

**Government of Jammu and Kashmir
Directorate of School Education, Kashmir
(Legal Section)**

Subject: - Registration of private schools and regulation of fee structure approved by the Fee Fixation Committee.

Ref: - Judgment dated 18.03.2019 passed by the Division Bench of the Hon'ble High Court of J&K at Jammu in OWP No. 914/2016 titled J. P. World School Vs. State of J&K and others, and other clubbed matters.

**CIRCULAR NO: - 465-DSEK of 2019
DATED: - 11.05.2019**

It is in the wake of aforesaid judgment of Division Bench of the Hon'ble High Court of J&K at Jammu, which will operate as *judgment in rem* and shall be binding even on those private schools that were not parties before the Hon'ble Court, informed that all the unregistered private schools functioning within the State of J&K have to obtain registration from the competent authority prescribed under the J&K School Education Act, 2002, and the rules framed there under, for running the said institutions, and that all the private schools, except those private schools that charge tuition fee of less than Rs. 1000/- p.m. and the annual fee of less than Rs. 6000/- p.a., are also amenable to the jurisdiction of the Fee Fixation Committee regardless of their affiliation with the J&K Board of School Education or Central Board of School Education or for that matter any other Board, which is immaterial for the aforesaid purpose.

Further, all the private schools barring those that fall under exempted category, either aided or unaided, shall strictly adhere to the fee structure, duly vetted by the Fee Fixation Committee, and any deviation in this regard by any private school shall make them liable to refund the fee charged beyond the scale approved by the Fee Fixation Committee or adjust the same as future fee, as may be deemed proper by the aggrieved person (s), and/or shall attract any other appropriate action warranted under extant norms, which may also attract suspension/cancellation of registration granted by the competent authority.

Accordingly, all the Chief Education Officers of Kashmir Division are impressed upon to: -

- i) Undertake an exercise to identify the unregistered private schools that are functioning within their respective jurisdiction and furnish a report in this regard to this office within a period of 15 days, for taking appropriate action warranted under law.
- ii) Furnish a report within a period of 15 days to the effect that the private schools operating within their respective jurisdiction, except those private schools that charge tuition fee of less than Rs. 1000/- p.m. and the annual fee of less than Rs. 6000/- p.a., have got their fee structure vetted by the Fee Fixation Committee and are strictly adhering to the approved fee structure.



Director School Education
Kashmir

No: - DSEK/Legal/100/16/NT/856-70 Dated: - 11.05.2019
Copy for information to the: -

1. Commissioner Secretary to Government, School Education Department, Civil Secretariat, Srinagar.
2. Divisional Commissioner, Kashmir.
3. Director Information. He is requested to publish the aforesaid circular in two leading newspapers (English/Urdu) having wide circulation across the valley.
4. All Chief Education Officers, for necessary action.
5. All Private Schools operating within the Kashmir Province, for strict compliance.
6. Office file/Website section.