



AHAR Connect



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Banning adolescents from restaurant jobs can render them prone to anti social elements

Forever News reporter

Mumbai: In a welcome move, the Union Govt. has exempted the restaurant from employing adolescent between 14-18 in non hazardous jobs provided they meet stipulations of the Right to Education Act. The move is aimed at eradication of poverty in a gradual manner from India while protecting the interest of adolescent, and their families and employees, Earlier the Govt. identified 83 sectors as

“hazardous ” while now this list is condensed to 3. As per The Tribune news report penalties for employment of child labour have, however, been doubled through the recent amendments -- imprisonment for not less than six



months up to Rs 20,000). Upon second or subsequent offence, minimum and fine of imprisonment would be one year up to three as against six months up to Rs 50,000 upon first offence. In response to queries by Forever News, a senior official at the Indian Hotels and Restaurants Association (AHAR) said: “Mumbai was three months up to one year and fine was Rs 10,000

adolescents can walk into any restaurant in Mumbai and can be assured of finding some work. In addition, restaurateurs also provide them the proverbial ‘roti, kapda aur makaan’ or food, clothing and shelter, which ensures they do not commit crimes or fall prey to anti-social elements. Restaurateurs and canteens also encourage them to attend night schools since their services are not significant enough to cause any major (Continued on page 3)



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RED ALERT PUGREE TENANTS

Commercial Premises over 500 sq. feet and Residential Premises over 861 sq. feet to pay market rents or vacate premises.

Mumbai: The Draft Housing Policy of the Maharashtra Government states that the Govt. has decided to amend the Maharashtra Rent Control Act, 1999 and dis-house lakhs of residential and commercial tenants. **If you are a tenant occupying commercial premises over 46.5 sq. metres or residential premises over 80 sq. metres you will immediately have to pay market value rent or vacate your premises.** This will happen in the next three months. Necessary amendments to the Act will be introduced in the Legislative Assembly in the monsoon session. Given the majority that the Govt. enjoys, this proposal will certainly become law. This amendment will ruin the lives of lakhs of residential tenants, who will lose their homes and commercial tenants who will lose their livelihoods. The Pugree paid by tenants to obtain their premises from their landlords will count for nothing and will evaporate.

WHO WILL BENEFIT?

• **A small group of landlords owning such premises will make a windfall profits running into lakhs of crores.** The Govt. passed Maharashtra Act No. VIII of 1998, which extended the provisions of the old Bombay Rent Act for a year. The Statement of Objects and Reasons of that Act says: "It is also pertinent to note that the landlords as a class have made enormous gains because a substantial number of tenancies have been transferred at a premium or "Pugree" and also by utilizing extra floor space index, by change of user of the tenements and by sale of development rights. Many landlords have benefited many times over their original investments. ... Substantial parts of land are given on leasehold by public or local authorities to the landowners for long periods of time at very low rents. Escalating

land prices in computing the escalation of standard rent could not be either just or reasonable and would unjustly enrich the landlords as a class."

• **In 1998 Govt. was aware that landlords as a class had already made enormous gains despite rent control. Today, the same Govt. wants to massively enrich those same landlords at the expense of lakhs of tenants.**

• The 1999 Act had an all-party consensus that there should be no exemptions from rent control based on the size of the premises, which has also been the stand of successive Govts. in the pending Constitutional challenge to the 1999 Act.

• Now, out of the blue, with not even a whisper of discussion, the Govt. intends to gift a small group of landlords/builders property worth lakhs of crores, ruining the lives of lakhs of tenants.

The amendment refers to a cap on the rent payable after the fourth year of 30% of the income of the tenant. However, if a tenant cannot afford 50% of the market rent for the first three years he will be dis-housed in any case! Regardless, in these days of constant inflation, nobody can afford to pay 30% of his/her income for rent, especially after having paid market value Pugree to acquire the premises.

• The amendment will also remove tenanted buildings subject to cess from the provisions of the MHADA Act permanently taking away your right to acquire your premises from your landlord under MHADA, (on payment of a compensation of 100 months rent). This is one more unjust and unfair gift that will be given to landlords.

