



# AHAR Connect



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## Joint effort by team AHAR paid rich dividends - Shri Adarsh Shetty

Forever News Reporter

The Proceedings of the 3<sup>rd</sup> Monthly Managing Committee Meeting held on 29<sup>th</sup> February 2016 at Hotel Sai Palace, Chakala, Andheri [East], Mumbai at 7.00 p.m.

The Meeting began with paying the condolence to the Brave Soldiers who had sacrificed their lives while on their duty at Siachen, Patankot and Pampore. The house prayed for the eternal peace of the departed souls.

President Shri Adarsh Shetty invited the host Vice President



**Shri Rajan Shetty**  
Vice President, Zone - VII

Shri Rajan Shetty, VP, Zone-VII to

welcome the gathering. Shri Rajan Shetty welcomed the members on dais, members attending the meeting and assured that he and his team will strive their best in attending the grievances of the members and timely redress their concerns.

### Approval of the Minutes of the 2<sup>nd</sup> Mg. Committee Meeting.

The Hon. Gen. Secretary Shri Santosh R Shetty presented the minutes of the 2<sup>nd</sup> Monthly Managing Committee Meeting held on 28.1.2016. The same was unanimously approved.

**Proposed by**  
Shri Shailendra Shetty

**Seconded by**  
Shri Navin Shetty

### Approval of the Accounts for the month of January 2016.

The Hon. Treasurer presented the Accounts of AHAR and Performance Bar for the month of January 2016. The same was unanimously approved.

**Proposed by**  
Shri Naveen Shetty

**Seconded by**  
Shri Prasanna Shetty

The Hon. Treasurer informed the house that at the insistence of the senior members, AHAR will intervene in the writ petition (WP) of Kelavani Mandal v/s Azad Hawkers Associations, who are requesting for two hour cooking in the open space. AHAR has approached Adv. Sandeep Narain of Supreme Court to do the needful. He requested the house for a sanction of Rs. 2 lakhs towards the legal fees for the intervention and the WP. The house approved the same.

(Continued on page 2)

## AHAR delegation meets Municipal Commissioner Shri Ajoy Mehta



President Shri Adarsh Shetty presenting a memorandum seeking abolition of various outdated laws under the 'ease of doing business' initiated by Union Government.

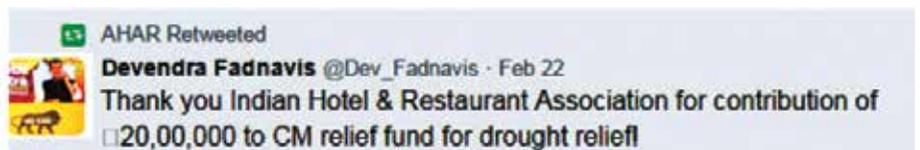
The BMC has reduced the number of no-objection certificates required by them to run the business like restaurants, hotels, and small – scale industries from 72 to 51. This exercise, which is part of the ease-of-doing-business initiative, is primarily aimed at reducing corruption in the civic body and also reduce the number of levels a file goes through before being cleared from five to three.

Members of the Indian Hotel and Restaurant Association (AHAR) had recently met municipal commissioner Shri Ajoy Mehta and demanded that archaic laws and should be repealed. AHAR delegation

submitted a memorandum seeking abolition of various licences, permissions and NOCs. Pursuant to this meeting, MCGM released guidelines for revised licence granting procedures. The MCGM has done away with Grading, Madira licence, Store room requirements and announced other simplified procedures like self certification for Fire Safety compliance as specified by the Fire Brigade. AHAR thanked the Municipal Commissioner and team for quick and hassle free implementation of the revised procedures.

For more details visit [www.ahar.in](http://www.ahar.in)

## AHAR presents a cheque of Rs. 20 Lakhs towards CM's Drought Relief Fund



President Shri Adarsh Shetty presenting a cheque of Rs. 20 Lakhs to CM Shri Devendra Fadnavis towards the CM's Drought Relief Fund. Also seen in the photo are Shri Vishwapal S. Shetty, Shri Shashidhar G Shetty, Shri Niranjan Shetty, Shri Sanjay Upadhyay, Shri Santosh R. Shetty.



# Joint effort by team AHAR paid rich.....

(Continued from page 1)

## Proposed by

Shri Samith Arasa

## Seconded by

Shri Girish Salian

## Events of the month

The President briefed that the Maharashtra Chief Minister Shri Devendra Fadnavis under 'Ease of Doing Business' has taken very bold decisions in simplifying the licensing conditions and needs to be appreciated. The house endorsed President's view through a round of applause.

