



AHAR Connect



7th Managing Committee Meeting

The 7th Monthly Managing Committee meeting of AHAR was held on 8th August 2013 at 8.00 P.M. at Hotel Sai Palace, Chakala, Andheri [E], Mumbai.



Forever News Bureau reports

The meeting began with welcome address by the host Vice President **Shri Shivaji Shetty**, Zone-VIII, who thanked all his team members for their excellent support.

Addressing the gathering President **Shri Arvind Shetty** said that it is only the unity and faith in the AHAR Association which will result in redressing the grievances of the hotel industry.

Welcome address:

President **Shri Arvind Shetty** welcomed the gathering. He made a brief introduction of the host **Shri Shivaji Shetty**, VP, Zone - VIII.

Shri Shivaji Shetty, host, VP-III, thanked members of his Zone for the support received, sub-committee chairmen and office bearers in attending the grievances of the members.

The President proceeded with the meeting as per the circulated agenda and transacted the following business;

Confirmation of Minutes:

Shri Shashikant Shetty, Hon. Gen. Secretary presented the minutes of the 6th monthly Meeting held on 24.6.2013.

The house unanimously approved the minutes.

Proposed by **Shri K. K. Mahale**

Seconded by **Shri Vinay Shetty**

Approval of Accounts

Shri Shashikant K Shetty in the absence of **Shri Nitin R Shetty**, Hon. Treasurer presented the accounts of AHAR and Orchestra Bar for the month of June 2013.

The house unanimously approved the accounts

Proposed by **Shri K. V. Shetty**

Seconded by **Shri Prabhakar Shetty**

Events of the month

The President briefed the following

- **Kerala High Court** has given a landmark judgment terming levying of **Service Tax in A/C restaurants** as unconstitutional and the centre cannot transgress on services that come under the purview of state level taxes. We have also filed a similar petition in the Bombay High Court and awaiting further directions. In the meantime, we have instructed our members to register themselves after crossing the threshold limit & remit the taxes if they are collecting from the customers. Alternatively according to our

lawyers a provision was available to our members who were not collecting the taxes separately to give an undertaking to the department that the taxes will be paid subsequent to the verdict of the association's petition against the Service Tax in the High Court.

- Recently, when we were informed about trouble in **Aditi Restaurant** due to a foot note criticizing the Govt. for levying Service Tax in A/c Restaurants, the entire team led by the area VP was present in the Bhoiwada Police station to assist our member and the matter was amicably resolved. Subsequently, the entire nation woke up to support the movement and we have made our stand clear that we support the members' freedom of expression and the so called peoples representatives should have conveyed the citizen's problems to the Government instead of targeting the establishment as he was just expressing the views of his affected customers.

- A land mark judgment was given by the **Supreme Court in favour of Dance Bars** which was banned by the State Government. It has upheld the right to **LIVELIHOOD** of artists working in such establishments & also remarked against discrimination wherein performances were allowed in five star establishments.

- We had petitioned to the **CM and the Tourism Minister** for simplification of various laws governing the hospitality industry and the Government has taken a very proactive step by appointing a leading consultancy firm to study the same and present a detailed report.

- A Special leave petition filed by the State Government in the Supreme Court was dismissed in favour of the earlier High Court order stating that police should not interfere in excise matter. Accordingly, the home department has issued a **notification to the Police asking them to steer clear of excise violations in licensed premises** and concentrate only on illegal joints / smuggling of liquor from neighboring states.

- In order to control duplication and sale of spurious liquor, the state excise has recently issued a circular requesting **all permit rooms owners to destroy all the empty imported liquor bottles** in the presence of an excise officer. The brand label of all IMFL bottles should be crossed out with marker pen after consumption.

- The State and Central **FDA** have filed their affidavits against our petition in the Bombay High Court. Our lawyers are in the process of preparing corresponding replies to the same.

We have met the commercial Manager of **MGL**

with many of our grievances. They assured us of redressing the same.

- **The Minimum Wages** is revised after 7 years. We are waiting for confirmation from MCGM regarding scale and deduction of food allowance. Once it is received we will inform all members accordingly.