THE END OF RENT CONTROL COMING?

• This amendment would be



the first step on the road to the end of rent control altogether - not just for those affected by the amendment, but for all protected tenants in Mumbai and Maharashtra.

• The amendment picks 46.5 and 80 sq. metres as the limits for rent control - in order to favor a select group of builders/property owners. Tenants will be divided as also landlords will be divided.

• Tomorrow, the Government will lower the limits further after their cronies acquire more buildings- dis-housing more and more tenants in the process.

• The amendment will also destroy the defense of the Government and the tenants in the Constitutional challenge to the Rent Act by the powerful Property Owners Association which is pending before a nine judge bench of the Supreme Court. This may well result in the Supreme Court striking down the Maharashtra Rent Act altogether.

HOW WAS THIS POLICY PREPARED?

• In February, a seminar on Housing Policy was attended by the Chief Minister, Housing

Minister, Housing Secretary, top builders, NGOs, well-known people in the field of housing and government officers. A Report on the Draft Policy was prepared after a few meetings.

On 5th April Version 4 of the report was circulated. This version has no amendment to the 1999 Rent Act.

On 15th April 2015 the State Government officially circulated the Final Draft Policy in Marathi, in which the amendment to the Rent Act has been added. Something clearly happened between 5th and 15th April for this radical policy to have been suddenly and unexpectedly inserted.

• What happened between 5th and 15th April? Why was this amendment suddenly added? Why were tenant organizations and the group assisting the government prepare the policy unaware of it? Where is the study/survey/data on which this amendment is based? Why is the Govt. rushing through with this with no discussion at all? And that too during the school summer holiday period when a large number of people are not in the city?

• A Times of India article on Friday 15th May, 2015 headlined "Altered' Housing Policy Raises Concerns" states that a controversial builder was involved in this insertion.

In the middle of all this, Housing Secretary Satish Gavai has gone abroad and has been unreachable.

WHAT IS TO BE DONE:

Public awareness of this

proposal is still very low. And time is very short. This leaflet must be widely circulated amongst all tenants, even those not immediately affected today. All tenants should immediately meet their MLAs about this policy and ask them to oppose it.

The Action Committee will seek an urgent appointment with the Housing Minister and the Chief Minister to request their urgent intervention in the matter. In the meantime public awareness and awareness amongst tenants is needed.

The Action Committee for the Protection of Tenants' Rights was formed in the 1990s to fight for the reasonable and legitimate interests of tenants protected under the rent law. It comprises of The Federation of Associations of Maharashtra (the apex body of traders), the Federation of Retail Traders Welfare Association, the Trade Unions Joint Action Committee, several tenant organizations, several other groups and individuals working in the field of housing.

Federation of Associations of Maharashtra.

The Trade Unions Joint Action Committee.

Confederation of Tenants and Residents Associations of South Mumbai.

The Federation of Retail Traders Associations.

Indian Hotels and Restaurants Association.

The Federation of Tenants Associations.

The Brihanmumbai Bhadkaru Parishad.

Tenants and Residents Association.

JVPD Tenants and Residents Association.

NivaraHakka Suraksha Samiti.

Federation of Old Buildings, Co-operative Housing Societies and Tenant Associations.

