

**Office of the Chairperson
Committee for Fixation & Regulation of Fee of Private
Schools, J&K (FFRC)**

Order No: 415-A-FFRC (FF) of 2021
Dated: 27-08-2021

Sub: Fixation and Regulation of fee of United Public Higher Secondary School, 52, Sec - 2, Channi, Himmat, Purmandal, Jammu.

In terms of order dated 11.08.2021, this matter was to be considered again on 25.08.2021. However, because of huge load of work this file could not be considered on said date. The Partner of the firm (Ms. Rajni Sharma), submitted response in terms of the order dated 11.08.2021, which was received on 18.08.2021. In the response, it is stated as under:

"A. About 30 years back with meagre resources School was started with Pre-Primary and Primary Classes. The School reached to the 10+2 level as the promoters thereof worked with missionary zeal. It is a fact that to imparting education is a charitable work.

B. The School is run purely on Tuition Fee as per instructions of the Education Department.

C. The School shall comply with all appropriate orders passed by Principal Secretary to Government School Education Department.

D. The Members of School Management and Partners will meet as soon as COVID-19 period is over and School begins to function in normal way, to dissolve the partnership deed and constitute a Trust, for running the School.

E. The Partners in partnership deed, executed on 30.09.2004, have used the term "business unit" for general purposes and not with the motive to earn profit. They have never received any undue benefit during the past 17 years. Infact we have never been guided/instructed at any stage to act in the manner as has been ordered now.



F. The Principal of the School has already opened a bank account in the name of School in the Co-operative Bank Channi, Himmat, Jammu under Bank Account No.30114015110 for last more than 15 years. Presently, the cheques for payments are prepared by the Principal of the School and signed by the Secretary.

G. Have devoted about 30 years of life serving the student community.

H. The Education is work of Charity and Educational Institutions are to be run on no profit no loss basis. The Tuition Fee duly approved by the School Education Department is only source of income for the School.

I. We fully agree that both, in fact and in law, setting up of school for imparting education is charitable work and people who set-up Educational Institution hold the same as trustees for the public at large.”

One, Sh. Rakesh Kumar Gupta, Chartered Accountant, Auditor of the School in question, has sent mail on 25.08.2021 at 06:16 p.m. The Chartered Accountant in the mail has stated as under:

“I. We are in process of doing the needful with regard to shifting of School to Trust and closing of partnership firm. It will take some time to do the needful.

II. We have already formed a Trust under the name of U. P (United Public) Educational Trust.

III. We shall open bank account of the Trust after obtaining PAN/TAN.

IV. We assure that next sessions from 01.04.2022 shall function under Trust.”

Order No.415-FFRC (FF) of 2021 dated 11.08.2021 was passed after noticing that School is being run on the strength of the partnership deed and profits thereof are being apportioned by the Partners amongst themselves.

Since the promoters of the School have undertaken to migrate from partnership business to setting up of a Trust and have agreed that the School Funds will not be utilized for personal gains and steps have already been initiated for running the School



as a Public Trust, which makes it necessary to modify the order dated 11.08.2021. It is, accordingly, provided as under:

- (a) That the School shall be deemed to be functioning as a Public Trust.
- (b) The education of the students in the School must continue as usual.
- (c) The cheques of the School shall as usual be approved by the Principal and signed by the Secretary.
- (d) The Principal and Secretary shall be responsible to maintain all the accounts and shall be further responsible to ensure that School Funds are spent for the improvement of school functioning and for imparting better education to the students.

The Committee for Fixation and Regulation of Fee of Private Schools (FFRC) is performing the onerous duty to ensure that Private School Managements do not indulge in commercialization of education and profiteering. It is a statutory duty of FFRC to take all steps and measures for streamlining the system governing the Unaided Private Educational Institutions in accordance with the judgements of Hon'ble the Supreme Court and the statute.

The Owners/Promoters shall within two (02) weeks submit an undertaking to this office stating therein that they will obey all the directions given in this order and those given by Government/Directorate of School Education, Jammu.

Record shows that School Management has not collected Annual Fee during academic session 2020-21 and 2021-22, in pursuance to Government orders.

School record shows that School Management has maintained same Fee Structure from academic session 2019-20 to 2021-22.

There is variance in Annual Fee at two places of record, in as much as, the break-up of Annual Fee is not in consonance with Annual Fee details provided for the academic session 2019-20 to 2021-22, so far it relates to Nursery to UKG Classes.