- **Shri Sudhakar T Shetty**, VP, Zone - IX has been unanimously elected as the chairman of the 34th AGM to be held at the end of December 2013. He requested the members to support him through sponsorship, stalls and make it a great event.

Hon. Jt. Secretary Shri Satish R Shetty briefed about the MGL that

All the financial matters like Deposit, interest, rate etc is to be referred to the Senior Vice President.

MGL will provide 1,000 new connections to hotels/restaurants, wherever the lines are available.

The grievances regarding size of meter and other matters will be addressed.

Presentation by VPs-

Zone	VP	Presentation
I	Shailendra Shetty	Met the officials of BMC who were forced by an activist to provide confidential reports about hoteliers and stopped them from divulging the same.
II	Gangadhar Shetty	No major issues.
III	Suresh Shetty	The harassment by flying squads in checking during the peak hours of business was referred to the division and the matter was solved.
IV	Prithviraj Shetty	The flying squad harassment in the zone was solved after meeting the SI. The excise officials has requested for online payment of any fees, charges etc.
V	Vijaykumar Shetty	A Problem of embargo in spite of payment of dues was attended and the embargo was lifted. A self proclaimed NCP leader, Shri Manohar P Jariyal who was harassing all the hoteliers in Chembur, Mulund, Bhandup, Andheri was arrested after our meeting with Shri Ajit Pawar. Harassment by RPI activist in Jyothi Punjab Hotel was attended and solved.
VI	Sunil Patil	Conducted an awareness camp by Asst. Commissioner, FDA Shri Mulay. The meeting was attended by more than 100 hoteliers. It was also addressed by Dr. Rashmi Kolhe, Nutritionist and Dr. Sengupta. Thanks to Shri Ratnakar Shetty of Bansuri Hotel, Mulund for sponsoring the meet, space and the lunch for the participants. The interaction was very beneficial and was appreciated by all.
VII	Vilas Jhaveri	No major issues. Membership drive is on.
VIII	Shivaji Shetty	Hotel Sharda, where a goon was killed, was closed by Police. It was opened after a meeting with the Police officials. In another landmark judgment by Mumbai HC in Hotel Swagat, WP has decreed that police cannot interfere in BMC matters. There are still six cases pending against Vasant Dhoble which is coming for hearing. Thanks to Shri Shashidhar Shetty, Shri Mahesh Shetty, Shri K. V. Shetty for their support.
IX	Sudhakar T Shetty	Thanked the office bearers for appointing him as the Chairman of AGM Committee. Any member interested in joining various AGM committees may please forward their names to him or office. The names of the various sub committees will be announced in the ensuing Mg. committee meeting. We are conducting corner meetings for awareness and membership drive is on.
X	Anil Salian	No major issues and the membership drive are on.

“The unity and faith in AHAR is a must for the hoteliers to redress their grievances and that of Hospitality Industry”

- Arvind Shetty - President AHAR

Hon. Gen. Secretary Shri Shashikant Shetty Briefed that

An **Appreciation letters** received from Hotel Handan Palace, regarding the active involvement of **Shri Vijay Kumar Shetty**, VP, Zone-V and **AHAR** in getting **Shri Manohar Jhariyal**, a self proclaimed NCP leader.

An **Appreciation letter** from **Sharda Bar & Restaurant** for the prompt help, guidance and involvement in making the hotel open after a murder in the premises. Appreciation to **Shri Shivaji Shetty**, VP, Zone - VIII and his team.

Thanks to **Shri Ratnakar Shetty**, Hotel Bansuri for his spontaneous support in providing the space and lunch for more than 100 hoteliers

attending a seminar for awareness in FDA matters.

Presentation by the Sub Committee

Chairman's

Shri K. V. Shetty - Police

The **Aditi Restaurant**, Parel matter was attended & the police was briefed about their wrong doings. As a result NC of both parties were taken by the Police.

Met Nirmal Nagar SI and Police allowed the opening of **Sharda Bar & Restaurant**, where murder was committed.

The proposed changes to the PPEL rules are in office. The VPs are requested to give their feed back regarding the same.