## Police Notification o regarding abolition of Police Licenses.

The State Government has issued GR regarding abolition of various Police Licenses. The Members are advised not to renew their RC or PPEL henceforth. The GR is uploaded in our Website www.ahar.in for your ready reference. It is a collective effort from AHAR for the last one decade.

It is a great relief for the Restaurateurs especially the Permit Room Hoteliers.

It is a milestone achievement of AHAR. The credit goes to all the past and present Presidents, office bearers who had pursued it vigorously from time to time.

## Amendment to Rent Control Act by Govt.

Bowing to the pressure by various Tenants Associations and highlighting the matter in Print and Electronic Media by AHAR, the Chief Minister has declared that the Rent Act will not be amended. But AHAR and other Associations have decided to fight till the Tenancy is converted into Ownership.

## MbPT Issues

MbPT is issuing notices and eviction notices to their tenants and sub tenants. This is affecting a number of Restaurants who are the tenants or sub tenants of MbPT. MbPT is using silent and systematic method of sending notices. It is high time that all the MbPT tenants unite and fight against these notices. AHAR is uniting all such Hotelier tenants. It is also proposed to have all the victims united and

bring the matter to lime light. We will address these concerns through Print and Electronic media to cover the campaign. We should approach and involve all political parties for their support in this fight for survival. In the recent meeting of the core committee, it was decided to defer the agitation and make aware of the gravity of the situation to all the MbPT tenants and decide future course of action.

## Simplification of MCGM Licences.

A meeting was held on 9.2.2016 with Additional Municipal Commissioner and the simplification of licensing conditions was finalized. The Grading, Madira License was done away along with many other simplifications. AHAR anticipate the notification to come at an early date from MCGM.

## No Hike for FL-III Licence fees for the current year.

Due to the efforts and continuous follow up by AHAR, the Govt. of Maharashtra has not hiked the FL-III License fee for the current year. The FL-III License fee for Mumbai is Rs.6, 00,000/-. It is a great achievement and relief to all the Permit Room Hoteliers.

He thanked the Excise Minister Shri Eknath Khadse for accepting our request for No Hike.

## Presented a Cheque of Rs. 20 lakhs to CM's Drought Relief Fund.

A delegation of AHAR led by President Adarsh Shetty presented a cheque of Rs. 20 lakhs to Chief Minister's Drought Relief Fund. Team AHAR submitted and discussed repealing of 394 license of MCGM and waiving 8 time Fees for transfer of FL-III License with the CM. The Hon'ble CM has directed the concerned departments to look into the matter for redressal.

He thanked Shri Niranjan Shetty our MCGM Committee Chairman, nominated corporator and BJP spokesperson and Shri Sanjay Upadhyay, Secretary, BJP, Maharashtra for coordinating the meeting with the Honorable Chief Minister.

## Submission against proposed hike in Electricity Tariff by BEST

AHAR submitted a letter of objection for hiking the electricity tariff by BEST and for discontinuing of TDLR by BEST. AHAR delegates also met COO of Tata Power regarding Multi Year Tariff and put forth various suggestions, objections. Also submitted letters in this regard to CM, MERC and Energy Minister.

## Dance Bar Case

The Dance Bar Case has come up for hearing in SC. SC has raised objection to the 26 Conditions put by Mumbai Police and given them time to re frame and submit. The final hearing will be on 1.3.2016. Hope for a positive judgment in favour of Dance Bars.

## Meeting with Municipal Commissioner

A delegation of AHAR met Municipal Commissioner Shri Ajoy Mehta and thanked him for the bold initiative in simplifying the licensing conditions of MCGM. He said that the Municipal Commissioner has categorically requested AHAR President to be careful in Fire Safety and encroachment matters. The President advised the members to be careful by having fire safety audit and strict compliance and to remove any illegal encroachment including open space or regularise the same. He advised the hoteliers who are in need of open space are requested to apply to the concerned authority and pay the necessary fees to get it authorised. He said AHAR will not support any noncompliance of fire safety guidelines or illegal encroachments.

He also said since the DC rules are being changed, Municipal Commissioner has requested AHAR to submit our suggestions in the matter. The President said that a joint representation with HRA [WI] and NHRAI in this regard will be submitted by 31.3.2016.

## Presentation by Vice Presidents Zone - I

Shri Mahendra Karkera Attended a Child Labour case of Jolly Hindu Hotel and got released

the employees wrongly arrested under Child Labour.