AHAR condoles firemen martyred in blaze

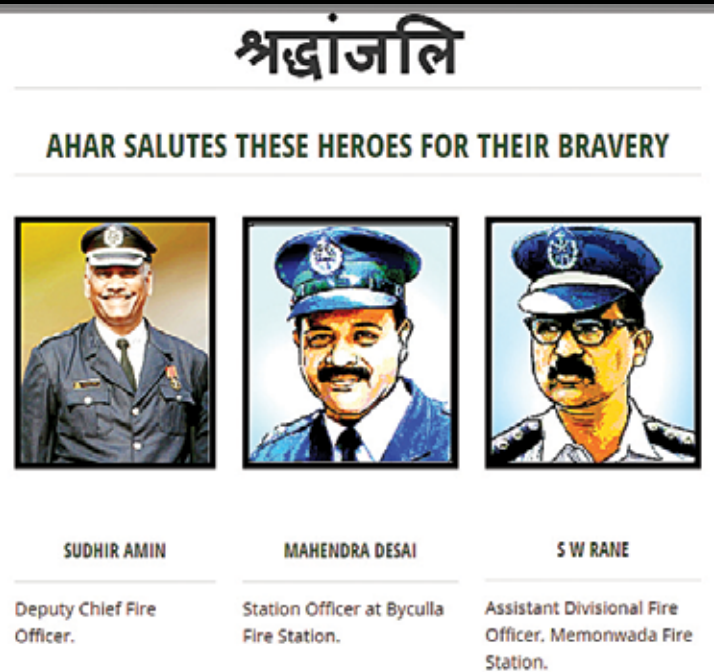
Mumbai: The Indian Hotels and Restaurants Association (AHAR) has condoled the deaths of three Mumbai firemen—SW Rane, Assistant Divisional Fire Officer, MN Desai, Station Officer and Karkal Sudhir Amin, Deputy Chief Fire Officer, who sacrificed their lives to save residents of Gokul Niwas, a residential building in Kalbadevi, South Mumbai.

The fire broke out at Gokul Niwas on April 9, 2015. Causes of the blaze are being investigated by concerned local authorities. MV Deshmukh, fire advisor to the Maharashtra government had told the media, the fairly new building was cleared for occupancy solely for residential purposes. "Over the years, it was being used for commercial purposes. Gas cylinders used by the shops for polishing gold and warehousing of stacks of readymade garments, which

are highly inflammable. These factors could most likely have caused the inferno."

While Rane and Desai were martyred on April 9 in the line of duty, Amin breathed his last on May 15, 2015, at the Intensive Care Unit at the National Burns Centre at Airoli, Navi Mumbai following multiple organ failure caused by over 80 percent burns he sustained during the fire fighting

operations.



SUDHIR AMIN

Deputy Chief Fire Officer.

MAHENDRA DESAI

Station Officer at Byculla Fire Station.

SW RANE

Assistant Divisional Fire Officer, Memonwada Fire Station.

Rane's teenage daughter had suffered a bout of depression upon hearing of her father's demise and was undergoing

On May 11, the Mumbai Municipal Corporation gave promoted him, but the officer did not survive to take his new,

treatment to overcome the trauma caused by loss of a dear one. Desai, a veteran fireman with the Mumbai Fire Brigade had several successful operations to his credit, from Daddody, Nittie, Karnataka, had earned the President's Gallantry Award for his services during the 26/11 Mumbai terror attack.

senior post.

AHAR, while condoling the deaths of these gallant firemen, called upon residents and businesses in Mumbai to exert extra caution while dealing with hazardous, inflammable material. "We at AHAR ensure we meet and exceed all safety standards prescribed by the Mumbai Fire Brigade and other authorities to ensure that major accidents do not occur on our premises."

The association is working towards educating fellow hoteliers to follow SOPs on safe working environment in their work place. In this regard AHAR have many plans in store. One such activity is organising a seminar on Fire Safety by Fire brigade officials very soon. Will publish relevant articles on Fire Safety in our in-house publications AHAR Connect, AHAR Hospitality and AHAR website www.ahar.in

Banning adolescents from restaurant..

(Continued from page 1)
the overall operations."

For the uninitiated- Mumbai restaurants have created more millionaires than any other industry in India. A large number of Mumbai restaurateurs arrived into the metropolis decades ago and worked as service crew, eventually graduating to senior positions and finally, owning their own restaurants at an adolescent age.

Many Mumbai's First Generation Hoteliers have started their career as hotel boys or similar jobs in restaurants at an very young age. Later on they become the pillars of the Hospitality industry.

