



Gear up for Fair Wages instead of Minimum Wages

Forever News reporter

The 9th Managing Committee meeting of the Indian Hotel & Restaurant Association was held on Monday 29th September 2014 at hotel Krishna Palace Residency, Mumbai.

The meeting commenced with the issue of recent Government notification regarding the minimum wages issue the committee discussed in detail and provided the latest update.

The Minimum Wages Act 1948 is an Act of Parliament concerning Indian labour law that sets the minimum wages that must be paid to skilled and unskilled labours. The Indian Constitution has defined a 'living wage' that is the level of income for a worker which will ensure a basic standard of living including good health, dignity, comfort, education and provide for any contingency. However, to keep in mind an industry's capacity to pay the constitution has defined a 'fair wage'. Fair wage is that level of wage that not just maintains a level of employment, but seeks to increase it keeping in perspective the industry's capacity to pay. To achieve this in its first session during November 1948, the Central Advisory Council appointed a Tripartite Committee of Fair Wage. This committee came up with the concept of Minimum Wages. A minimum wage is such a wage that it not only guarantees bare subsistence and preserves efficiency but also provides for education, medical requirements and some level of comfort.

Shri. Sunil Shetty, Vice President-Zone-IV and the host, welcomed the delegates. While paying homage to Shri. Prithviraj Shetty, and thanking the Committee members for electing him as the VP in place of Shri. Prithviraj Shetty, he assured his team



Welcome address by Host Shri. Sunil Shetty, Vice President-Zone-IV

will strive to collect the pending membership fees and also enroll new members. He also requested the members to enroll for organ donation through Registration with M/s Narmada organization.

Gen. Secretary Shri. Sukesh Shetty presented the minutes of the 7th Managing Committee held on 11.9.2014 which was proposed by Shri. K. V. Shetty and seconded by Shri. K. K. Mahale.

Treasurer Shri. Nitin R Shetty presented the accounts of AHAR and Orchestra Bar for the month of August 2014. The house approved the same which was proposed by Shri. Prasad Shetty and seconded by Shri. Kamlakar Shetty.

Service tax

Briefing the august gathering about the events

of the month the President of the Association said: "The Respective State & Union Government Departments have still not filed their Reply to our Petition in the Supreme Court against the Service Tax Order of the Bombay High Court.

In the meantime we are examining the Recent Judgment of the Madras High Court which concluded by directing the State Government to Levy VAT only on 60% of the total bill if Service Tax is applicable on 40% of the Bill as otherwise it would amount to Double Taxation".

Minimum wages

On the minimum wages issue he said: "We met the newly appointed Labor Commissioner, Shri. H. K Jawale and apprised him about the various issues pertaining to Labor in the Hotel Industry. When he inquired about the need for moving the Nagpur High Court against the Minimum Wages Notification, we informed him that our representation was ignored and the contentious issue of disallowance in Deduction of food was creating a lot of difficulty for our members. He agreed with us that deduction of Food Allowance was a Legitimate Demand but failed to understand the reasons for not objecting to the same during the Notification of the year 2006. He advised us to gear up for Fair Wages instead of Minimum Wages

which is followed internationally. We informed him that if our issues are not addressed properly we may be compelled to change our Module and Jobless workers may pose an even bigger concern for the Government. We requested him to restrain his officers from unduly harassing our Members."

FSSAI

The President said the association's petition against certain clauses in the FSSAI is pending in the Bombay High Court. His team met the newly appointed FDA Commissioner, Shri. P Bhapkar and informed him that AHAR was the first organisation to adopt the New Act and also provided the Association's resources during the Registration process. But subsequently the Members were facing difficulty during implementation and when its representation to the government authorities went unheeded had no other alternative but to seek the above clarifications from the Hon'ble Bombay High Court.

The Commissioner assured that during subsequent meetings with the

Association he would address AHAR's genuine concerns including the one about Multiple Licenses like BMC Lic 394.

Meeting with E.H.O

AHAR met the newly appointed E.H.O Dr. (Smt.) Padmaja Keskar and apprised her of the various difficulties the members were facing including the need for having a medical check-up of all the staff as directed by the Health Officers. She assured the AHAR team that proper instructions will be issued to the respective Officers that Food Handlers like Cooks and their Assistants only may be asked to undergo such tests.

