, but they were very dismissive. The doctor said she had warned there could be failure. But she had clearly assured me 100% the surgery would be successful.

Consumer Grievance Assistance Chatbot: Hmm yes that amounts to deficiency in service and negligence if she had assured success. You have valid grounds to file a consumer complaint against the doctor and hospital. But before filing a complaint we need to send a notice and ask for compensation from the opposite party. If they respond in a positive way it would save us a lot of time and cost. Would you like me to draft a notice?

User: Yes, draft a notice for the deficiency in the service and medical negligence. Additionally also draft the consumer complaint.

Consumer Grievance Assistance Chatbot: Based on our previous discussion, I understand you want to send a legal notice regarding the medical negligence during your sterilization procedure. Could you please provide your full name and address details?

User: My name is S. Ramani and my address is Door No. 10, Thindamangalam, Veppamarathur Post, Omalur, Salem - 636015.

Consumer Grievance Assistance Chatbot: Thank you for providing your details. Could you also provide the name and complete address of the doctor and hospital who were involved?

User: The doctor's name is Dr. Rashmi Rao and the hospital is Salem Polyclinic, 250 Omalur Road, Salem - 636007.

Consumer Grievance Assistance Chatbot: Thank you. I will need to mention these details in the legal notice and consumer complaint drafts. Apart from compensation amount, is there any other relief you would like to seek through the consumer complaint?

User: I would also like to seek costs for the harassment and expenses caused due to the negligence.

Consumer Grievance Assistance Chatbot: Okay, I will include a request for costs in the drafts as well. I can share a draft legal notice and consumer complaint based on our discussion so far. Let me know if you need any other clarification!

User: This gives me a good idea, thank you. Please go ahead and share the draft notice and complaint. I will review with a lawyer.

Consumer Grievance Assistance Chatbot: You're most welcome. I'm glad I could explain the process and provide the drafts as we discussed. Here is your [notice](https://docs.google.com/document/d/1grBt-LvKqVzOhhmRO6DBwi4JcDgy6tXM9vlhj4dIuDg/edit) and [complaint](https://docs.google.com/document/d/1rA2QCumaCQxs_7KUQKKdxbqWgIQlgtntdCBs_Sp9jIg/edit). Feel free to reach out if you need any other legal assistance.

Here is your [affidavit](https://docs.google.com/document/d/1WmttrSglxNF00NB7lfPaZIQWo6w_Y__3B9WbqnNKdIA/edit) and [MoP](https://docs.google.com/document/d/11aaHNGFADMsp9GlZLoj5jjfO2XEO6jaXwejvPgtHzms/edit). You are required to fill in the details that have been left empty in both the documents. Further, you must get the affidavit notarized. In case of any queries regarding how you can get the Affidavit notarized, feel free to approach me anytime. After filling all the documents and getting the affidavit notarized, you can file your complaint on E-daakhil, the portal for consumer redressal. Do you want me to provide you with a step-by-step guide on how to file your complaint on E-daakhil?

Aggrieved Consumer: Yes, it will be great if you can give me a step-by-step guide on how I can file this.

Consumer Grievance Assistance Chatbot: You have to follow these steps in order to file a complaint:-

1. Create an account on E-daakhil.
2. Verify your email address and login.
3. Go to "Consumer Complaint" and accept the terms and conditions by clicking the "accept" button after carefully reading the terms. If you have any queries regarding the terms, please let me know.
4. Click "Consumer Complaint" and enter the claim amount that you are seeking.
5. Select Punjab as the State and Moga as the relevant district. Click continue to proceed to the "Case Details" page.
6. On the "Case Details" page, enter all the necessary details, and in case of any queries, please let me know.
7. In the "Party Name" section, enter the details of both the parties. In the "Advocate" Section, enter the details of your advocate, and if you do not have an advocate, you can leave it blank.
8. In the "Complaint Section," you can provide the following as your complaint: "The complainant Mrs. Ramani underwent sterilization by Dr. Rashmi Rao at Salem Polyclinic on 15/05/2018. Despite assurances of no pregnancy, she conceived within months. This medical negligence and deficiency in service caused her trauma. She seeks Rs. 5 lakh compensation and costs from the doctor and hospital through a consumer complaint.."
9. In the next section, enter the necessary details and attach a filled copy of the Complaint and the Affidavit along with the Memorandum of Parties.
10. In the next section, verify the details of your complaint and submit your complaint.
11. On the "Pending Complaints" page, you will be required to pay the necessary fees.

Please note that under the Consumer Protection Act 2019, the Consumer Court can request the parties to go for mediation. However, both parties must agree for the matter to be sent for mediation. The process is identical to what I have already told you, with the difference being that the mediation will be conducted by the court-attached mediators. However, if the parties do not arrive at an amicable settlement, the matter is sent back to the court.

Aggrieved Consumer: Got it. Thanks!

Consumer Grievance Assistance Chatbot: You are welcome. Feel free to raise further queries anytime. Best wishes: