



Consumer Complaint

How To Approach A Consumer Organisation

With our January-February 2009 issue, we started a series to help readers understand better the procedure for filing a consumer complaint. Here we talk about what you must do if your complaint has not yet been heard or redressed.

In the earlier part, you spoke to the ‘decision maker’ (step 1) and wrote out a complaint (step 2) to get the issue resolved. Yet, you met with silence or outright refusal to do anything about your complaint. Your next step is to send the opposite party a reminder informing it of the action you propose to take.

Step 3: Send a Reminder

With no satisfactory response within a reasonable period, you may escalate the protest with a follow-up letter or a reminder to the company. It is better to be tactful rather than sarcastic or abusive in tone. Otherwise you may offend the receiver and make him/her take a tough stand or an uncooperative attitude instead of being willing to listen and settle your complaint. Wait for a decent period (at least a fortnight) before you take the next step.

You may now want to explore approaching an organisation that helps aggrieved consumers, because as a consumer you are not helpless and, in fact, enjoy certain rights under the **Consumer Protection Act, 1986**, including the right to redressal.

There are two basic groups designed to help you. Consumer organisations make the first group. The second comprises government agencies, on a national, State or local level. In this article, we deal with how to forward complaints to the first group, the consumer organisations, and seek effective redressal.

Consumer Organisations

Most consumer organisations handle individual complaints and have complaints redressal cells. The entry of a third party — a consumer organisation — into a dispute raises a few concerns for the business:

- * The consumer is determined to see the case through, and won't give up.
- * The individual is not alone now. There is an organisation to support him/her. This makes a lot of difference.
- * There could be bad publicity and lost business.
- * People with sufficient expertise, sophistication and resources may represent the consumer, putting the business in a difficult spot.

However, before writing to any of them, you must ensure that your complaint falls under the ‘consumer’ category,

as defined by the Consumer Protection Act 1986, and is not *time barred* i.e. two years has not elapsed from the date of cause of action.

Remember, writing to a consumer organisation must be your step 4 for getting your problem solved if the opposite party has not acted satisfactorily so far.

Step 4: Letter to the Organisation

A written complaint to a consumer organisation may be

organisation may suggest necessary measures or even take action itself. Most companies, reaching this level, mellow down and offer solutions acceptable to the consumer as they don't want to bring down their market standing. However, one may come across companies reluctant to solve a complaint even if their reputation is at stake.

In such cases, legal help is sought. Consumer organisations may have an in-house Legal Department, e.g. CERC, that fights cases on behalf of consumers or else they may advise the consumer accordingly.

[Your name]
[Address]
[PIN #]
[Contact details]

[Name of contact person, if available]
[Title, if available]
[Address of consumer organisation]
[PIN #]

[Date]

Re: [Complaint Redressal]

Dear [Contact person],
I understand that your organisation handles consumer complaints on behalf of aggrieved consumers. I am having a problem because a product/service [name of goods purchased or service availed, etc.] has [not performed as it should/was unsatisfactory, faulty, etc.] because [state the problem in brief]. On [date], I bought/availed [name of goods/service] at [location and other details of the transaction].

I had spoken to the department concerned and sent a written complaint to the opposite party (copy attached), to which I have received no response yet / but have been denied corrective action.

Documents establishing the facts have been enclosed.

Yours sincerely,

[Sign]
[Print your name]

Enclosures: [state documents you have enclosed, e.g. letter to the company, bill, receipt, guarantee/warranty cards, reply from opposite party, etc. Always send photocopies of the documents only]

Some Major Consumer Organisations*

Consumer Education & Research Centre**

Thaltej, Sarkhej-Gandhinagar Highway
Ahmedabad - 380 054
Phone : +91 - 27489945/46, 27450528,
27438752/53/54, Fax : 079 - 27489947
Email : cerc@cercindia.org

Consumer Guidance Society of India

Block 'J' Mahapalika Marg
Mumbai- 400 001
Phone : +91 - 22 - 22621612
Fax : 022 - 22659715
Email : cgsibom@mtnl.net.in

Mumbai Grahak Panchayat

Grahak Bhavan
Sant Dhyaneswar Marg, Vile Parle
[West], Mumbai- 400 056
Phone: +91 - 022 - 26288624
Email: mgp@bom5.vsnl.net.in/
mgpanchayat@hotmail.com

Consumer Unity & Trust Society

D-217, Bhaskar Marg, Bani Park
Jaipur - 302 016
Phone : +91 - 0141 - 2282821
Fax : 0141 - 2282485

Consumer Voice

441, Jangpura, Bhogal,
Mathura Road, New Delhi-110 014
Phone : +91 - 011 - 24379078/79/80
Fax : 011 - 24379081

drafted on the following lines:

With the intervention of a consumer organisation, you are likely to find a solution to your consumer grievance. The

Consumers Association of India

3/242, Rajendra Garden, Vettuvankeni,
Chennai - 600 041

Tips For Writing Complaints To Consumer Organisations

- * Consumer organisations may not be in the same State or region as you are. So mention complete details of your name, permanent address, phone number, email ID while writing to any of them as these enable faster communication.
- * Mention the name and address of the opposite party, including its email address, contact number of its head/registered office, branch office and the dealer for easy contact.
- * Mention the date on which the grievance started.
- * Make sure you mention the events and happenings in a chronological order. Also send the supporting documents in the same order so the case is properly understood.
- * Write briefly about the most important aspect of the complaint — this is the most important part of the letter.
- * Clearly state the stake involved.
- * Mention what exactly you expect the opposite party to do.
- * Don't cover up any mistake at your end. Mention it to the consumer group for better understanding of the case.
- * Include as enclosures copies of earlier correspondence, cash memos, bills, etc., policy with terms and conditions in the case of insurance, loan agreement, terms and conditions of credit cards, bills, etc., guarantee, warranty for products, reply from opposite party, if any.
- * You will need to attach all these documents even if you are sending your complaint through email. Remember to furnish all details and send a complete complaint letter.
- * Mark a copy of the letter sent to the consumer organisation, to the opposite party.
- * Cooperate with the consumer organisation as much as possible in its efforts to solve your problem.
- * Follow it up with the consumer organisation on the developments. This will show them how keen you are to get your problem solved.

Phone : +91 - 044 - 24494576, 24494578

Email : admin@cai-india.org

Citizen Consumer and Civic Action Group

9/5, II Street, Padmanabha Nagar, Adyar Chennai 600020.

Phone : +91 - 44 - 24460387, Fax : 044 - 24914358

Federation of Consumer Organisations in Tamil Nadu

S-1 Beacon View, 26, Karaneeswarar Pagoda Street

Mylapore, Chennai - 600 004

Phone : +91 - 044 - 24981186

** The list is illustrative and not exhaustive.*

** or, Consumer Education and Research Society (CERS) at the same address. CERS is a registered membership society under CERC.

Sources: *Consumers Guide To Fighting Back (Book); Consumerism - Strategies*

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Date : 01-03-2009

Signature :

