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

Order No: 432-FFRC (FF) of 2021  
Dated: 16 -08-2021

**Sub: Fixation and Regulation of fee of Famous Abhay Mission Secondary School, Dachigam Road, New Theed, Harwan, Srinagar.**

**Famous Abhay Mission Secondary School, Dachigam Road, New Theed, Harwan, Srinagar** submitted file for fixation and regulation of fee structure of the School, which has been registered in FFRC office under No. **FFRC/FF/2021/Sgr/523**.

The record of the School also reflects the same situation which has arisen in United Public Higher Secondary School, 52, Sec – 2, Channi, Himmat, Purmundal, Jammu. The facts of the two schools being almost similar, in as much as, the School under reference is also off-shoot of a Partnership Deed in which the partners have stated that they have invested their capital in the business in equal ratio and the profits and losses will be distributed by partners in equal proportions. It is also mentioned that partners shall keep the books of account at the “principal place of business” and every partner shall be at liberty to inspect the books of account when required. It is also stated in the partnership deed that in case of dispute arised between the parties, same shall be referred to an arbitrator.

The facts of this case are governed by order No.415 – FFRC (FF) of 2021 dated 11.08.2021. The relevant part of the aforesaid order is taken note of:

“Hon’ble the Supreme Court has consistently stated that Education is not business, but a work of charity. The Educational Institutions are to be run on no profit no loss basis, of course with scope

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for maintaining of surplus of 10% to 15%, which amount is to be spend on welfare and providing good education to children.

From the times immemorial, education has been treated as a noble cause. Imparting education has never been commerce.

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 benefit of public at large.

The matter is referred to Principal Secretary to Government School Education Department, for passing of appropriate orders in accordance with law, in respect of the School.

The School Management and Partners are required to dissolve the partnership deed and constitute a trust, for running the School.

The Partners of the firm are restrained from receiving any monetary benefits from the School Funds, till further orders.

The Principal of School shall open an account in a Schedule Bank in the name of School which shall be operated upon by Principal, one Partner and a representative of School Parents' Association.

Until further orders, the Partners/ School Management shall not make hike in Fee Structure.

The salary of teaching and non-teaching staff shall be paid by Principal, and documents witnessing same shall be signed by one Partner and representative of School Parents' Association.

The parents shall deposit fee which is being paid at present in the account to be opened and operated as directed hereinabove. This part of order, however, shall not be construed that Fee Structure of School is regulated. Separate orders will be passed about same.

**Principal and Partners to submit compliance report within**

**two (02) weeks.**

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The education of students shall continue unhampered and all steps shall be taken by School Management to provide quality education to students.”

The aforesaid order/directions shall apply in all fours to this case also. The partners shall submit compliance report by or before 6<sup>th</sup> of September’ 2021. The Partners are at liberty to file their response.

Sd/-  
**Justice Muzaffar Hussain Attar**  
(Former Judge)  
Chairperson  
Committee for Fixation & Regulation  
Of Fee of Private Schools J&K (FFRC)

No. FFRC/FF/2021/Sgr/523

Copy to:-

1. Director School Education Kashmir 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, Famous Abhay Mission Secondary School, Dachigam Road, New Theed, Harwan, Srinagar, for compliance;
6. I/C Website for uploading the same on official website;
7. Office file.

Dated: - 16 /08/2021

*Ami*, 16/08/2021

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