

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

Order No:- 129 FFRC (FF) of 2024

Dated: 07/02/2024

Sub: Review/ Modification of fee of St. Antony's Convent School Vijaypur Samba.

St. Antony's Convent School Vijaypur Samba which is owned by Diocese Jammu/Srinagar Educational Society was established in 1998 has submitted file for Review/Modification of fee structure of the school, which has been registered in FFRC office under No. Edu/FFRC/FF/2018-2021/Samba/104.

This committee had vide its order No. 61-FFRC(FF) of 2021 dated 09.04.2021 fixed the fee structure of the school for session 2021-22, 2022-23 & 2023-24, the details of which are given under:-

Session: 2021-22

| Fee Head | 1st | 2nd | 3rd | 4th | 5th |
|-------------|------|------|------|------|------|
| Tuition Fee | 610 | 610 | 610 | 610 | 610 |
| Annual Fee | 3500 | 3500 | 3500 | 3500 | 3500 |
| Fee Head | 6th | 7th | 8th | 9th | 10th |
| Tuition Fee | 620 | 620 | 620 | 630 | 630 |
| Annual Fee | 4000 | 4000 | 4000 | 4500 | 4500 |

Session: 2022-23

| Fee Head | 1st | 2nd | 3rd | 4th | 5th |
|-------------|------|------|------|------|------|
| Tuition Fee | 630 | 630 | 630 | 630 | 630 |
| Annual Fee | 3640 | 3640 | 3640 | 3640 | 3640 |
| Fee Head | 6th | 7th | 8th | 9th | 10th |
| Tuition Fee | 640 | 640 | 640 | 650 | 650 |
| Annual Fee | 4160 | 4160 | 4160 | 4680 | 4680 |



Session: 2023-24

| Fee Head | 1st | 2nd | 3rd | 4th | 5th |
|-------------|------|------|------|------|------|
| Tuition Fee | 650 | 650 | 650 | 650 | 650 |
| Annual Fee | 3780 | 3780 | 3780 | 3780 | 3780 |
| Fee Head | 6th | 7th | 8th | 9th | 10th |
| Tuition Fee | 660 | 660 | 660 | 670 | 670 |
| Annual Fee | 4320 | 4320 | 4320 | 4870 | 4870 |

The school had submitted its file for regulating its fee structure in session 2020-21. The following fee structure was fixed by the committee.

It is pertinent to mention that taking queue from order No. 01 FFC of 2019 dated 28.01.2019, the school raised its fee for the session 2019-20. As per the aforementioned order school which was charging, Tuition fee less than Rs. 1000/- and annual fee upto Rs. 6000/- was given an option to raise its fee structure on its own. As a consequence of which the school re-fixed its fee for the session 2019-20 by taking benefit of the order No. 01 FFC of 2019. Accordingly the following fee structure was fixed by the school in 2019-20. The details of which are as under:-

Session-2019-20

| Fee Head | 1st | 2nd | 3rd | 4th | 5th |
|-------------|------|------|------|------|------|
| Tuition Fee | 630 | 630 | 630 | 630 | 630 |
| Annual Fee | 5110 | 5110 | 5110 | 5110 | 5110 |
| Fee Head | 6th | 7th | 8th | 9th | 10th |
| Tuition Fee | 630 | 630 | 630 | 630 | 630 |
| Annual Fee | 5110 | 5110 | 5770 | 5770 | 5770 |

The committee while regulating the fee of the school for the session 2021-22, 2022-23, 2023-24 reduced the fee structure of the school i.e both tuition fee as well as annual fee. Even though the tuition fee was marginally reduced but the annual fee was reduced substantially. Feeling aggrieved the school submitted an application seeking review/modification of the order no. 61-FFRC (FF) of 2021 dated 09.04.2021. This committee vide No. 45 FFRC of 2021 dated 18.02.2021 directed the school management not to raise the fee in view of Covid-19. As a result of which the school has maintained the same fee structure for the three session's i.e 2019-20, 2020-21 and 2021-22.



The main contention raised in the review application is that this committee has reduced the fee without assigning any reasons. It is trite that school management has a right to fix its fee after taking into consideration the needs of the school. The role of the committee is to regulate the fee structure or to provide its own fee structure. This exercise undertaken by the committee is based on three important things i.e

- (a) **Revenue generated by the school.**
- (b) **Expenditure incurred by the school in providing service to the students as well as developing other facilities necessary for the benefits of the students.**
- (c) **Maximum upto 15% of surplus to be made available to school for effecting development of the school.**

It is important to note that the school had a deficit of approximately Rs. 18 lac for the session 2019-20. As a consequence of reduction of the Tuition fee as well as the Annual fee the deficit of the school rose to approx. Rs. 30 lacs.

It is important to mention that the school expenditure on account of enhancement of salaries of the staff (teachers and non- teachers) was raised by 5% to 10% annually. The school is paying more than 80% to 90% of its tuition fee to the staff salaries i.e (teachers and non- teachers).

