

GOVERNMENT OF JAMMU & KASHMIR (UT)  
Committee for Fixation & Regulation of Fee of Private  
Schools, J&K (FFRC)

No. FFRC/FF/Review/Bud/2020/213/512

Date: 11/02/2025.

**Subject: - Fixation of fee of JK Public School Humhama Budgam.**

A Review application has been filed by the School Management of **JK Public School Humhama** seeking review of the order No. **96 FFRC of 2025**, dated: **16-01-2025**. It is stated by the School Management that the present Fee Structure has been based on the fee structure fixed by the Committee vide its order dated **13-09-2021** in respect of tuition Fee from classes Nursery to 10<sup>th</sup>. This order was challenged by the School Management in Writ Petition No. 2617 of 2021. The Hon'ble High Court vide its order dated 12-09-2022 quashed the impugned order dated: 13-09-2021 passed by the Committee whereby the fee structure was regulated.

In view of this, the fee structure fixed by the Committee stands quashed on 12<sup>th</sup> of September 2022. It is pertinent to mention that the school had obtained interim stay from Hon'ble High Court during the pendency of the writ petition, as a result of which, the order of the Committee was kept in abeyance. The School started charging the fee on its own as per below mentioned details:

Fee Head	Nursery	KG-3 <sup>rd</sup>	4 <sup>th</sup> - 7 <sup>th</sup>	8 <sup>th</sup> - 10 <sup>th</sup>
Tuition fee	2000	1900	2000	2400
Annual Charges	3000			
One time Admission Fee 22000/-				

While Examining the Fee Structure fixed by the Committee vide its order dated: 16-01-2025, it appears that the Tuition fee from **Nursery to 10<sup>th</sup>** is fixed on the basis of fee structure regulated by the Committee on **21-09-2021** which stands quashed by the Hon'ble High Court.

Till the review application is considered & decided, the following Fee Structure should be charged by the School for the session **2024-25**:

Fee Head	Nursery - 3 <sup>rd</sup>	4 <sup>th</sup> - 7 <sup>th</sup>	8 <sup>th</sup> - 10 <sup>th</sup>
Tuition Fee	1900	2070	2330
Annual Fee	As per the approved order of FFRC vide No. 96 FFRC of 2025 dated : 16-01-2025		

This is subject to decision in the review application. In case the review is allowed any enhancement made in Fee Structure should be paid by the students. If the review is declined, then excess fee charged by the School shall be refunded or adjusted in future Fee. The Copy of Hon'ble High Court is enclosed for ready reference.

**This is Interim arrangement.**

  
**JUSTICE SUNIL HALI**  
Chairperson, FFRC, J&K, UT.

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Sr. No.16  
Regular Cause List

**IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH  
AT SRINAGAR**

**WP (C) No.2617/2021**

**JK Public School Through its Chairman** ...Appellant(s)/Petitioner(s)

Through: Mr. Aatir Javed Kawoosa, Advocate

**Vs.**

**J&K Committee of Fixation and Regulation  
of Fee and others** ...Respondent(s)

Through: Mr. Sheikh Mushtaq, AAG

**CORAM:**

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE PUNEET GUPTA, JUDGE**

**ORDER**

**12-09-2022**

1. Heard Sh. Aatir Javed Kawoosa, learned counsel for the petitioner and Sh. Sheikh Mushtaq, learned AAG, appearing for the respondents.
2. The respondents have not filed any response despite time granted earlier and the stop order.
3. The petitioner is a school that is imparting education up to 10<sup>th</sup> class. The Committee for Fixation of Fee Structure of the Private Educational Institutions of J&K State vide order dated 21.02.2018 fixed the fee for the above school in the following manner for session 2017-18.