According to Mr. Chandras K Shetty Advisor AHAR his ancestors were part of the Hospitality industry at an early age with lots of struggle as an adolescent and made their fortunes from the industry. The fruits of their pain and struggle are worth praise. Even in today's age there are many avenues for the right mind. With sheer hard work and dedication one can reach the upper echelon. Had the child labour law been as stringent in those days our ancestors would have lost the golden opportunity to build this empire.

It is well known that children left to their own devices in the sprawling metropolis can



go astray and become criminals and anti-social elements. In such a scenario, working at restaurants, attending morning or evening school and earning through decent, socially accepted means, is an excellent alternative not only for children, but also for restaurateurs.

According to an expert on industrial law, these amendments are aimed at eradicating child labor from industries such as garment and carpet manufacture, making handicrafts and other sectors which primarily

focus on exporting their products to the US, European Union member states and other countries where imports of goods manufactured by children is prohibited and punishable under law. ●

For more details visit our website
www.ahar.in

Draft reply to MGL

on possible disruptions in Gas Supply

It has come to the notice of the Association that many Mahanagar Gas Consumers have received a



letter regarding the possibility of disruption in Gas supply to their establishments. The letter points out the Gas meter which is not in compliance with the Legal Metrology Dept. (LMD) needs to be replaced by approved Gas meters.

It also points out that there may be possibility of disruption/restriction/stoppage in the gas supplies to the establishments and you have been asked to make alternate arrangements if the situation so demands.

AHAR feels that it is the responsibility of Mahanagar Gas Ltd. (MGL) to carry out maintenance of its pipe line and install approved gas meters without interrupting gas supply to the member establishments as the MGL consumers are not in a position to use alternate mode of cooking.

Hence, AHAR has drafted a comprehensive reply in this context. Members are advised to download the draft reply from AHAR website www.ahar.in.

Gallant restaurateur wins landmark case to use Wet Grinders in Hotel and Restaurants

Mumbai: Restaurateurs in Mumbai had a narrow escape from coming under the ambit of Directorate of Industries, Maharashtra, thanks to a gallant legal battle waged by a sole city based restaurateur against what can be tantamount to alleged harassment by a junior engineer of the Mumbai Municipal Corporation.

The event dates back to March 26, 2012 when a random check by Himanshu D. Deotale, Junior Engineer, PW-2 of the Mumbai Municipal Corporation (M-E) Ward on Sadguru Restaurant in Govandi found some eight staffers using electric powered mixer, grinder and vegetable cutter on their premises. The case was filed against the restaurant for using a kitchen machine with a 3 Horsepower capacity on grounds, the machine was installed and operated sans obtaining required permissions from the MMC and the Directorate of Industries under whose jurisdiction covers heavy duty industrial machines.

Deotale had sought prosecution and penalizing of the owner and staff of Sadguru Restaurant under Section 390 of the MMC Act, on grounds, the facility was using machinery that required permission and

clearances from the Directorate of Factories, Maharashtra. A criminal case was filed against these staffers and the owner of the restaurant, Keshav Srinath Payyade. Undeterred by harassment by authorities took cudgels against the MMC and contested the case appropriately in the Court of the Metropolitan Magistrate, Dadar, Mumbai, under whose jurisdiction the "violation" allegedly occurred. Payyade's team of lawyers aptly proved, installation and use of high powered electrical machinery for food preparation purposes such as preparing batter, cutting and chopping vegetables is not mandated by the MMC. His legal team also emphasized before the court, a restaurant cannot be categorized as a "factory" by any definition of the word, since the two serve different purposes.

On April 9, 2015, after a legal combat spanning more than three years, the court lawfully acquitted Sadguru Restaurant owner Keshav Srinath Payyade and his staff by abrogating all charges leveled against them

by the MMC and its staff, Jr. Engineer Himanshu D. Deotale. It is not known whether the MMC will take any penal



action against Deotale for overstepping his mandate and whether the concerned court will initiate proceedings against the engineer, as provided under Indian laws for filing superfluous cases.