She requested the members to support the

Yet another Landmark victory for AHAR

In a landmark victory to the Indian Hotel and Restaurant Association (AHAR) and the Maharashtra Wine Merchants' Association by the Single Judge Justice Ranjit More of Bombay High Court.

In the recently concluded Maharashtra Assembly Elections in which the Collector - Mumbai City, and Collector - Mumbai Suburbs respectively passed an order directing that all country liquor retail shops, foreign liquor retail shops, permit rooms, beer bars, wine bars, clubs, temporary club licenses, beer bars and

toddy shops shall remain close from 6 p.m. on 13.10.2014 to 6 p.m. on 15.10.2014 and for whole day on 19.10.2014 on account of elections to the Legislative Assembly.

Mrs. Thadani, counsel for AHAR, submits that the petitioner have no grievance regarding closure of liquor shops, restaurants and bars mentioned here-in-above from 6 pm on 13.10.2014 to 6 pm on 15.10.2014 as voting is scheduled to take place on 15.10.2014. She, however, submits that counting is scheduled to take place on 19.10.2014 and in view of electronic method adopted for the

counting, same will be over within a period of two hours. She relies upon the order dated 15.2.2012 passed by the learned Single Judge of this Court in Writ Petition Lodging No.352 of 2012.

As the counting of votes in ensuing elections to the Legislative Assembly would be done by electronic method. There was no dispute that this counting will be over within a period of 2-3 hours. In any case, counting of votes will be over by 5 pm and thereafter immediately, result would be declared. Thus, election process would be over by 6 pm on 19.10.2014. At this stage, it

is also worth to mention that by the very orders, which are impugned in the present petition, Collectors of Mumbai and Mumbai suburban have allowed to open liquor shops, restaurants and bars mentioned here-in-above after 6 pm on 15.10.2014 on which date voting is scheduled to hold.

By way of interim relief, following order is passed:

(1) Members of the petitioner shall close their liquor shops, restaurants and hotels mentioned here-in-above in pursuance of the



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Collectors' orders which are impugned in the present petition on 19.10.2014 till 6 pm.

(2) They are at liberty to open their shops, restaurants and hotels as mentioned here-in-above after 6 pm on 19.10.2014 subject to the terms and conditions of their individual licences.

I consider this verdict as one of the landmark judgments in favour of the Indian Hotel and Restaurant Association (AHAR). As in the past many such orders were passed and the Hotelier community used to make huge losses. This order will be a great relief to Hoteliers said AHAR President Mr. Arvind Shetty.

Corporation's initiative by creating nutritious

A delegation from AHAR met the newly appointed DCP Zone VII and apprised him about the issues pertaining to Hoteliers of the area.

He requested Members with provisions of CCTV in their establishment to provide for an Additional effective Camera in front of their premises to curb crime in the vicinity of the Hotel / Restaurant.

Dry Day Relaxation

AHAR had forwarded a request to the City and Suburbs Collector, State Excise for relaxing the dry day on 19.12.2014 after 5.30 p.m. based on earlier judgment and Notification

Best performing zone

made a power point presentation on the subject and requested the hoteliers to support the campaign through sponsoring the healthy food to TB Patients in various Hospitals run by MCGM in Mumbai.

M/s Narmada Kidney Foundation a NGO briefed about the importance of organ donation, which can give new lease of life to the needy patients. Shri. R. D. Dhuwad made the presentation and requested the members to support the foundation.

Presentation by the VPs

According to Shri. Sunil Patil a Health Check up Camp was conducted at Hotel Ratna,

Bhandup. More than 190 employees took benefit of it. Discussed the labor officer's harassment with Labour Commissioner.

Shri. Shivaji Shetty informed the gathering that another Health Check up was conducted at Hotel Naaz, Kurla. 130 Employees took benefit of it. MOH Shri. Shinde attended the Camp and was very happy with AHAR's Social Responsibility schemes.

The harassment of fund collection in the name of Flag Day was attended to and sorted out with

Excise Department.

Shri. Sudhakar T Shetty said so far enrolled 44 new members and collected an amount of Rs. 5, 90,000/- as membership fee collection.

According to Shri. Anil Salian a Free eye Camp was conducted. 115 employees took benefit of the same. A child Labour matter, wherein a Manager was arrested was attended and the Manager was granted bail.

Shri. K. K. Mahale pointed out that as per article 121 of Constitution; it is the duty of the Govt. and local bodies to maintain the hygiene. He said, "We are also waiting for a reply from the PM, to whom we have sent representation for revision of Hawkers Policy. The Process of filing Writ Petition

is unmovable on.

