

**Government of Jammu and Kashmir.**  
**School Education Department.**  
**Civil Secretariat, Srinagar**

**Subject:-** Charging of Admission fee by private Educational Institutions of J&K

**Government Order No. 228 - Edu of 2020.**

**Dated: 18 -09-2020.**

Whereas, Committee for Fixation of fee structure of Private Educational institution of J&K (FFC) was constituted pursuant to the judgment passed by the Hon'ble Supreme Court of India in case titled Islamic academic of Education Vs State of Karnataka read with directions passed by the Hon'ble High Court in the case titled *PIL No. 12/2014 titled Parents Body Vs State and Others*; and

Whereas, the Fee Fixation Committee was mandated to regulate the fee Structure in Private Educational Institutions in the J&K and the said Committee vide its Order No. 01 FFC of 2019 dated 28.01.2019 has ordered *inter alia* that private Schools shall only charge tuition fee, annual fee, transport fee, voluntary special purpose fee or any other fee as may be approved by FFC after following the due procedure, but shall not charge, in any manner, any other fee including admission fee; and

Whereas, the FFC vide its letter No. FFC/Misc/Sgr/2020/3610 dated 14.09.2020 requested that private educational institutional be directed not to charge admission fee in violation of the order of FFC/Hon'ble High Court/Government; and

Whereas, by virtue of Jammu and Kashmir Reorganization Act 2019 (Act), the Right of Children to free and Compulsory Education Act, 2009 (Act) has been made applicable to the UT of J&K; and

Whereas, section 13 of Act imposes and embargo on charging of admission fee etc and provided for its punishment as well. The said section is reproduce as under:-

**"13. No capitation fee and screening procedure for admission.—**

- (1) No school or person shall, while admitting a child, collect any capitation fee and subject the child or his or her parents or guardian to any screening procedure.
- (2) Any school or person, if in contravention of the provisions of sub-section (1),—
- (a) receives capitation fee, shall be punishable with fine which may extend to ten times the capitation fee charged;
- (b) Subjects a child to screening procedure, shall be punishable with fine which may extend to twenty five thousands rupees for the first contravention and fifty thousand rupees for each subsequent contraventions."

Now, therefore, it is hereby ordered that no private school or person while admitting a child shall collect any admission fee from any child or his or her parents or guardians and such fee, If already collected in violation of Right of Children to free and Compulsory Education Act, 2009 from the date of its applicability i.e 31.10.2019 shall be refunded with immediate effect otherwise action under section 13 of the ACT shall be initiated forthwith, Besides cancelling the recognition of the said school.

By order of the Government of Jammu & Kashmir.

Sd/

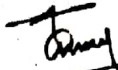
(Dr. Asgar Hassan Samoon)IAS  
Principal Secretary to Government  
School Education Department  
Dated:- 18-09-2020

Edw/FFC/01/2020

Copy to the:-

1. Joint Secretary J&K, Ministry of Home affairs GOI
2. Director School Education, Jammu for information and n/a
3. Director School Education, Kashmir for information and n/a
4. Secretary Board of School Education for information.

5. OSD to Advisor (S) to Hon'ble Lt. Governor.
6. All CEOs/ ZEOs.
7. P.S to Principal Secretary to Government, School Education/Skill Development Department.
8. Incharge Administrative Officer, FFC for Information.
9. Office file.

  
Mukhtar Ahmad KAS  
Deputy Secretary to Government,  
School Education Department

17/9/2020