Shri Bharat Thakur, Chairman, Orchestra Bar

The verdict of **Supreme Court in Dance Bar** case is a landmark victory in the history. We are trying to meet the Ministers and bureaucrats and enroll them on working together by formulating any rules not by passing SC decision, so that the Dance Bar hoteliers can earn a decent livelihood. A number of applications for renewal of PL are submitted to **DCP, HQ-1**. They had assured that on the instruction from higher ups they will renew.

He said that there is no reason to panic. We are moving slowly and cautiously and see that the Dance Bar start their business within the laid down norms. He also pointed that regarding the number of Ladies Singers, Timings, Ladies Waitress matters, which is in the Mumbai HC and he hoped to get the verdict at the earliest. He thanked AHAR for giving a platform for the neglected Dance Bar hoteliers and gaining their respect and trust by moving along.

Shri Balakrishna Shetty, Chairman, Legal Committee

He said that they had gone to Delhi to meet the Aam Aadmi Party, who have assured their sponsorship for the legal matter regarding **TDLR** matter in the Supreme Court. He requested the house to **sanction an amount of Rs.10 lakhs** to meet the legal and the conveyance expenses.

Shri K.J. Mahale, Hawkers action

All VPs are requested to send a list of at least 200 illegal **food hawkers** of their Zone with name, address etc. to the office. This will be used as the annexure in the WP to be filed in Mumbai High Court.

Speech by Advisors

Shri Sudhakar Y Shetty

Congratulations to VP **Shri Shivaji Shetty**, for his bold and exemplary leadership in attending and solving hoteliers' grievances. The hike in wages due to revision of minimum wages is very high. Our efforts for modifications of Government rules of 50-60 years old have paid off with Government appointing an international consultancy firm to study the grievances and give its report.

Shri Narayan. M. Alva

If the hoteliers of Mumbai are doing their business peacefully it is because of **AHAR** and its efforts. The exemplary work done by **Shri Bharat Thakur** in fighting for 8 years and getting a landmark verdict is worth appreciating. **AHAR** has again shown how it supports its members in fighting against injustice. I am proud to be an **AHAR** member. The fund position of the Association is dwindling due to legal expenses of number of legal cases. A serious thought and action is required.

Shri Datta Kadam

All members should understand that only a strong **AHAR** will protect their business interest.

A voluntary contribution from all members is the need of the hour due to the increasing expenses on important legal cases. We have got a verdict in Dance Bar case. We should ensure that the Hoteliers should work within laid down norms and should not commit any mistakes.

Shri Chandrasahas K Shetty

We have got a **Landmark judgment** from the highest judiciary body of the country in the **Dance Bar case**. An independent body under the banner of **AHAR** has achieved a rare feat but the appreciation / honour in the real sense was not given to the heroes of this fight. They need to be honoured with proper agenda and in a proper platform.

Dwindling of finance due to heavy legal expenses in all important matters in safeguarding the interest of the Hospitality industry is a serious matter. A proper plan and strategy is required. The inputs of all advisors and captains of the industry are desirable.

Before the Chairmen of sub-committee ask for any financial sanctions, they must discuss and present in the office bearers meeting. It is only after consultation and working it should be presented in the managing committee meetings.

We should avoid inviting guest to the monthly meetings as very little time will be left out for the members, advisors etc. to brief and speak.

Felicitation

On the occasion **Shri Shivji Singh**, Gen Secretary, Mumbai Regional Congress Committee was felicitated with a memento, shawl and floral bouquets for his support to hotel industry during the harassment regime of **Shri Vasant Dhole** and getting him transferred.

Replying to the felicitation, **Shri Shivji Singh** said that he was overwhelmed with the honour and praised **AHAR** which as a unit is very powerful and resulted in convincing the officials about the harassment and ultimate transfer of the officer. He requested the members to strengthen the hands of **AHAR**, which is the sole voice of Hotelier of the city and suburbs. He appreciated the efforts of **Shri Shivaji Shetty, Shri Mahesh Shetty, Shri Prakash Shetty and Shri Shashidhar Shetty** in uniting the hoteliers and fighting against the injustice. He assured his support whenever called for.

On the occasion **Shri Mahendra Salvi**, General Secretary, Mumbai Regional Congress Committee was also honoured with floral bouquet.

