

SCHOOLS IN GOOD BUSINESS

As a parent you might have been paying thousands of rupees as donation to educate your children. That you will be paying by cash without a proper receipt is a different issue.

You may be under compulsion to purchase books, uniform and other student requirements in a particular shop or counter opened in the school premises. If you withdraw your child from the school, you cannot claim back the entire fee you have paid.

There are schools which ask you to deposit a fixed sum, which will be returned when the child is withdrawn from the school or after a fixed term. Again no interest is paid on this deposit. You have to execute an undertaking that you will not approach any court or forum against the institution whatever may be the dispute.

Are all these not sufficient to call the present day education system as a 'trade' or 'business'? At least there are some ethics in business, and you get value for money. Not in education. After paying whatever is asked, you are still not sure of getting quality education. The facilities provided at the education institutions are no guarantee for your child's safety.

Yet education is not a business in the eyes of law. In one of its judgments, the Supreme Court has held that 'education has never been commerce in this country'. Making it one is opposed to the ethos and traditions of this nation, where imparting education has always been treated as a religious duty. The Supreme Court might have given its judgment in a different context. Yet the truth is that today, education is purely a money-making business.

Unfortunately, any deficiency in service in providing education cannot be challenged in a Consumer Forum. Often the forums and National Commission have given conflicting judgments thereby confusing the students and parents. In a recent case, a student had appeared for class 10 examination conducted by CBSE. But the student's result was not declared.

Several representations to CBSE did not evoke response. Finally, a legal notice was served. It worked. It was announced that the student's result could not be declared for want of the internal grades certificate from the school where the student studied. The student's result was declared two years after he wrote the examination.

In another case, it was also noticed that two students were issued the same registration number. A complaint was filed at the District Forum and later at the State Commission, alleging deficiency in service. However the complaint was dismissed as 'not maintainable'. Even the National Commission upheld the decision stating that institutions holding examinations do not render any service within the meaning of Consumer Protection Act (1986). Hence any concomitant omission or commission cannot be termed as deficiency in service.
