



Office of the Chairman
Committee for Fixation of Fee Structure of Private
Educational Institutions of J&K State
Hyderpora, Srinagar.

Subject:- Enhancement of Fee Structure by Private Educational Institutions of J&K.

ORDER NO. 106 -FFC OF 2017
DATED:- 20 10/2017

Whereas, a Division Bench of the Hon'ble High Court of Jammu & Kashmir has in its order dated 21.08.2017 in case titled Tyndale Biscoe & Mallinson School Vs. State of J&K & Ors (OWP No.577 of 2017) observed that the State Government may frame a policy of increasing the fee by a certain percentage amount across the board depending on certain criteria such as, rate of inflation etc.;

Whereas, the Government has approached this Committee to examine the issue;

Whereas, the Committee has considered the matter in light of the judgments of the Hon'ble Apex Court and the Hon'ble High Court on the subject;

Whereas, the Committee has also gone through the draft Act to regulate enhancement of fee structure by the Private Educational Institutions which is under consideration of the Government;

Whereas, the Committee has also gone through the Acts on the subject made by the neighbouring States like Punjab etc;

Whereas, the Committee on consideration of the matter finds it just and proper to make provisions for enhancement of the fee by the Schools in order to avoid delay which generally takes place in the consideration and disposal of such cases.

Now, therefore, in the interest of better functioning of the Schools and to regulate their fee structure, the Committee directs as under:-

1. An Educational Institution may increase tuition fee chargeable from its students, after taking into account the need to generate funds to run the institution and to provide facilities necessary for the benefit of the student. While fixing or increasing tuition fee, the guidelines laid down by the Hon'ble Apex Court shall be kept in view by the Educational Institutions. An educational institution cannot indulge in profiteering and it cannot charge capitation fee.
2. Increase in tuition fee shall not exceed 8% of the tuition fee as was applicable in August'2014. No School was authorized, in terms of the Hon'ble High Court order dated 01.06.2015 passed in PIL Parents Body Vs. State of J&K & Ors to enhance fee structure without the permission of the Committee. If any School has in violation of the Hon'ble High Court order enhanced its fee structure, it shall slash it down immediately as per rules and orders.
3. Fee so increased shall be effective from the ensuing academic session in the concerned province and shall remain applicable for three years;
4. If an Educational Institution requires increase in tuition fee more than 8% or within the period of three years, it may approach the Committee for permission of the same along with the documents as may be prescribed by the Committee giving due reasons and grounds for such increase. The committee will, as far as practicable dispose of the same within thirty (30) days.
5. The Educational Institutions whose prayer for enhancement of fee has earlier been disallowed by the Committee may also make enhancement in their fee structure to the extent of and as laid down above from next academic session subject to the condition that such School now qualifies for such enhancement in terms of the judgments of the Hon'ble Apex Court.
6. After fixing or increasing tuition fee, an Educational Institution shall submit a copy of its fee structure to the Committee for record and examination within 07 days of such increase.
7. Special 'Cells' in the office of Chief Education Officers of the districts have been created which are headed by Deputy Chief Education Officer concerned. These 'Cells' act as enforcement wings of the Committee. They

have been entrusted with the job to monitor implementation of this order and the orders issued by the Committee from time to time and effectively regulate fee structure of the private educational institutions. The 'Cells' are required to submit monthly progress reports and other information relating to the subject. They are also authorized to entertain complaints from the students/parents of the school against the school who violate the orders of the Hon'ble Court/Government/Committee issued in this behalf. On receipt of such complaints, the In-charge of the 'Cell' are required to forward the complaints to the Committee alongwith their report.

By order of the Committee.



(Nazir-ul-Hussain Shah)
In-charge Administrative officer
Committee for Fixation of Fee Structure
Of Private Educational Institutions
J&K, Srinagar

No:- FFC/Sgr-2017/23-27

Dated: 20-10-2017

Copy to the:-

1. Secretary to Government, School Education Department, J&K, Srinagar for information;
2. Director School Education Department Kashmir/Jammu for information and necessary action;
3. Joint Director, Information, Kashmir with the request to publish the same in leading dailies of Kashmir, Jammu and Ladakh preferably **Greater Kashmir, Tameel Irshad, Daily Aftab Daily Excelsior, State Times, Amar Ujala and Rangyul & Others.**
4. P.A to Chairman, for information of the Hon'ble Chairman;
5. Website;
6. Office Copy.