



GOVERNMENT OF JAMMU AND KASHMIR
SCHOOL EDUCATION DEPARTMENT,
CIVIL SECRETARIAT, Jammu

Subject :- Regulation of fee structure in Private Educational Institutions-instructions thereof.

Government Order No. 98 -Edu of 2016
Dated:- 24.03.2016

Whereas, it has been noticed that some Private Educational Institutions are enhancing their fee structure from the Academic Session 2015-2016 without obtaining formal permission from the Committee for fixation of fee structure constituted vide Government Order No. 520-Edu of 2013 dated 07.05.2013 read with Government Order No. 344-Edu of 2015 dated 21.07.2015.;

Whereas, it has been observed that some Schools have not so far approached the Committee for permission to increase their fee structure but have already enhanced the fee and have started collecting fees from the students at enhanced rates. Hike in the fees has also been made under the nomenclature of building fee, games fee, computer fee, etc., such in violation of the directions of the Hon'ble High Court ;

Whereas, it has also been reported that Schools that have applied to the Committee for permission, have enhanced the fee without waiting for the orders of the Committee. Any such action of the schools amounts to the gross violation of the directions of the Hon'ble High Court, orders issued by the Government and directions issued by the Committee from time to time;

Whereas, the Division Bench of the Hon'ble High Court headed by the Hon'ble Chief Justice, in its order dated 1-6-2015 in PIL No.12 of 2014 titled 'Parents Body v.State of Jammu and Kashmir through its Secretary', PIL No.13 of 2014 titled 'Mohd.Ashraf Wani V. State of Jammu and Kashmir and ors.' and PIL No. 118 of 2013 titled 'J&K Unaided Private School Co-ordination Committee v. State of Jammu and Kashmir and ors.' directed, inter-alia, as under:

' On hearing the said submissions and taking note of the plea made by the learned Advocate, this Court requested the respective counsels as to whether these petitions may be disposed of by granting liberty to the school managements to approach the fee fixation Committee for appropriate directions, such as fixation of proper fee for each standard depending on expenses to be incurred by each school, fixation of bus fee to be collected from the students, book/uniform rates etc. The learned counsels appearing for the parties readily agreed to the said suggestions and submitted that these petitions may be disposed of with such liberty

The management of the un-aided private schools are granted liberty to approach the said Committee for fixation of fee structure of each standard and till new structure is fixed by the Committee, the management shall collect all type of fees as in August, 2014' ;

Whereas, pursuant to the directions of the Hon'ble High Court, Commissioner/Secretary to Government, School Education Department has issued Circular No.Edu/Legal/K/92/2015-II dated 8-7-2015, relevant portion of which reads as under:

' II. There shall be no hike in fee structure of the private schools in J&K State.

III. Till fee structure is fixed by the Fee Fixation Committee, the management of un-aided private schools shall collect all types of fee as per fee structure of August, 2014...

All the private schools are directed to ensure that the above orders are strictly adhered to in their respective institutions and are further warned that any laxity in compliance of the above shall invite de-recognition of the institution. '

Therefore, all the Private Educational Institutions are, hereby, directed that they should charge only such fee including bus fee, etc. from the students as was being collected as on August, 2014. No increase in such fee structure shall be made under any 'Head' whatsoever. In case any School finds the necessity of enhancing its fee structure, such school can approach the Committee for fixation of fee structure for a proper permission on the prescribed proforma (available on the website of the School Education Department, Jammu and Kashmir viz www.jkeducation.gov.in). Schools who have already applied to the Committee for permission should await the orders of the Committee. In case where increase in fee structure is allowed, the same shall be notified through press and on internet. Any violation committed in this behalf shall be dealt with sternly and may lead to de-recognition besides being liable for contempt of orders of the Hon'ble High Court.

It, is also impressed upon all Chief Education Officers for strict implementation of these directions in the schools of their respective jurisdiction. Such officers shall, therefore, remain vigilant and report any violation if found by them.

Students/Parents of the students aggrieved of any such action on part of any School and who find any violation by the schools in this behalf may approach the Committee with a formal complaint or inform the Committee about the matter on email (chairmanffc@gmail.com) with full particulars of the school and details of the fee structure. Complaints can also be filed in the office of the Committee at Directorate of School Education Complex Muthi Camp, Jammu or House No.46/1, Post Office Lane, Hyder Pora (near J&K Bank) Srinagar.

By Order of the Government of Jammu and Kashmir

Sd/-

(Shaleen Kabra)

Commissioner/Secretary to Government

School Education Department

Dated :-24.03.2016

Receipt No. 3001

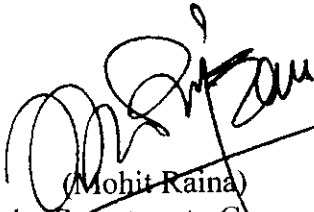
Date. 04-04-2016

No. Edu/Legal/JK/231/2012

Copy to :

01. Hon'ble Justice (Retd.) Hakim Imtiyaz Hussain, Chairman, Committee for fixation of fee structure of private educational institutions.
02. Chairman, J&K Board of School Education.
03. Director School Education, Kashmir/Jammu.
04. Director Information with request for wide publication in two leading daily newspapers.
05. All Chief Education Officers.

06. Private Secretary to Hon'ble Advisor (D).
07. Private Secretary to Commissioner/Secretary to Government, School Education Department.
08. Private Secretary to Chief Secretary.
09. I/C Website.
10. Monday Return.
11. Government Order file (w.3.s.c).

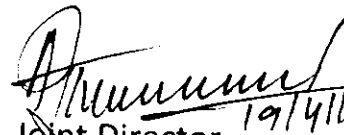

(Mohit Raina)
Under Secretary to Government
School Education Department

Government of Jammu & Kashmir
DIRECTORATE OF SCHOOL EDUCATION, KASHMI

No: DSEK/GS/81-90

Dated: 19 / 04 / 2016

Copy of Govt order No 98-Edu of 2016 dated: 24.03.2016 received from the Administrative Department is forwarded to the Chief Education Officer _____ (All) with the advise to direct all the Heads of private schools of his district to follow and implement the Hon'ble High Court orders in letter and spirit.


Joint Director 19/4/16
School Education Kashmir