



Committee for Fixation of Fee Structure of Private
Educational Institutions of J&K State
Jammu.

**Subject:- Regulation and Fixation of Fee of Private Educational
Institutions of J&K**

**ORDER NO. 01 FFC OF 2019
DATED: 28.01.2019**

Whereas the Fee Fixation Committee was constituted by the Government of Jammu and Kashmir in compliance to the directions passed by the Hon'ble Supreme Court in *Islamic Academy of Education and Others v. State of Karnataka*, with mandate to fix and regulate the fee structure of Private Schools of the State;

Whereas, the Hon'ble High Court of Jammu and Kashmir in its order dated 01.06.2015, in PIL titled Parents Body v/s J&K Private School Association directed all Private Schools to charge Fee as was applicable in August, 2014. The Court further directed that in case any Educational Institution wants enhancement in such fee structure, it shall apply to the Committee for permission;

Whereas the Committee has been issuing orders from time to time to regulate the matter within the ambit of overall guiding principles laid down by the Hon'ble Supreme Court in various cases on the subject;

Whereas the Committee has passed Order No. 106 FFC of 2017 dated 20.10.2017 and Order No. 493 FFC of 2018 dated 05-10-2018 which provide for enhancement of tuition fee as applicable in the Private Schools;

Whereas, some of the school associations have approached the Committee for reconsideration of the orders and have sought

permission to make enhancement in the Annual fee and transport fee charged by the Schools;

Whereas the Committee reconsidered the matter taking note of the observations made by a Division Bench of the Hon'ble High Court of Jammu and Kashmir in its order dated 21.08.2017 in cases OWP Nos: 577, 578, 579 and 580 of 2017;

Whereas the Committee has also given hearing to various parent bodies as well as School Associations and based on the inputs provided by those bodies and associations, the Committee at its recent meeting held on 10.01.2019 considered the matter and decided to issue fresh orders consolidating all earlier orders as well as incorporating concerns and suggestions of various parent bodies and school associations for fixation and regulating of fee in private schools.

Now, therefore, with a view to further regulate Fee structure of the Private Educational Institutions, the Committee in supersession of Orders No: 106 FFC of 2017 dated 20.10.2017 & No: 493 FFC of 2018 dated 05.10.2018 directs as under: -

1. All private schools imparting education from Nursery to 12th class shall, within the period of one month from the date of issue of this order, publish its present fee structure and the fee structure as it existed on 1st day of August, 2014.
2. Where, such school was established after 1st day of August, 2014, the school shall publish its present fee structure and the fee structure as was prescribed at the time of establishment of such school.
3. All private schools shall publish their fee structure by pasting the details on their notice board and school website and also by sending a copy thereof on email to the concerned CEO, Director, Education of the concerned province and Administrative Officer Fee Fixation Committee. Email addresses of all authorities have been mentioned in the Annexure to this order.
4. The private schools shall not charge any fee from the students, parents/ guardians, except: -

- i. **Tuition fee** which be reflective of the recurring expenditure being incurred for running the school such as the salary of staff, electricity bills, water supply bills etc;
- ii. **Annual Fee** which include the annual depreciation of the investment made for setting up of the school clubbed with repair and maintenance costs and may also include all other one-time fees such as Examination Fee, Computer Fee, Sports Fee etc. wherever applicable;
- iii. **Transport Fee** to be charged only from the students availing the transport facility of the school on an actual basis;
- iv. **Voluntary Special Purpose Fee** such as the picnic, tour and excursions etc. completely voluntary in nature;
- v. Any other fee as may be approved by the Committee after following the procedure prescribed.

Provided that the students, parents/ guardians shall be given the option to pay the above fee(s), suitably in monthly/quarterly installments.

5. The Private schools may raise their fee structure annually by not more than 6% on the fee structure existing as on 1st August 2018. The private school who intends to revise fee structure more than the prescribed ceiling of 6% shall apply to the Fee Fixation Committee for approval.

Provided that the above restrictions of 6% annual fee shall not apply to the schools charging tuition fee less than Rs.1000/- p.m. and the annual fee of less than Rs.6000/- per annum.

Provided that the enhancement in the fee structure should not be exorbitant and abrupt but reasonable and gradual commensurate with the expenditure and the school does not indulge in profiteering.