Stalls Participation

- Ultra Flexipack India [P] Ltd.
- Menson
- Nestle
- G.T. Tours & Travels

Vote of thanks

Shri Satish Shetty, Hon. Jt. Secretary concluded the meeting by thanking the **Shri Arvind Shetty**, President for conducting the meeting in a dignified way, Management staff of **Sai Palace** for proving space and arrangements, stall holders for support, **USL and UB** for liquor support, **Shri Shivji Singh and Shri Mahendra Salvi** for gracing the meeting as guests and **Shri Shivaji Shetty**, Host, Vice President for hosting a lavish and dignified meeting, all advisors, and members for participation.

By & Order of the Managing Committee,
Hon. Gen. Secretary

8th Managing Committee Meeting

The Excerpts of the 8th Meeting of the Managing Committee held on Tuesday the 27th August 2013 at Hotel Krishna Palace, Nana Chowk, Mumbai 400007 at 7.30 P. M.



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Welcome address:

President **Shri Arvind Shetty** welcomed the gathering. He said due to hospitalization,

host Vice President **Shri Prithviraj Shetty**, Zone-IV is unable to attend the meeting. **Shri Ranjan Shetty (Chetan Restaurant & Bar, Dadar)** on behalf of host, VP-Zone-IV welcomed all the members to the meeting.

The President proceeded with the meeting as per the circulated agenda and transacted the following business;

Confirmation of Minutes:

Shri Shashikant Shetty, Hon. Gen. Secretary presented the minutes of the 7th monthly Meeting held on 8.8.2013.

The house unanimously approved the minutes.

Proposed by **Shri Bhaskar Shetty**

Seconded by **Shri Narayan Shetty**

Approval of Accounts

Shri Nitin R Shetty, Hon. Treasurer presented the accounts of **AHAR** and **Orchestra Bar** for the month of July 2013.

The house unanimously approved the accounts

Proposed by **Shri Dayanand Shetty**

Seconded by **Shri Sunil Shetty**

Events of the month

The President briefed the following

● We met the **Labour Minister Shri Hassan Mushriff** and apprised him of the grave crisis that the industry might face, if the recently revised scales are implemented. We also informed him of the various representations that our Association had made to the Minimum Wages committee which was totally ignored during the drafting process. As the Notifications were already circulated, the Minister expressed his inability to review the basic scale at present but nevertheless has assured us of addressing issues like Food Deductions and Special Allowances through a meeting with the committee. The latest MCGM circulars received by us will be circulated to members shortly. We



Presentation by VPs-

Zone	Vice President	Briefing
I	Shri Shailendra Shetty	A problem of flying squad with Hotel Pancharatna attended and solved. Attended a problem of demand of undue favours regarding grease chambers by a Jr. engineer was attended and sorted out.
II	Shri Gangadhar Shetty	Conducted a free eye camp with 90 participants.
V	Shri Vijay Kumar Shetty	Harassment by police in the area is attended to and resolved.
VII	Shri Vilas Jhaveri	A Child labour case which afterwards changed under J. J. Act is attended. Advised the hotelier to challenge the same.
VIII	Shri Shivaji Shetty	An issue of non renewal of PPEL since last 8 years attended and got it renewed.
IX	Shri Sudhakar T Shetty	Met DCP-Zone-X regarding looting of parcel boys. The DCP has instructed the concerned officer to take action. DCP requested to have a meeting with hoteliers regarding safety. Membership drive is on.
X	Shri Anil Salian	Free eye camp on 19.8.2013. More than 110 employees took benefit of the same. We are meeting DCP regarding Surbhi Vegetarian Restaurant Case.

have also made arrangements to move a petition either in Mumbai or Nagpur for a stay in **Minimum Wages revision**.