Collected membership of Rs. 30,000/- and Legal fund of Rs. 25,000/-

## Zone - II

### Shri K. V. Shetty

Collected membership fee to the tune of Rs. 20,200/- Submitted around 50 applications to MGL for new PNG connections. Due to our efforts the undue favour collected by Police from our hotelier member has been returned. All members are advised to keep a Home Dept. circular regarding timing of 1.30 a.m. ready for reference. (Download the circular at www.ahar.in)

## Zone - IV

### Shri Sunil Shetty

Informed the house Shri Satish Nayak of Rama Nayak Udipi Shri Krishna Boarding was kind enough to donate an amount of Rs. 5 lakhs towards legal fund. He requested the members of Permit Rooms, who have saved an amount of about Rs. 70,000 this year due to non hike of Excise fees and abolition of various Police Licences. He requested the members to make voluntary donations to the legal fund from this savings. He made a suo moto contribution of Rs. 25, 000/- towards legal fund and requested the members of his zone to follow the example.

## Zone - V

### Shri Ravindranath Nire

We have collected 99% of membership fees. The new membership drive will start after April 2016.

## Zone - VI

### Shri Amar Shetty

A harassment by a health officer was attended through Shri Manoj Kotak, corporator and was sorted out. Membership collection from April 2016 onwards.

## Zone - VII

### Shri Rajan Shetty

The AMC of H/west ward was avoiding the meeting with hoteliers on one or another pretext. By intervention of Shri Niranjan Shetty through Smt. Poonam Mahajan,

MP, a meeting was convened with AMC, who assured his support in attending the grievances and on the spot advised the concerned department to clear all pending applications for open space use. We are also attending the sign board notices issued to various hoteliers. We have categorically told all hoteliers not to pay any license fees to IPRS unless it is a live event. An instruction by police to close the Café Gulshan by 11.30 p.m. due to a murder in the vicinity was attended. After meeting SI, the Police allowed the hotelier to keep his hotel till schedule time of 1.30 a.m.

## Zone - VIII

### Shri Jagdish Shetty

A matter for non filing of FIR by Police in Hotel Swagat, Kurla was attended and the Police was forced to file FIR. A Parking dispute of Police in CST Road near Hotel Nityanand was attended and was sorted out.

## Zone -IX

### Shri Karunakar Shetty

A case of Child rape by an ex-employee of a Hotel in the area, which was attended and tactfully sorted out, resulting in closure of hotel only for a single day. Collected membership fee of Rs. 60,000/-

## Zone -X

### Shri Prabhakar Shetty

Due to our efforts the Local Goondas who had damaged the property and manhandled the employees of Hotel Ambience, Kandivili for not serving liquor after stipulated time were arrested and jailed. Collected advance membership fees of Rs. 92,500/-

## President

1. We have many verbal commitments of donation to Legal Fund by Hoteliers. We are waiting for clarification by Trade Union Experts regarding acceptance, accounting etc. and then will start the collection drive. He also clarified that contribution from members is a voluntary one and without any compulsion.

2. He appreciated the bold initiative taken by Dr. Satish Shetty (Continued on page 5)

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# Joint effort by team AHAR paid rich....

(Continued from page 2)

in tackling the issue of Hotel Swagat, Kurla. He said due to his arguments and bold submission the Police was forced to file a FIR against the powerful builder, who had demolished the hotel illegally.

3. He advised the members to get the permission from MCGM wards for using the open space legally to avoid the harassment from the MCGM officials.

4. Looking at a very humanitarian and touching gesture of Hotel Mirchi and Mine, Powai of employing people with hearing loss, He proposed free membership to the hotel. The house unanimously supported the call.

#### Proposed by

Shri Vijaykumar Shetty

#### Seconded by

Shri Niranajn Shetty

#### Presentation by Sub Committees

The Sub Committee coordinator Shri Sudhakar Shetty coordinated and the following subcommittee chairpersons made their presentations.

#### Shri Samth Arasa - Action against Hawkers Committee.

In the WP filed by Kelavani Mandal, Vile Parle, we have intervened as an interested party. The WP may come up for hearing tomorrow in Supreme Court. We have to put a good counsel to fight the case.

#### Shri Vijay Kumar Shetty -Excise - Suburbs.

MLA, NGO groups are moving against selling liquor items more than MRP. The same was brought to the notice of Supdt. of Excise. The FL-III License fees are not hiked due to the efforts of AHAR. He donated an amount of Rs. 30,000/- towards legal fund as his personal contribution and requested others to do the same.