Nur	LKG	UKG	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>
1190	1190	1190	1190	1190	1190	1400	1400
6 <sup>th</sup>	7 <sup>th</sup>	8 <sup>th</sup>	9 <sup>th</sup>	10 <sup>th</sup>			
1400	1400	1620	1620	1730			

Sessions: 2022-23							
Class	Nur.	LKG	UKG	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Tuition Fee	1560	1560	1560	1560	1560	1560	1780
Annual Fee	X	2100	2100	2100	2100	2100	2100
Class	5 <sup>th</sup>	6 <sup>th</sup>	7 <sup>th</sup>	8 <sup>th</sup>	9 <sup>th</sup>	10 <sup>th</sup>	X
Tuition Fee	1780	1780	1780	2055	2055	2165	X
Annual Fee	2100	2100	2100	2100	2100	2100	X

Sessions: 2021-22							
Class	Nur.	LKG	UKG	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Tuition Fee	1470	1470	1470	1470	1470	1470	1680
Annual Fee	X	2000	2000	2000	2000	2000	2000
Class	5 <sup>th</sup>	6 <sup>th</sup>	7 <sup>th</sup>	8 <sup>th</sup>	9 <sup>th</sup>	10 <sup>th</sup>	X
Tuition Fee	1680	1680	1680	1940	1940	2045	X
Annual Fee	2000	2000	2000	2000	2000	2000	X

Sessions: 2020-21							
Class	Nur.	LKG	UKG	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Tuition Fee	1400	1400	1400	1400	1400	1400	1600
Annual Fee	1750	1750	1750	1750	1750	1750	1750
Class	5 <sup>th</sup>	6 <sup>th</sup>	7 <sup>th</sup>	8 <sup>th</sup>	9 <sup>th</sup>	10 <sup>th</sup>	X
Tuition Fee	1600	1600	1600	1850	1850	1950	X
Annual Fee	1750	1750	1750	1750	1750	1750	1750

2. The petitioner moved an application for enhancement of the above fee structure for the academic sessions 2021-22 and 2022-23 on the ground that it has to be in accordance with the infrastructure facilities and other opportunities that are being provided by the school.
3. The Committee for Fixation and Regulation of Fee of Private Schools J&K (FFRC)FF vide order dated 13.09.2021 has fixed the fees for the students of the aforesaid school for sessions 2020-21, 2021-22 and 2022-23 in the following manner.

4. The petitioner is not satisfied with the aforesaid enhancement and submits that it is highly on the lower side and it is not in parity with the fees allowed to be realized by the other schools having similar facilities as that of the petitioner and that the above fixation is unreasoned.
5. We have gone through the impugned order and find that it simply states the Committee finds it just and proper to fix fee in the prescribed manner, however, no reason whatsoever has been assigned for fixing the above fees. The Committee has not even considered the facilities provided by the petitioner-school or the infrastructure facility of the school in fixing the aforesaid fee.
6. It may also be noted that in exercise of powers under Section 29 of the J&K School Education Act, 2002 vide S.O 233, Jammu and Kashmir Private Schools (Fixation, Determination and Regulation of Fee) Rules, 2022 have been enforced with effect from 10<sup>th</sup> May, 2022. The said rules *inter alia* provide for the factors of determination of fee vide Rule 7 and it lays down that the Committee shall consider the locations of the Private Schools, the availability of the infrastructure, reasonable surplus required for the growth and development of the Private School, performance of the Private School and many other such things in the matter for fixing of fees. Therefore, the fee fixation has to be on the basis of consideration of the above factors.
7. Since the order impugned is uninformed of reasons, we are of the opinion that it is unsustainable in law.
8. Accordingly, the impugned order dated 13.09.2021 is quashed and the matter is remanded to the J&K Fee Fixation Committee for

reconsideration and refixation of fees after taking into account the factors mentioned under Rule 7 of the Rules in accordance with law.

9. The Committee shall make an endeavor to pass a fresh order in accordance with law most expeditiously preferably within a period of three months.
10. Disposed of.

SRINAGAR  
12-09-2022  
Shameem H.

