

GOVERNMENT OF JAMMU AND KASHMIR  
SCHOOL EDUCATION DEPARTMENT  
(HUMAN RESOURCE MANAGEMENT SECTION)  
CIVIL SECRETARIAT, J&K  
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**Subject: Prohibition on private tutions by teaching faculty of School Education Department - Instructions thereof.**

**Circular No: 49 - JK (Edu) of 2022.**  
**Dated: 17.11.2022.**

Rule 10 of The Jammu and Kashmir Government Employees (Conduct) Rules, 1971 provides as under:-

**Private trade or employment.** - (1) No Government employee, whether on leave or active service, shall except with the previous sanction of the Government engage directly or indirectly in any trade or business or undertake any other employment:

Provided that a Government employee may, without such sanction, undertake honorary work of a social or charitable nature of occasional work of a Literary, artistic or scientific character except in organisations or associations with which a Government employee is expressly debarred from associating, subject to the condition that his official duties do not thereby suffer, but he shall not undertake or shall discontinue such work, if so, directed by the Government.

Further, it has also been provided in the Chapter (IV) Section 28 in the RTE Act, 2009 - Prohibition of private tuition by teacher that ***"No teacher shall engage himself or herself in private tuition or private teaching activity."***

In spite of these, it has been observed that some members of teaching faculty of School Education Department are undertaking coaching assignments in private institutions and coaching centres even during school hours in violation of Rule 10 of **The Jammu and Kashmir Government Employees (Conduct) Rules, 1971** as well as Chapter (IV) Section 28 of **RTE Act, 2009.**

The Hon'ble High Court in WP (C) No. 10/2021 titled Farooq Ahmed V/s UT of J&K & Ors has also issued following directions vide its order dated 31.03.2021:-

**".....(vii) That the department of education (school as well as higher education) is directed to implement Rule 10 of the Employees Conduct Rules in letter and spirit and ensure that no member of its teaching faculty engages in private tuition at private coaching/tuition centres without previous sanction of the government. The Zonal Education Officers at the zonal level and Chief Education Officers at the district level shall be the nodal officers, who will ensure the implementation of Rule 10 of the Employees Conduct Rules and the circular/instructions, if any, issued by the Government to give effect to Rule 10 of the Employees Conduct Rules.**

(viii) That the Government shall do well to create and provide toll free telephone number in each District where the complaint(s) against the banned activity of the teaching faculty could be made."

Therefore, in supersession of all earlier circulars/instructions issued on the subject, it is impressed upon all the teaching faculty of School Education Department, J&K to strictly adhere to the instructions as provided in Rule 10 of **The Jammu and Kashmir Government Employees (Conduct) Rules, 1971** and Chapter (IV) Section 28 of **RTE Act, 2009** and not to indulge in any private trade/practice or private tuitions. No teaching faculty shall undertake any activity/assignment including teaching in private educational institution or coaching centre, unless he/she obtains prior sanction from the competent authority. Any violation in this regard shall invite disciplinary action against the delinquent officer(s)/official(s), as warranted under rules.

Further, the Director School Education, Jammu/Kashmir, all Chief Education Officer(s), Zonal Education Officer(s), Principal(s) of Higher Secondary Schools and Headmasters of all Government Schools in the UT of J&K are entrusted with the responsibility of ensuring that no member of the teaching faculty of the School Education Department violates the aforementioned circular instructions and also implementing the directions of the Hon'ble High Court passed in WP (C) No. 10/2021 titled Farooq Ahmed V/s UT of J&K & Ors vide order dated 31.03.2021 in letter and spirit.

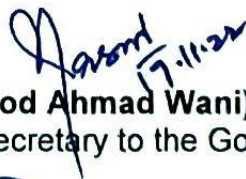
**Sd/-**  
**(Alok Kumar) IRS**  
Principal Secretary to the Government,  
School Education Department.

No: Edu-LGL0Cou/148/2021-01(C.No. 68518)

Dated: 17.11.2022.

Copy to the:-

1. Director School Education, Jammu/Kashmir for its strict compliance.
2. Project Director SAMAGRA Shiksha, J&K.
3. Joint Director SCERT, J&K.
4. All Chief Education Officer(s).
5. Pvt. Secretary to Principal Secretary to Government, School Education Department.
6. I/c Website.
7. Circular file (w.2.s.c).

  
**(Masood Ahmad Wani) JKAS**  
Deputy Secretary to the Government.