According to Shri. K. V. Shetty his team met the Joint Commissioner of Police, who agreed for their request of quarterly meeting with DCPs. JCP was also briefed about the harassment due to loss of Mobile in Hotels in spite of boards displaying the responsibility of the customers. His team also requested for endorsing the closing time of 1.30 a.m. in all PPELs. The Jt. Commissioner instructed DCP-HQ-1 to do the needful.

Shri. Vijaykumar Shetty informed that a dispute between the hoteliers and the excise officials of Zone-X was solved through mutual discussion. A matter of an old payment of Rs. 8000/- towards sales bill of M/s South Canara Bar & Restaurant with M/s Sultania was being attended to. A matter of arrest of Hotel owner in smoking was attended and got him released through intervention.

Shri. Dhiraj Shetty said that SAB Miller has registered their new products Miller AC Strong Beer with AHAR and paid the Registration fees of Rs.50,000/-. The members were advised to support the product.

According to advisors Shri. A. B. Shetty, the once started Life Time achievement Award should start again. Shri. A. B. Shetty suggested that Shri. M. D. Shetty be conferred with Life Time Achievement award for his services rendered to AHAR over the years in the ensuing AGM. He also said that Shri M. D. Shetty was a pioneer in starting AHAR. He also remembered Adv. Shekhar Shetty who was the man instrumental in reducing the FL-III hike many years back.

Shri. Narayana M Alva appealed the managing committee the repeal of 394 licenses in lieu of the FSSAI license should be done through legal ways. AHAR should have filed the Writ Petition long back, as at present hoteliers need 2 licenses for same matter.

The following vendors exhibited their products through the stalls at the Venue.: Tropilite Foods Pvt Ltd. (Flexi Cream); Investec & IFFC (Insurance Products); Sahara Q Shop (Drinking water); Tiny Owl (Mobile Order System); Omkar Developers (Online Shopping); Menson India P Ltd (Billing Software).

Condolence

The house prayed for the eternal peace of Shri Sanjeeva Poojary - Poornima Hotel Vile Parle Expired on 15.9.2014. Shri Balakrishna Shetty - Laxmi Palace- Suman Nagar - Expired on 24.9.2014.

Vote of Thanks

The meeting was concluded with vote of thanks by the Hon. Gen. Secretary Shri Sukesh Shetty.



Shri Sudhakar T Shetty, VP, Zone-IX receiving Best Performing VP of the month award for September 2014, from President Shri Arvind Shetty and Advisors in the presence of the Committee Members of Zone-IX.

Menus containing less calories in order to curb the spread of Lifestyle diseases amongst the people.

She also requested the members to help the department by providing basic meals to T. B. Hospitals in certain areas at reasonable rates as part of AHAR's Corporate Social Responsibility.

Law and Order

A delegation from AHAR met the newly appointed JT-Commissioner Law & Order, Shri Dhananjay Kamlakar and apprised him about the various issues pertaining to the Hotel Industry.

The delegation also requested him to initiate the earlier process of Regular Meetings of DCP with Office-bearers of the respective Zones.

Meeting with DCP-Zone VII

Zone-IX was declared as the Best Performing Zone for the month of September 2014. Shri. Sudhakar T Shetty, Vice President, Zone-IX accepted the Memento and the floral bouquets on behalf of his Zone.

35th Annual General Meeting

Shri. Sudhakar T Shetty said that the benchmark for current year Cash Award is 75 percent. Members were requested to explore the possibility of getting event Sponsorship, Co-sponsorship, Associate Sponsorship and Stall Sponsorship through their Vendors and well wishers.

Power Point Presentation

Ms. Vinitha Venkatraman a consultant on behalf of 'Mumbai Mission for TB Control'

Medical Camps



Free Health Check up Camp for Hotel Employees held on 23/9/2014 at Hotel Naaz, Kurla conducted by Shri Shivaji Shetty, Vice President Zone-VIII and his Team. Dr. Phunde, MOH, 'E' Ward being felicitated by President Arvind Shetty.



Dr. Sanjay Funde, MOH, 'E' Ward being felicitated by President Arvind Shetty during the Free Health check up camp at Zone VIII in the presence of Shri Shivaji Shetty, VP Zone VIII and Shri Mohan Shetty, Ex VP.



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