Speaking to Forever News, a senior Mumbai based restaurateur pointed out, Payyade's victory is a landmark achievement for all restaurateurs in Mumbai. "We found the case ridiculous since most wet grinders or blenders and other electrical appliances used in household

kitchens operate on at least one horsepower. It is therefore common sense that a restaurant will require appliances that are faster and more powerful than household kitchens and accordingly, we are using appropriate ones, suited for our business. We therefore questioned, what is the relevance between the use of high powered food processing machinery in restaurants and procuring licenses for them from the Directorate of Factories? And by which corollary can an licensed restaurant which meets all specifications and license requirements stipulated under existing laws, be deemed as a 'factory'?" he said.

The official lamented, absence of a proper framework of laws, rules and regulations within the MMC and other government departments are causing immense hardships for restaurateurs in Mumbai and other parts of the state. "A large number of rules are ambiguous and can be applied loosely to fit almost any contingency," he noted. Such a situation is causing immense problems for all restaurateurs in Mumbai.

The shocking part of the case is: On what grounds did the MMC engineer, Himanshu Deotale, arrive at the conclusion that

food preparation equipment used commonly by restaurants can be categorized as "industrial machinery" to merit filing a case against Payyade and his staff. Restaurateurs allege, a large number of MMC staff themselves are unaware of the rules and regulations governing the restaurant business in the metropolis due to sheer callousness. As a result, restaurateurs are at the receiving end of such qualified yet unskilled in their jobs such as checking restaurants and its machinery.

The case also speaks volumes about how Mumbai restaurateurs are bearing various types of harassments meted to them by "officials." While restaurateurs can file charges with the police and a court alleging harassment by such officials, they have restrained themselves from doing so, leading to impunity among bureaucrats. Legal experts opined, there are provisions under the Indian law which stipulate stiff penalties for public servants and the general public who file cases on superfluous grounds, such as the one filed against Payyade and his Sadguru Restaurant.

For the complete court order please visit www.ahar.in

Smartphone Apps can help restaurateurs counter hawker menace in Mumbai

Mumbai: It is well known that India is fast emerging as the largest market for smart phones thanks to the burgeoning number of young professionals with high income. To cater to this large populace, several up-market, traditional and Quick Service Restaurants (QSR) have combined forces to offer free mobile applications of apps, that help customers order their breakfast, lunch, snack and dinner from practically any place in the city, regardless of whether they are traveling home, to work or commuting while being assured, their meal will reach their address on time.

While majority of medium and small restaurants in Mumbai do not feature on the apps fearing

an increase in operational costs and other issues, those who



TinyOwl
Food Ordering App

are utilizing them have learned quickly that such applications are economical and a quick way to attract customers. This is particularly true for restaurants that have presence in more than one city.

Medium and small restaurants in Mumbai can also avail such services by using such apps and hiring delivery boys equipped with motorcycles to ensure the food reaches clients on time. Since

most restaurateurs own smart phones, the cost of cashing in on the app

boom is not as high as one

would imagine. Such restaurateurs have two options: publicize their menus and home



foodpanda

delivery areas on available apps or launch an application on their

own, along with other partners across the city. Existing apps that have nationwide coverage and can be used effectively by Mumbai restaurateurs include FoodPanda and TinyOwl- two of the largest food service applications in the country, downloadable on smart-phones. Not only these apps permit

a client to order a meal from the ease of their premises or vehicle but also place advance orders for delivery during the later part of the day- for example- ordering in the afternoon for a family dinner at home for delivery at a fixed time in the evening. In addition, such apps can also be utilized to reserve seats for a corporate breakfast, lunch, tea or dinner meetings or other events, in advance or within a reasonable period. Food apps is also an effective way to counter the threat posed to Mumbai restaurateurs by food hawkers who are planning to eat into the slice of businesses of licensed and authorized restaurants. clients on messaging apps such as WhatsApp, Line and We Chat.



Sri Lanka beckons Indian investors in hospitality sector

Colombo: Sri Lanka, the island nation off India's southern coast, offers excellent



opportunities for Indian restaurateurs, particularly Udipi type, to open outlets while popularizing their brands and cuisines abroad. Since the end of the decades old civil war in Sri Lanka in 2009, the country is fast becoming a preferred tourism destination in Asia.

