

[Chairmanffc@gmail.com](mailto:Chairmanffc@gmail.com)

Website: [www.jkffc.in](http://www.jkffc.in)

Phone No.: Sgr: 0194-4034841

Jmu: 0191-2956990

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

Order NO. 122 FFRC of 2025

Dated 16 / 01 / 2025

**Subject: Fixation and Regulation of fee of Birla Open Minds International School Pampore.**

Birla Open Minds International School was established in September 2019, duly recognized on 19<sup>th</sup> of July 2022 which is valid upto 31<sup>st</sup> December 2027. The School is being run by charitable trust which is intended to provide education. It is located at Pampore District Pulwama. After the establishment of the School, following fee structure was provided herein below for the year 2020-21.

Nur	LKG	UKG	1st	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
4900	4900	4900	5500	5500	5500	5500
5 <sup>th</sup>	6 <sup>th</sup>	7 <sup>th</sup>	X	X	X	X
5500	6000	6000	X	X	X	X

Annual Fee:  
Nur to UKG = Rs. 12000/-  
1<sup>st</sup> to 5<sup>th</sup> = Rs. 15000/-  
6<sup>th</sup> to 7<sup>th</sup> = Rs. 18000/-

The file was submitted for approval to this committee along with all the details as required under law.

The Committee while taking into consideration all the parameters for regulating the fees of the school which includes:-

- Location of the School in Tehsil Pampore, District Pulwama.
- Infrastructure
- Salary paid to the staff.
- Other related Expenditures/expenses.

After the considering all these aspects, the following fee structure was provided for the year 2020-21 which is detailed herein below:-

Nur	LKG	UKG	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
2900	2900	2900	3000	3000	3000	3000
5 <sup>th</sup>	6 <sup>th</sup>	7 <sup>th</sup>	X	X	X	X
3000	3200	3200	X	X	X	X
Annual Fee: Nur to 7 <sup>th</sup> = Rs. 5000/-						

As per the order of this committee, the fees being charged by the school at the time of the establishment was reduced considerably. It was also observed that the school was run by a trust headed by one Mr. Mohammad Sharif Mir, Son of the Chairperson of the trust. He is both landlord as well as was a trustee. It was observed that further enquiry in the matter was to be conducted. It is not a charitable but profitable trust. The file was required to be put up after six months. Feeling aggrieved by this order, the school management filed the Writ Petition in the Hon'ble High Court which bears no. WP(C) No. 1063/2021. The High Court vide order dated 3<sup>rd</sup> of June 2021 stayed the implementation of the order passed by this Committee on 18<sup>th</sup> of March 2021. The Writ Petition as on today is still pending in the Hon'ble High Court.

While the Writ Petition is pending, the school management has filed an application for reconsideration of the order of this committee dated 18<sup>th</sup> of March 2021. The limited purpose for which this application has been filed is to seek modification of the order of the committee which according to the school management has reduced fees structure by 50%. This is in order to ensure that while fixing the fee structure for future years the fees fixed by this Committee may not come in the way. The school is bound to submit its file for regulating the fee structure for 2021-22, 2022-23, 2023-24 & 2024-25. It is important to mention that at the time of fixing the fee structure of the school the rules were not in force. The rules became operative in 2022. The main grievance set out by the school (Petitioners) is that while regulating the fees the committee had not taken into consideration as per its own order, expenditure incurred on account of Rent, advertising etc. It was also urged that the order does not disclose the reasons as to why the fees has been reduced by 50% which by itself is an arbitrary exercise of power. Even though details of rent being charged were provided while submitting the file to the Committee.

The issues raised and material placed on record by the School Management has been considered. The school is charging Rs. 16651334 as rent of the building and Rs.

