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**Office of the Chairman
Committee for Fixation and Regulation of Fee of Private Schools
J&K.**

Order No. 03 –FFC of 2020

Dated : 13.11.2020

Subject: - Charging of Admission fee.

Inorder to streamline the fixation and regulation of fee by the private schools, many decisions would required to be taken, of course and where deemed necessary after giving opportunity of hearing to concerned parties.

Imparting education is one of the sacred human function and duty, illiteracy breeds ignorance and ignorant people are susceptible to all kinds of exploitations. An educated and literate person is a valuable asset for the society. It is the good and quality education which converts a rustic person into good human being who attains moral and material heights and serves the humanity at large.

In human history imparting education has never been a commercial activity but has all along being a saintly duty.

It is to be understood and acknowledged that school going children are not to be converted into vessels to be filled with gold, but are to be made lit lamps which illuminate the dark surrounding within and without.

In this aforesaid backdrop, the educational institutions whether in government or private sector have to perform their duties and functions which will would result in producing good "human beings" and not "commercial beings"

Without further going into these details at the moment, a burning issue needs to be addressed.

It has been a common knowledge that some private schools are charging Admission fee while admitting Children to schools. The tiny torts without any reason are also submitted to screening. The Central Government legislated law '*the Right to Free and Compulsory Education Act, 2009*'

Section 13 of the said Act mandates that no school or person shall, while admitting a child, collect any capitation fee and subject the child or his or her parents or guardian to any screening procedure. This section thus prohibits collection of capitation fee while admitting a child into a school. The aforesaid section further provides that contravention of this section 13(1) Act, 2009 shall result in inflicting punishment upon such school which may extend to ten times the capitation fee charged.

The Jammu and Kashmir School Education Act, 2002 has been amended and after section 20, section 20(A)-(J) have also been inserted in the Act, 2002.

Proviso appended to section 20E (1) provides that private schools shall not charge in any manner, any other fee including admission fee or any amount, by whatever name called than the fee mentioned in 20E(1).

It has been reported by the office that numerous complaints have been made that most of the schools are collecting admission fee/capitation fee from the guardian at the time of admission of the children in their respective schools

Since both the Right of Free and Compulsory Education Act, 2009 and school Education Act, 2002 specifically prohibits collecting of admission fee/capitation fee and breach thereof being penal in nature, this is bound to invite penal consequence. Thus it becomes duty to comply these provisions of law.

In view of the aforesaid circumstance at this stage, it is accordingly ordered as under

- I. All the Management/ Owners of the private schools are restrained from collecting admission fee from the guardian of the children at the time of admission in their respective schools.
- II. If any private school has collected admission fee same shall be paid back to the concerned guardian
- III. The guardians who have paid admission fee are at liberty to provide information of the same to the Administrative officer Fee

Fixation Committee in person or through email
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- IV. The decision about all other issues including fixation and regulation of all types fee of will be taken, after considering view points of all concerned parties.


(Muzaffar Hussain Attar) 2018.

Former High Court Judge
Chairman Committee for Fixation & Regulation of Fee of
Private Schools J&K.

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1. Administrative Secretary to School Education Department.
2. Director School Education Jammu/Kashmir.
3. Joint Director Information Jammu with the request to publish the same in leading dailies of Kashmir, Jammu preferably Greater Kashmir, Daily excelsior, and wide publicity in electronic media as well.
4. Office Copy