According to available statistics, Sri Lanka welcomed some 1.5 million foreign tourists in fiscal year 2013-14 and the figure is set to grow exponentially as more and more airlines begin flights to the

Bandaranaike International Airport near Colombo. The country also witnessed an

overall increase in its tourism revenues at nearly US\$ 1.5 billion during the same year, it is estimated. Further, the Sri Lankan government has identified tourism as a key sector and will be marketing it as an ideal sun-and-sand destination abroad with the aim of increasing foreign

visitors to the Indian Ocean island state to around 2.5 million by end of calendar year 2016.

Sri Lanka's government wishes to develop Kuchchaveli in Trincomalee district on the north-eastern coast, Passikudah on the east coast, Kalpitiya on the north western coast consisting of 14 different islands, and Dedduwa near the river Madhu Ganga located close to Bentota on the south western coast. The country's Bureau of Investments is offering a slew of benefits to entrepreneurs who wish to open business in the hospitality, food and beverage sector of the country.

The recent visit by Indian Prime Minister Narendra Modi to Sri Lanka to bolster bilateral and economic ties between the two countries also provides the fillip for Indian hoteliers to open

outlets in that country. A large number of Indian companies- from pharmaceutical giants to petrochemical majors, defense contractors to readymade garments manufacturers are expected to make a beeline to Sri Lanka to benefit from enhanced trade cooperation and participate in the nation building process.

Udipi restaurants have distinct advantages in opening branches in Sri Lanka: ethnic food in this country- regardless of whether it is Sinhalese or Tamil cuisine- is somewhat similar to south Indian food. Hence, local palates will welcome a taste from their immediate neighborhood- India and relish Indian delicacies. Further, the availability of typical North Indian, Mughlai and "Indian Chinese" dishes is rare in Sri Lanka but common in Mumbai. ●

TRAI Guidelines on downlinking TV signals

Members are hereby informed that as per TRAI regulations / Govt. Downlinking guidelines, member Hotels/Restaurants are not allowed to take cable TV signals directly from Broadcasters. Members are further informed that they are allowed to take cable TV feed from Local Cable Operators (LCOs), Multi System Operators (MSOs), Direct To Home operators (DTH) only. As for Tariff, the same tariff applicable to Ordinary cable subscribers (Domestic) shall be applicable to commercial cable subscribers.

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Mumbai: The Bunts Sangha has since its inception in 1927 always promoted educational growth of its members. In recent years, having realized the importance of Higher education and also the prohibitive costs which sometimes dissuades the weaker section of society from providing this education for their children, the Bunts Sangha in its Platinum Jubilee year decided to establish Higher education Institutions which would be within the reach of the common man.

The hospitality industry is a 3.5 trillion dollar service sector within the global economy. India's tourism and hospitality industry has emerged as one of the key sectors driving the country's economy. India's tourism is thriving, owing to a huge surge in both business and leisure travel by foreign and domestic tourists. Hotel Industry is closely linked with travel and tourism industries. India is experiencing huge footfalls as a favorite vacation destination of foreigners and Indians alike and the hotel industry is going into a tizzy working towards improving itself.

The Bunts as a community have always had a flair for commencing and operating hotels hence, it was but natural that Hospitality Education would be one of their preferred areas. Thus, a dream came true with the opening of a Hotel Management College; the Bunts Sangha's Ramanath Payyade College of Hospitality Management Studies at the Shashi Manmohan Shetty Higher Education Complex at Kurla East, with a view to providing quality education that traversed beyond prescribed curriculum to cater to the needs of the ever expanding Industry.

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determined to succeed despite the odds, nurture the desire to win a million hearts by serving people with good food, then a career as a Chef is the right answer.

If you are an extrovert, co-operative, have strong commitment and self-discipline, are polite and

respectful to the guests, have patience to deal with guest criticism even when you know you are right, willing to work hard even at odd hours and yet be cheerful, then a career as a Manager in the Hospitality Industry is the right choice for you.

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