

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

Order No: 795 -FFRC (FF) of 2021
Dated: 01 -12 -2021

Sub: Fixation and Regulation of fee of Dawn Public Higher Secondary School, Rajouri.

Dawn Public Higher Secondary School, Rajouri submitted file for fixation and regulation of fee structure of the School, which has been registered in FFRC office under No. **FFRC/FF/2021/Raj/246**.

School record shows that President is exercising deep pervasive control over the School. School Funds are transferred to his account. It prima facie shows that under the guise of a management committee (nominated by President), the School is being run as a Proprietorship concern.

The Educational Institution in law cannot be run as a business concern. Unlike business it is a charitable work.

In similar circumstances, orders have been passed in like Schools, most of which stand complied with and fee structure also regulated.

In some other like schools orders were passed for regulating the School affairs in accordance with settled norms and the laws of the land. Most of the Schools have already followed the law and the fee structure of such schools stand regulated. The other schools have already taken steps to follow the law in running the affairs of their schools. The order passed in the first such school and which was followed in like other schools, covers the present school as well.

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.

Besides the above, the School Management shall provide complete break-up of Annual Fee and amount charged under each Sub-Head.

Till further orders the School Management is directed not to make any hike in any type of fee and shall not charge and collect Annual Fee from the students.

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.

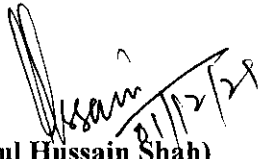
Sd/-
Justice Muzaffar Hussain Attar
(Former Judge)
Chairperson
Committee for Fixation & Regulation
Of Fee of Private Schools J&K (FFRC)

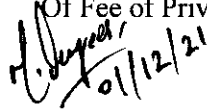
No. FFRC/FF/2021/Raj/246

Dated: - 01 / 12 / 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, Dawn Public Higher Secondary School, Rajouri, 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)


H. Javed
01/12/21