● We met the commissioner of **Service Tax-II, Shri Sekhar** and his team comprising of the Additional Commissioner **Shri Sharma** and Dy. Commissioner **Shri Sameer Wankhede** to discuss the various problems our members were facing during implementation especially in the Non A/c section of their Restaurants. He has informed us that clarifications are expected for such categories and that he will instruct his officers to restrain from going to partly A/C

● Restaurants, but he was equally concerned about non-compliance in A/C Restaurants to which we informed the commissioner that though most of the A/C Restaurants are filing their returns under protest we will not be in a position to compel our members to levy the taxes as the petition is still pending in HC and moreover, the Kerala HC has struck down the tax as unconstitutional. Registration with **Service Tax** department is mandatory. Thanks

to **Shri Shivanand Shetty**. Ex-VP and his team for pursuing in the **Service Tax** matter vigorously.

● Our counter affidavit is almost ready for filing and the hearing will be held shortly in **FSSAI matters**. In the case of Hotel Tara Palace Dombivili, the hotelier challenged the suspension and got the stay order. Our members should not panic and should challenge the suspensions in the court. **AHAR** will support them.

● The **34th AGM of AHAR will be held on 18.12.2013 at Buntara Bhavan Auditorium**. It will be full day event with inauguration, **Restaurant & Business Trade exhibition, Seminars and AGM**. **Shri Sudhakar T Shetty** has been appointed as the Chairman of the **AGM Committee**. He requested the members to wholeheartedly participate and support the event.

● We must have a sound financial back up to fight the present and the future legal battles. **AHAR** members should contribute

Presentation by the Sub Committee Chairman's

Committee	Speaker	Briefings
Hawkers action	Shri K. K. Mahale	Thanked all the well wishers for wishing for his 75th Birthday. Unless we got at least 2000 names of illegal food hawkers, we can not move to court. Please submit the list latest by 2nd week of September 2013.
Excise	Shri Shashidhar Shetty	Through our efforts we are able to get a notification under Governors order of non interference by the Police in Excise matters. The Permit Room members are advised to break the empty scotch bottles in front of excise officials and also tear the label or mark it crossed in case of IMFL full bottles. It is in our own interest and to prevent the smuggling, bootlegging, spurious liquor etc. A case of suspension of PPEL licence in case of Mahesh Hotel was represented and the same was reduced to nil after proving that the hotelier is charged under wrong section. We should fight the wrong charges in court.
Publication	Shri Bhaskar Shetty	The AHAR connect has come out with maximum information's. The magazine will be coming out soon. The members are requested to provide sponsorship to the magazine through advertisements. M/s Ice Spice has sponsored an advertisement for all remaining issues covering almost 1/3 rd of cost. Thanks to Suresh Shetty for support.
Promotion	Shri Suresh Shetty	In bringing M/s Ice Spice sponsorship, the President has played a major role. Usually we send around 20-25 mails to all vendors for participation in monthly meetings. But the response is poor because of lack of support by hoteliers. If we support they will come again through stalls. Even the liquor sponsoring companies seek support from us. He requested the permit room hoteliers to support them through selling and promoting their products at the price fixed at their outlets. A new product OFFICERS CHOICE BLUE WHISKY has registered with us. The members are advised to promote their products and avail the launching offers.
MCGM	Shri Niranjan Shetty	The hotelier should avail the benefit of open area for service by paying an amount of Rs.168/- per Square meter to MCGM. The NOC for putting awning can be obtained from MCGM. The monsoon shed permission is given to hotelier till 31st October of every year. We can extend it by obtaining the permission. The awnings should be of tarpaulin or cloth and not patra or fiber. The harassment by MOH H/West is firmly dealt through Advisor Shri Narayana M Alva and got it resolved. The MOH and AMO both apologized for the same.
Orchestra Bar	Shri Bharat Thakur	A number of applications have been submitted to DCP, HQ-1 for renewal of PL by Dance Bar and orchestra bars. So far they have not renewed and told us that they are waiting for the nod from the Home department. The Advocates of Supreme Court are advising filing WP for contempt of court by the State Government. We are discussing the same with legal experts and will decide soon. Once we got the permission or renewal of PL, we should ensure that the hoteliers should work within the laid down norms so that they are not harassed by any authorities. He advised the orchestra/dance bar hoteliers to be patient and do not start performances without the renewal of the licence.