Audit Report shows that for the year ending 31.03.2020, an amount of Rs.6,60,000/- has been paid as Partners Working Allowance and surplus of Rs.2,82,111/- has been deposited in Partners' Capital Account. Same has been the fact of the year ending 31.03.2019, in which Partners have been paid Rs.8,04,000/- on account of Working Allowance and surplus of Rs.4,97,420/- has been transferred to their Capital Accounts. Similarly, in the year ending 31.03.2018, Partners have been

paid Rs.3,24,000/- as Working Allowance and surplus of Rs.4,98,979/- has been transferred to Partners Capital Accounts.

Aforesaid circumstances show that this practice must have been followed for quite some time.

All the School Funds have to be deposited in the School Account and utilized for further development and improvement of the School which includes providing better educational and infrastructural facilities to the students. The promoters of the School shall ensure that School Funds remain in the School Corpus. For this appropriate accounts and records shall be maintained.

The record produced and the justification given by the School Management for fixation and regulation of fee structure of the School was examined. The same was considered in accordance with norms set out in various judgements and prescribed by statute. On due consideration of the entire conspectus of the school record and acknowledged parameters and settled norms for regulating the fee structure of the School, material produced by the School Management, income-expenses, income and expenditure of the School and after considering all other relevant factors which govern the subject, the Committee finds it just and proper to regulate the **fee structure** of the School as under:

Session: 2021-22

Fee Head	Nur	LKG	UKG	1 st	2 nd	3 rd	4 th	5 th
Tuition Fee	620	620	620	670	670	670	670	670
Annual Fee	3250	3250	3250	3600	3600	3600	3600	3600
Fee Head	6 th	7 th	8 th	9 th	10 th	11 th	12 th	X
Tuition Fee	740	740	740	850	850	1060	1060	X
Annual Fee	3800	3800	3800	4000	4000	4500	4500	X

Session: 2022-23

Fee Head	Nur	LKG	UKG	1 st	2 nd	3 rd	4 th	5 th
Tuition Fee	640	640	640	690	690	690	690	690
Annual Fee	3350	3350	3350	3700	3700	3700	3700	3700
Fee Head	6 th	7 th	8 th	9 th	10 th	11 th	12 th	X
Tuition Fee	760	760	760	880	880	1100	1100	X
Annual Fee	3900	3900	3900	4125	4125	4650	4650	X

Session: 2023-24

Fee Head	Nur	LKG	UKG	1 st	2 nd	3 rd	4 th	5 th
Tuition Fee	670	670	670	720	720	720	720	720
Annual Fee	3450	3450	3450	3800	3800	3800	3800	3800
Fee Head	6 th	7 th	8 th	9 th	10 th	11 th	12 th	X
Tuition Fee	790	790	790	920	920	1150	1150	X
Annual Fee	4000	4000	4000	4275	4275	4800	4800	X

The aforesaid exercise has been undertaken and fee structure regulated in a manner that excluded the commercialization and profiteering of education completely.

Charging and collecting of Admission Fee is prohibited by statutes. The school management is prohibited from charging and collecting Admission Fee from the students.

The School Management shall maintain an account of School Funds (Fee etc.) in a Schedule Bank, which shall be operated by a person(s) authorized by School Management. Record about all the expenses/expenditures shall be maintained with receipts.



The School management is directed not to charge any other fee from the students other than the fee approved by the Committee.

The School management is further directed not to make any future enhancement in fee structure under any head without permission of the Committee.

Realization of Annual Fee from the students shall be subject to providing the facilities to students and actual expenditure of the school on relevant overheads.

The School management shall display this approved fee structure on School notice board, upload it on School website and publish the same in local daily newspapers.

Non-compliance will attract penal action under law.

This order shall form part of Order No.415-FFRC (FF) of 2021 dated 11.08.2021 and be made part of same record.

Sd/-

Justice Muzaffar Hussain Attar

(Former Judge)

Chairperson

Committee for Fixation & Regulation
Of Fee of Private Schools J&K (FFRC)

Dated: - 27/08/2021

No. FFRC/FF/2021/Jmu/110

Copy to:-

1. Director School Education Jammu for information and n/a;
2. Secretary J&K Board of School Education, for information;
3. Sr. Private Secretary to Chairperson FFRC for the information of Hon'ble Chairperson;
4. Private Secretary to Principal Secretary to Government School Education Department, for information of the Principal Secretary;
5. Principal/Owners/Promoters of United Public Higher Secondary School, 52, Sec - 2, Channi, Himmat, Purmandal, Jammu, for compliance;
6. I/C Website for uploading the same on official website;
7. Office file.

(Nazir ul Hussain Shah)

Administrative Officer

Committee for Fixation & Regulation
Of Fee of Private Schools J&K (FFRC)