4591152 as a rent for the land. This according to the School Management, is based upon the valuation made by the Superintendent Engineer R&B division Circle Pulwama who submitted their report in this behalf on 14<sup>th</sup> of Dec 2021 Vide Letter No. SE/PS/5917-18. As per the valuation made the cost of the building is shown as Rs. 2750.40 lacs (Rupees Twenty Seven Crore Fifty Lacs and Forty Thousand). This report filed by the school is examined by us. As per this communication valuation of building has been made and not of the land attached there with. For purpose of determination of rent of the land the petitioners have placed on record the rent deed executed with the landlords which is used by the school for its extracurricular activities. The School is paying approximately Rs.5500 as rent per Kanals which approximately comes to Rs. 4591152/-. We find support from the rent deeds placed by the school which indicate the rent being charged by the landlords from the tenants. Assessing and regulating fees without taking into consideration the expenditure incurred on account of rent was not appropriate. There could be dispute with respect to the actual amount of rent shown as expenditure by the school but that would not desist the committee from taking into consideration as per its own assessment the actual rent been charged by the school. Excluding this component while considering expenditure incurred by the school had direct effect while computing and regulating the fees. The consequences are obvious as the fees have been slashed by 50%. We have to keep in mind the fact that they are self-finance institutions; any curtailment in the fees structure will put the viability of the school in peril.

The Chairperson and other members of the staff had an occasion to conduct the inspection of the school. During our inspection it was found that the school building was enough to cater the needs of more than 2000 students. Therefore, we find it appropriate to allow the component of rent as the part of expenditure incurred by this school. It is true that even though the valuation of the building has been done by the R&B Division but rent has not been assessed. As per the valuation report 5% of the value of the property is to be assessed as rent of the building.

Coming to the question as to what fee structure is to be fixed for the school for years 2024-25, 2025-26 & 2026-27. A scrutiny of the audit report reflects the financial facet of the school as under:

At present the financial position of the school as per the financial statements of 2022-23 submitted by the school and the fee charged at present with roll of students 766 is as under.(T.F & A.F).

**Total income = 60401000**  
**Total Expenditure = 67993581**  
**Deficit = 7592581**  
**Recurring Expenses including salary = 49578933**



**Other expenditure =18414648**

Average income of the school based on the fee charged (Rs.5420 Avg.) at present taking roll as 766.

**Tuition Fee = 49820640**

**Annual Fee = 11490000 ( Avg. Fee 15000)**

**Total income = 61310640**

The income of the school based on the fee structure approved by the Committee (Rs. 3010 avg.) taking expected Roll of the students as 1000 is as under;

**Tuition Fee = 36120000**

**Annual Fee =5000000**

**Total = 41120000**

**Major Expenses other than salary are;**

Event management = **1265020**

Printing and Stationary = **1292003**

Rebate on tuition fee = **1168510**

Rent of Building = **16651334**

Rent of Land = **4591152**

Repair & maintenance of building = **2111532**

Content fee paid to edutech = **310 2734 (2022-23)**

Developmental expenses = **7728765**

The financial position reveals that major expenditure is made on those heads which are variable in terms of expenditure. The expenditure may be much more in one year and less in subsequent years and/or no expenses. Such expenses like **Event management, Rebate on tuition fee, Building Repair and Maintenance of building, Content fee paid to edutech, Developmental expenses** cannot be made base for giving hike in fee structure, only a reasonable amount is considered keeping in view the school also does not suffer loss.

Also Roll of the School is increasing every year in the form of new admissions and expenses on facilities are shared and thus burden on students shall also get reduced.

In case of franchise fee like **Content fee paid to edutech** CBSE bylaw 15.1 under heading "Franchise Schools" provides that "*A school seeking affiliation or affiliated to Board may enter into an agreement with a franchiser for a limited purpose of getting academic support, academic guidance, training of manpower and extra and co-curricular activities only.*"

Every School has a right to make a good infrastructure but it has to be gradual, a huge burden cannot be transferred to students in building infrastructure in one go. Every addition shall commensurate with actual requirement.