Others

Shri P. S. Jain	The Members are advised to change the timing of the Restaurant in the PPEL to 1.30 a. m. for avoiding any notice, harassment etc. The inclusion of Managers name in PPEL is in our own interest. An officer can not further delegate the power to other as in case of CP to DCP-HQ-1 and DCP-HQ-1 to ACP of different zones in the case of PPEL endorsements.
Shri Kamlakar Shenoy	M/s BEST has decided to recover the TDLR from consumers by addition to the Property tax. It is good news and perhaps the burden of Mumbai City BEST consumer may be reduced. From 1st September 2013, the appellate authority in Electricity matter is opening its office at Mumbai. Hence it is not necessary to go to Delhi. The food allowance which is at present is 30% should be increased to at least 50%.
Shri Prakash Shetty	After spending huge amount and efforts we have got the SC judgment banning food preparation in open place by any vendors. But the illegal food hawking is still carried. What is the benefit if such an important order is not implemented? Why only K. K. Mahale should work, we all should co-operate and do something to fight this menace. As in the case of Sharda hotel why it should be closed for three days for no fault of the hotelier. When any authority or politician is helping the hoteliers of a particular Zone in solving their grievances, what is the harm in inviting them and felicitating them in the Monthly meetings? Shri Shivaji Shetty, VP, Zone-VIII clarified that in case of Sharda Hotel, Police has not instructed the hotelier to close down the business, the hoteliers on his own closed it for three days. The President clarified that, if a Vice President comes with request of honoring any person who has helped them in resolving their problems, the Managing Committee will surely consider and also asked Shri Prakash.C. Shetty to join Shri K. K. Mahale in his fight of illegal food hawking.
Shri Atif Soljar	Through efforts of AHAR on illegal hawkers, unauthorized construction is removed in his area after 50 years. Even though we have been threatened, we have not succumbed to the pressure and did our duty.
Shri Ashish Totre	Met Dr. Deepa who will provide free training in food hygiene, quality control to the hoteliers. We can avail the services for our AHAR members.

wholeheartedly towards the same. In the recently held **Advisors'** meeting they echoed the same sentiments. Their suggestions and strategy are being worked out. **The members should come forward and contribute to the legal fund** in return for the benefits accrued to them due to the efforts of the association.

● The members **using open space should apply to MCGM** and obtain necessary permission by payment of fees.

Financial Approvals

The president briefed the house that after consulting various experts, it was decided to challenge the recent revision of **Minimum Wages** in either Mumbai or Nagpur High Court. He sought an **approval for an amount of Rs.5,00,000/- towards the legal expenses** in filing the **WP** and the follow ups to pass a Resolution in this regard.

The house unanimously approved the same.

Proposed by **Shri Kamlakar Shenoy**

Seconded by **Shri Santosh Kumar Hegde**

Speech by Advisors

Shri Narayana M Alva

He said that we should be united in our **fight against the injustice** meted out to us by any authorities. He acknowledged the support he received from **AHAR** and its President in his fight against injustice.

Shri A. B. Shetty

He said that Dr. Kiran Harsora is an efficient Ex-AHO and he exhorted the members to take advantage of his services. He asked the office bearers to meet Shri Sitaram Kunte, Municipal

Commissioner, who had earlier assured his support if **AHAR** joined Citispace in its fight against Hawkings.

Shri S. M. Shetty

He wished **Shri Mahale** a very long life. He said that the **Minimum Wages Revision** has been approved in the cabinet and published in gazette; it is now difficult to move against it in court. A proper legal advice in this matter should be obtained. In **Service Tax matter** we should move and get the stay. The wrong doings of officials of various departments should be exposed through media.

Shri Datta Kadam

All members should understand that only a strong **AHAR** will protect their business interest. **A voluntary contribution** from all members is the need of the hour due to the increasing expenses on important legal cases. We should discuss at high level about the minimum wages and try to get some relief.

Stalls Participation

● Menson

● T. K. Enterprises

Vote of thanks

The Hon. Jt. Secretary, **Shri Satish R. Shetty** concluded the meeting by thanking the president for conducting the meeting in a dignified way, Management staff of **Krishna Palace** for proving space and arrangements, stall holders for support, **USL and UB** for liquor support, Vice president for hosting a lavish and dignified meeting, all advisors, and members for participation.

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