It appears that while considering their case for regularization of fee for the sessions 2021-22, 2022-23, 2023-24, the hike in the Fee Structure by the school based on order no. 01 FFC of 2019 was not taken into consideration. It appears that the fee had been hiked substantially during this period as a result of which committee scaled down the same while fixing the fee for sessions 2021-22, 2022-23, 2023-24. This approach was not correct because school was given an option to raise its fee by order no. 01 FFC of 2019. Therefore, we are inclined to take into consideration the fee structure of 2019-20. It is true that the statute and rules of the Jammu and Kashmir (UT) do not provide percentage of fee which is required to be raised annually. However, in other states the statute provide raising of the fee by fixed percentage as also the inflation rate prevalent in the year. As a matter of principle the fee has to be raised annually depending upon the audit report indicating the revenue and expenditure of the school. On overall consideration of the facts we are inclined to take into consideration the fee structure of the school as fixed in 2019-20, in re-fixing it is fee structure for future session. The hike will be affected while keeping the fee structure of 2019-20 as a base line. The following fee structure for the session 2023-24 is fixed as under:-



Session: 2023-24

| Fee Head | 1st | 2nd | 3rd | 4th | 5th |
|-------------|------|------|------|------|------|
| Tuition Fee | 720 | 720 | 720 | 720 | 720 |
| Annual Fee | 5420 | 5420 | 5420 | 5420 | 5420 |
| Fee Head | 6th | 7th | 8th | 9th | 10th |
| Tuition Fee | 720 | 720 | 720 | 720 | 720 |
| Annual Fee | 5420 | 5420 | 6120 | 6120 | 6120 |

(The Fee structure shall have prospective effect)

The school has hiked the fee structure for the session 2023-24 of its own, the hike made by the School Management is on the face of it illegal. The School Management is directed to obey the orders of the FFRC and maintain the same fee structure as directed by this committee.

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

An educational institution is being set-up primarily to impart quality education to the students. The school management shall advert its attention and give priority to imparting quality education to the students.

The School Management shall publish only FFRC orders about fee structure and Government Education Department's notices in newspapers. No publicity through advertisement shall be made about School, same being not a business unit.

Charging and collecting of Admission Fee is prohibited by statutes. The school management is prohibited from charging and collecting Admission Fee from the students. Section 20 E (1) prescribes that school management can charge and collect Tuition Fee, Annual Fee, Transport Fee and voluntary Fee such as picnic, tour etc.

It further provides that school shall not charge in any manner, any other fee including admission fee or any amount, by whatever name called than the fee mentioned above.

School Management shall not sell uniforms and books in the school premises. The students will be at liberty to purchase books and uniforms at the place of their choice.

Any land/building/vehicle purchased, or building constructed from out of School Funds, in law will be property of School and shall vest in School.

The image shows four handwritten signatures or initials in black ink, arranged horizontally. From left to right: a large, stylized signature; a simple 'A' or similar character; a signature that appears to be 'D'; and a signature that appears to be 'S'.

School Funds have to remain in School Corpus and have not to be transferred to any other account excepting the school account.

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.

All types of fees shall remain in School account and no amount shall be paid or transferred to Trust/ Association of Persons (AoP)/ Body of Individuals (BoI), or an individual.

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.

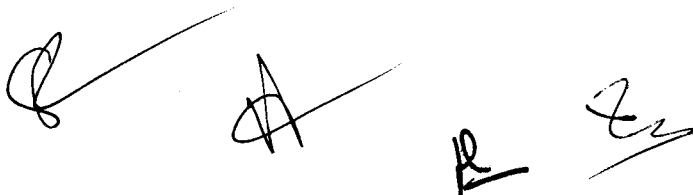
The School Management shall also make annual hike of 5% to 10% in salary of employees viz; teaching and non-teaching staff.

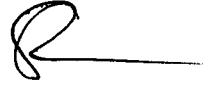
Realization of Annual Fee from the students shall be subject to providing the facilities to students and actual expenditure of the school on relevant overheads.

The above approved fee structure is subject to review in case the committee at any stage finds that the school management has concealed or provided any wrong information/data desired as per the proforma for fixation and regularization of fee.

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.

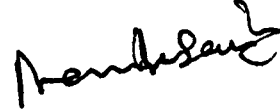




Showkat Ahmad Peer (Sr. CA)
Member FFRC



Mr. Ashok Kumar Sharma (JKAS)
Director School Education Jammu
(Member FFRC)



Smt. Manisha Sarin, (KAS)
Secretary JKBOSE
(Member, FFRC)

Dr. Piyush Singla (IAS)
Administrative Secretary to Govt.
School Education Department
(Member Secretary. FFRC)



Justice Sunil Hali
(Former Judge)
Chairperson
Committee for Fixation & Regulation Of Fee
of Private Schools J&K (FFRC)

No. Edu/FFRC/FF/2018-21/ Samba/104

Dated: - 07/02/2024

Copy to:-

1. Director School Education Jammu/Kashmir for information and n/a;
2. Secretary J&K Board of School Education (Member FFRC) for information;
3. Private Secretary to Principal Secretary to Government School Education Department for information of the Principal Secretary (Member Secretary FFRC);
4. P. A. to Chairperson, FFRC for information of the Hon'ble Chairperson, FFRC;
5. Principal **St. Antony's Convent School Vijaypur Samba**, for compliance;
6. I/C Website for uploading the same on official website;
7. Office file.