The school as on today is charging fee structure, the details of which are given at the outset. This committee has fixed fees for 2020-21 details are already given

herein above. As per the fee structure fixed by the committee the annual revenue of the school comes to Rs. 41120000/- when the expenditure is around 7.00 cr. On the said income it is not possible for the school to sustain itself financially. It is also true that the school has been charging the fees as fixed by them in 2020-21; therefore, it is absolutely correct that the school has not suffered any financial disability on this account. Since, the order of the committee was stayed therefore, the fee structure as fixed by the school in 2021 continued to remain in operation. After taking a holistic view of the case, the Committee finds it just and proper to regulate and fix the fee of the school as under;

**Session: 2024-25**

Class	Nursery- KG-2	1 <sup>st</sup> to 5 <sup>th</sup>	6 <sup>th</sup> to 8 <sup>th</sup>
Tuition Fee	4600	4900	5200
Annual Fee	12000	12500	12500

**Session: 2025-26**

Class	Nursery- KG-2	1 <sup>st</sup> to 5 <sup>th</sup>	6 <sup>th</sup> to 8 <sup>th</sup>
Tuition Fee	4830	5145	5460
Annual Fee	12300	12800	12800

**Session: 2026-27**

Class	Nursery- KG-2	1 <sup>st</sup> to 5 <sup>th</sup>	6 <sup>th</sup> to 8 <sup>th</sup>
Tuition Fee	5070	5400	5460
Annual Fee	12600	13000	13000

The annual fee for fresh entrants for academic session(s) 2024-25, 2025-26, 2026-27 is fixed at Rs. 20000, 20000 and 21000 respectively. The children who are already studying in the school have made a huge financial contribution by paying fee since the establishment of school resulting in development of infrastructure and other facilities. These fresh entrants get advantage of the development of educational facilities and infrastructure for which already enrolled students have made huge contribution as already stated.

In this backdrop fresh entrants have to share the responsibility of paying different annual fee for the first year of their admission in school and in subsequent years they will pay same annual fee which is fixed in respect of already enrolled students.

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.

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.

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).

The School Management shall also make 20% hike in salary of its 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 School management is directed not to charge any fee from the students other than the fee approved by the Committee. The School management shall abide by the section 20E(1) of Jammu and Kashmir School Education Act amended from time to time in charging the school fee.

**The Section 20 E (1) provides that *"Private schools shall not charge any fee from the students or guardians, except tuition fee, annual fee, transport fee and voluntary special purpose fee such as the picnic, tour and excursions, etc. completely voluntary in nature or any other fee as may be approved by the Committee for Fixation and Regulation of Fee of Private Schools after following the procedure prescribed."***

**The School management is also directed not charge in any manner, any other fee including admission fee/Security deposit/refundable fee/ or any amount, by whatever name called than the fee mentioned in Section 20 E (1).**

The School management is further directed not to make any future enhancement

in fee structure under any head without permission of the Committee or charge any fee under any head created after issuance of this order without seeking prior approval from the Committee.

Non-compliance will attract penal action under Law.

*“The fee structure approved is subject to review in case the Committee at any stage finds that the school management has either concealed or provided any wrong information/data desired as per the proforma for fixation and regulation of Fee and/or resorting to profiteering/commercialization.”*

*(The school management shall display this order copy on the school notice Board; upload the same on school website to ensure wide publicity with intimation to this office).*

**Non-compliance will attract penal action under Law.**

**The aforementioned fee structure of the school has been approved by the Committee members of FFRC, J&K under the chairmanship of Hon'ble Justice Sunil Hali (Chairperson FFRC, J&K UT).**


**By order of the Hon'ble Chairperson FFRC, J&K UT.**

**No FFRC/FF/2023/PUL/1283.**

**Dated: 16/01/2025.**

Copy to the: -

1. Secretary JKBOSE (**Member, FFRC**) for information
2. Director School Education Jammu/Kashmir (**Member FFRC**) for information & n/a.
3. Pvt. Secretary to Principal Secretary for information of Principal Secretary to Govt. SED (**Member Secretary FFRC**).
4. Mr. Showkat Ahmad Peer **C.A (Member FFRC)** for information.
5. P.A to Chairperson FFRC for information of **Hon'ble Chairperson FFRC, J&K, UT.**
6. Concerned School for information & compliance.
7. I/c website for uploading the same on official Website.
8. Office record.

  
**Administrative Officer**  
**FFRC, J&K, UT**