Issue No. 12 – Defective TV

User: I was sold a defective TV. What is my remedy now?

**Chatbot: Hi, I’m your consumer grievance assistance tool. How can I help you?**

User: I placed an order on XYZ e-commerce portal for a 55’ smart TV on 12/02/2022. I paid the cost price of Rs 60,000/- by way of NEFT (Transaction ID 67346281) and the scheduled delivery date was 14/02/2022 with a 10-day return policy. The TV was delivered on 16/02/2022 and installed on 18/02/2022. However, on 20/02/2022, the TV got switched off automatically while in use, and after that I could not boot up the device at all.

**Chatbot: Okay. Could you please provide me with details regarding the name and registered office address of the manufacturer and the seller of the product?**

User: Manufacturer: Comet Manufacturers, 14/305, 8th street, Vimala Nagar, Cosmos-60

Seller: Waves Home Appliances Private Limited, 12/301, 3rd street, Simala Nagar, Cosmos – 30

**Chatbot: Could you also provide the product specifications?**

User: Type: QLED Smart TV

Size: 55’

Resolution: HD 4k

Model Number: AS345678

User: I have a doubt. In my case, who is responsible? E-commerce platform, Product Seller or Product Manufacturer?

**Chatbot: Thanks for the question. All three might be jointly and severally liable**

**Chatbot: Also, did you raise the issue with the e-commerce platform?**

User: Yes, I did. On 21/02/2022 I contacted the customer support team, and when they asked me as to whether I wanted a replacement, or wanted the defect to be rectified, I said I was okay with anything. In turn, they told me that they would get in touch with the product seller, and that a technician would be sent in a few days’ time.

User: But, no one turned up. On 25/02/2022, I sent them an email requesting the platform to replace the defective TV, to which I received a reply stating that a technician would be sent in a few days’ time to look into the issue.

**Chatbot: Did a technician examine the product?**

User: On 27/02/2022, a technician from the product seller’s company arrived. He checked the product and stated that the product would have to be replaced due to inherent manufacturing defects. Further, he told me to contact the product seller directly for a replacement.

User: On 27/02/2022, I got in touch with the product seller who assured me that a new TV would be installed in place of the defective one as soon as possible, but the TV has still not been replaced.

**Chatbot: Is there anything else that you would like to add?**

User: In fact, I contacted the seller on 03/03/2022 to check if they had any plans of replacing the defective product, but did not receive a favorable response. I also emphasized the dual use of TV for me (source of news and entertainment), but all efforts went in vain.

**Chatbot: I understand. Did you consider sending a legal notice to the product seller?**

User: Yes, I sent a notice dated 10/03/2022, but I haven’t yet received a reply from the seller.

**Chatbot: Okay**.

**Chatbot: Then, would you like to file a complaint before the District Consumer Grievance Redressal Forum?**

User: Yes, I would like to

**Chatbot: Okay, could you please tell me where your residence is?**

User: I live in the city of Cosmos

**Chatbot: In that case, you can file a complaint before the Cosmos District Consumer Grievance Redressal Forum within a period of two years from the date of cause of action i.e 17/02/2022. You can either use the E-Daakhil portal to file your complaint, or submit a physical copy of the complaint in the commission.**

Please note that since the value of the product purchased is less than Rs 5 lakhs, you do not have to pay any court fees, but ensure you have the following documents with you:

1. Receipt of the purchase made
2. Photographs of the product
3. Copies of the emails sent to the e-commerce platform and the product seller
4. Legal Notice sent to the opposite party

If you wish to register your complaint using the E-Daakhil portal, here’s the link that you can use: <https://edaakhil.nic.in/> . The portal has an instruction manual that provides you with step-by-step procedure for registering a complaint

Chatbot: Below is the process for filing a consumer complaint in the Cosmos District Consumer Disputes Redressal Commission for the described dispute through the e-Daakhil platform:

1. Create Account: If not already registered, create an account on the [e-Daakhil](https://edaakhil.nic.in/) portal.

2. Email Verification: Verify your email address by clicking the link sent to your registered email. Then:

3. Login: Use your credentials to login to the portal.

4. Start New Case: Click on 'File a New Case' from the Filing dropdown menu to initiate your complaint.

5. Click consumer complaint.

6. Read the disclaimer and click “accept”.

7. Click consumer complaint.

8. Enter the amount you need as compensation in the claim amount.

9. Select the state and the district. Click continue.

10. You will now land on the Case details page. Enter your name, your address, and your mobile number in the complainant's section. If you want notifications on your email address, you can write your email address.

11. Enter the Opposite party’s details

12. In the Complainant Advocate section, enter details of your advocate. You can leave it blank if you do not have an advocate.

13. Fill the complaint section by describing your grievance. Please mention the dates, if

applicable.

14. Upload Documents: Attach your index, complaint, memo of parties, affidavit, and any other evidence you have that you intend to rely on.

15. Click continue and verify the details of your complaint. Once you are satisfied, you can submit your complaint.

16. You will now be taken to the pending complaints page, where you can pay the fees for your complaint.

**Chatbot: However, please feel free to let me know if you need any assistance with respect to complaint drafting**.

User: Yes, it would be really helpful if you share a template that I could use for reference

**Chatbot: Sure, that can be done. Could you please tell me your name, age and occupation, and also the opposite parties’ names and addresses?**

User: I am Bruno, and my age is 46. I work as a graphic designer. My residential address is 20/418, 2nd Cross Street, Vimala Nagar, Cosmos-100

Name: Waves Home Appliances

Address: 12/301, 3rd street, Simala Nagar, Cosmos – 30

Name: Comet Manufacturers

Address: 14/305, 8th street, Vimala Nagar, Cosmos-60

**Chatbot: Thanks, here’s a draft complaint along with MoP (Memorandum of Parties) and Affidavit based on the information provided by you:**

[Complaint](https://docs.google.com/document/d/15qoZpeCQ2lPzHmD4gWmhjB44kcMC95Rj/edit)

[MoP (Memorandum of Parties)](https://docs.google.com/document/d/1-_iJ6pbkSWT1bk4thONWKieG_eOVNhyI/edit)

[Affidavit](https://docs.google.com/document/d/1B9eVD7rymzZJpWHzuNRezPaKfRydSox9/edit)

User: Thanks

**Chatbot: Is there anything else you want me to assist you with?**

User: No, thanks

**Chatbot: Welcome. Happy to help. I hope you found this conversation useful. Please feel free to contact us again in case of any queries in the future**

Meanwhile, you can log on to <https://consumeraffairs.nic.in/> , or dial 1800-11-4000 (National Consumer Helpline) for more information.

Stay Alert, Stay Safe

Thank you