Provided further in case after the intended increase, the tuition fee/annual fee crosses Rs.1000/- per month or/and Rs.6000/- per annum respectively and the increase is more than 6% per annum, the school

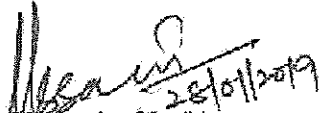
has to approach the Fee Fixation Committee for approval with proper justification and required documentary proof.

6. The fee shall be worked out class wise based on expenditure made for running a specific class. However, common expenditure such as building depreciation, electricity and water may be collected equally from all students.
7. Only the expenditure related to imparting education and running academic, curricular and extra-curricular activities shall be considered for fixing the fee and in no way it shall include any item of service which is luxurious in nature and un-related to imparting education. All fee to be charged commensurate to the facility provided and in no way it should include the charges on which facility has not been provided.
8. Private school shall not charge in any manner, any other fee including admission fee or any amount, by whatever name called than the fee (s) prescribed above.
9. Hence forth, no private school having a proposed fee structure of more than rupees 1000/- p.m. as tuition fee and rupees 6000/- per annum shall be started unless its fee structure is approved by the Fee Fixation Committee.
10. All the private schools shall collect the fee so notified if it does not violate any of the guiding principles or other provision of this order. Any violation of the orders of the Committee or of the Government or the directions passed by the Courts on the subject shall disentitle a school to avail benefits under this order.
11. Any school which has got a fee structure more than Rs. 1000/- as tuition fee per month or/and Rs.6000/- as Annual charges per annum and has violated the provisions of any of the orders of this Committee and the guidelines of the Supreme Court in fixing and enhancement of fee structure but has not so far submitted its case to the Committee for regulation of its fee structure, shall within one month of this Order submit their case in the prescribed manner for examination.
12. In case the students leaves the school due to compelling reasons beyond the control of parent such as transfer of

parent or health reason etc., before completion of the session/course, the school shall return all types of fee taken, on pro-rata within 60 days of the application being made in this regard.

13. Every private school shall get their accounts audited through a qualified Chartered Accountant giving full details of its fee received during the year and forward a copy thereof before one moth from commencement of the new academic session to the concerned Chief Education Officer, Directors School Education and Fee Fixation Committee on Email addresses mentioned in the Annexure of this Order.
14. Any Student/parent/guardian aggrieved of any of the action of the school regarding enhancement of its fee structure under any head or where such enhancement is in contravention of the provisions of this Order may make a complaint before the Committee against management of the school with regard to such enhancement or contravention.
Provided that the pending complaints against any school shall be considered on the merits of each case.
15. Where a school applies to the Committee for enhancement of its fee structure under the provisions of this order and where the Committee does not allow such prayer, the aggrieved school may, within 30 days of the order, apply to the Committee for reconsideration of the order and may place before the Committee such further ground and material as it thinks fit. Any such application made by a school shall be considered and decided by the Committee on the merits of each case after taking into consideration such additional ground and material. The Committee shall also have the powers to review any of its order where it is found that there is an error on the face of the record of, or a clerical error in, any such order.
16. The Committee may at any stage call the record of any school for scrutiny if it comes to the conclusion that the provisions of this order and the guidelines of the Supreme Court in fixing and enhancement of fee structure by private schools have been violated or not adhered to.

17. Any private school which contravenes any provision of this Order or any other order of the Committee or Government may attract such action by the Committee as it deem fit including recommendation for withdrawal of recognition by the concerned Board or the Government.


(Nazir ul Hussain Shah)
Administrative Officer,
Committee for Fixation of Fee Structure,
Of Private Educational Institutions,
J & K, Jammu.

No: - FFC/Jmu-19/ 63-68

Dated: - 28-01-2019

Copy to the: -

1. Secretary to Government, School Education Department J&K, Jammu, (Member Secretary, FFC).
2. Director, School Education Kashmir/Jammu for information and n/a.
3. Joint Director Information Jammu with the request to publish the same in leading dailies of Kashmir, Jammu and Ladakh preferably Greater Kashmir, Rising Kashmir, Daily Excelsior, State Times, Amar Ujala, Tameel Irshad, Daily Aftab, Rangyul and others for wider publicity.
4. P.A to Chairman FFC, for information for the Hon'ble Chairman.
5. I/C Website.
6. Office Copy.

Annexure
Email addresses

Name	email
Administrative Officer Committee for Fixation of Fee Structure of Private Educational Institutions of J&K State	chairmanffejmu@gmail.com chairmanffe@gmail.com
Director, School Education, Kashmir	dse_kash@yahoo.com
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