

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

Order No: 783 -FFRC (FF) of 2021  
Dated: 26 -11-2021

**Sub: Fixation and Regulation of fee of Modern Sharma Higher Secondary School Rajpura, Samba.**

Modern Sharma Higher Secondary School Rajpura, Samba submitted file for fixation and regulation of fee structure of the School, which was received on 20th July 2021 in FFRC and has been registered under No. FFRC/FF/2019-21/Samba/148.

Para 5 of the Performa shows that school is run as a proprietorship concern, which is against all canons of law and ethics.

The School Management has provided Annual fee details in abbreviated form.

These abbreviates require to be de-corded by school management. The school management to submit complete details of Annual fee with fee details under each sub-head alongwith compliance report to this order.

Record also shows that school management in violation of FFRC order No. 45 of 2021 dated 18.02.2021 has made hike in fee for academic session 2021-22. Such hike is illegal and cannot be countenanced and given effect to.

The school management shall maintain tuition fee as it stood is academic session 2020-21 and Annual fee shall not be charged till further orders.

This, however, shall not be construed as regulation of Tuition fee about which orders will be passed after receipt of compliance report.

The School under discussion is covered by order(s) passed in like school(s).

In the identical circumstances, some other schools in pursuance to orders of FFRC have already dissolved/ended proprietorship 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 similar 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.

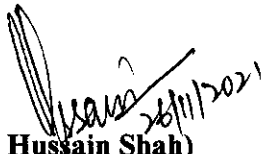
Sd/-  
**Justice Muzaffar Hussain Attar**  
(Former Judge)  
Chairperson  
Committee for Fixation & Regulation  
Of Fee of Private Schools J&K (FFRC)

No. FFRC/FF/2019-21/Samba/148

Dated: 26 / 11 /2021

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, Modern Sharma Higher Secondary School Rajpura Samba, 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)  
26/11/2021