

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

Order No: 774 -FFRC (FF) of 2021
Dated: 22-11-2021

Sub: Fixation and Regulation of fee of St. Xavier Convent Senior Secondary School, Barnai, Jammu.

St. Xavier Convent Senior Secondary School, Barnai, Jammu submitted file for fixation and regulation of fee structure of the School, which has been registered in FFRC office under No. **FFRC/FF/2017-21/Jmu/02**.

The Bylaws placed on School record show that School is owned by a firm. Audit Report ending 31.03.2020 shows that huge amount has been paid as salary to Partners and huge net profit is transferred to capital account.

In the identical circumstances, some other schools in pursuance to orders of FFRC have already dissolved Partnership and some are in process of complying with legal requirements of running an educational institution.

The School under consideration has to follow the law of land in running an educational institution.

Similar order passed in other schools cover this School also.

The record of School under discussion also reflects the same situation which had arisen in United Public Higher Secondary School, 52, Sec – 2, Channi, Himmat, Purmundal, Jammu. The facts of the two schools are almost similar.

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



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.

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. These directions shall be complied with and compliance report submitted within two (02) weeks.

Till further orders the School Management is directed not make any hike in any type of fee.

The other school managements have taken steps for complying with the orders and fee structures of some of these schools have already been regulated by FFRC.

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

Dated: - 22 / 11 / 2021

No. FFRC/FF/2017-21/Jmu/02
Copy to:-

1. Director School Education Jammu/Kashmir for information;
2. Secretary J&K Board of School Education, for information;
3. Private Secretary to Principal Secretary to Government School Education Department, for information of the Principal Secretary;
4. P.A. to Chairperson FFRC for information of the Hon'ble Chairperson, FFRC;
5. Principal, St. Xavier Convent Senior Secondary School, Barnai, 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)