#### Dr Satish Shetty - Police-Suburbs

A delegation of AHAR forced the Police to register a FIR against a reputed builder who had demolished Hotel Swagat, Kurla under redevelopment. AHAR also forced the Police officials to put the maximum clauses in the FIR and advised the hotelier to move to the Court. In Hotel Ambience case also met the Senior Police Officer and got the culprits arrested and jailed.

#### Shri Bhaskar Shetty - Publications

All details of Sub Committee, Office Bearers etc. has been uploaded in the website. Members are advised to check the same and revert incase of any error. Our facebook account is very popular and well visited for update on Hospitality sector. Recently an article on Mirchi and Mime, a restaurant at Powai which has employed only hearing and speech impaired employees to serve food. This post has received more than 22 lakhs views in just fifteen days showing the reach of Social Media.

Shri Bhaskar K. Shetty donated an amount of Rs. 25, 000/- towards legal fund of AHAR.

#### Shri Niranjan Shetty

Due to our intervention on behest of Smt. Poonam Mahajan, MP, the AMC, H/West was compelled to take a meeting of Hoteliers of his zone. The meeting was very positive and the AMC assured for devoting 3 days in a week to attend the grievances of the AHAR members of his Zone.

The AMC also advised MOH to settle all pending issues.

#### Shri Sudhakar T Shetty - Coordinator

He advised the members not to take any IPRS license and make payment of fees unless it is a live event.

The FSSAI licenses issued at AHAR camp in 2011 have not been recorded in FDA database and hence advised all members to apply for a new license and get it renewed within the stipulated period.

#### Speech by advisors

#### Shri Arvind Shetty

The efforts and the results of Present Managing Committee are excellent. We should use all our means to repeal 394 license of MCGM which is a duplication of FSSAI licence. If needed, we may have to even move the Court. We should also follow up with Municipal Commissioner regarding clarification and clear guidelines in Sign Board matters.

#### Shri Santosh R Shetty

The President and his team is doing excellent job. Please pay the fees for the exact area of open space used to avoid future complications. Under DC Rules Change of User is required only for Restaurateurs and not for any other

industries. At present we need to approach Buildings and Proposals Department to amalgamate the adjoining premises. Hence, we should ask the MC to do away with the Change of User requirements as in the case of other industries.

The timing of Restaurant after cancellation of RC and PPEL should be controlled only by the Shops and Establishment Dept. of MCGM and not Police. We have to fight and get the 394 license repealed.

Congratulation to all VPs who are making good presentation and work.

#### Others

#### Shri P. S. Jain -

Since the PPEL is repealed there is no need of applying for Manager's inclusion in the PPEL, Timing of Restaurant upto 1.30 a.m. as per the circular issued by Home Department. The police may target Performance Bar for not having Premises licenses. Please obtain it.

#### Stall Participation

#### Name of the Vendor

- # Zeta Meals
- # VKL Seasoning
- # Investaac
- # Kings Beer
- # Reliable Business Solutions
- # Prabhat Dairy
- # Diversey
- # HDFC Bank
- # Raj Shaurya
- # Foody Amma
- # OXIMORE drinking water
- # Matspall Bombay Group
- Liquor Sponsorship
- Companies
- # United Spirits
- # Pernord-Ricard
- # Kings Beer
- # Privilege Industries

Hon. Jt. Secretary Shri Vishwapal Shetty introduced the vendors who made their presentation and were felicitated with the flower bouquets.

#### Appreciation Letters

The Hon. Gen. Secretary Shri Santosh R. Shetty read out the following appreciation letters received from members.

1. Jolly Hindu Hotel
2. Nityanand Veg. Restaurant Kalina.
3. Hotel Ambience, Kandivili

#### Condolence

The Hon. Gen. Secretary Shri Santosh R. Shetty read out the names of Hoteliers/ their relatives who left for heavenly abode and prayed for their eternal peace.

1. Shri Vishwanath Chowta, Rajarajeshwari Hotel, Shivaji Park expired on 4.2.2016.
2. Shri Narayan B Shetty, Hotel Shiv Leela, Vile Parle expired on 20.1.2016.
3. Shri Sudhakar J Shetty, Hotel Vishwa Bharati, Mulund [W], expired on 6.2.2016.
4. Smt. Shambavi Shetty mother of Shri Ramanand Shetty, Malvan Samudra, Vikhrol, expired on 19.2.2016.
5. Shri Vittal Chowta, Asha Bar & Rest, Prabhadevi expired on 28.2.2016.
6. Sister of Shri Yermal Harish Shetty.

#### Vote of Thanks

The Meeting was concluded with vote of thanks by the Hon. Gen. Secretary Shri Santosh R Shetty ●

# Dance Bar so near yet so far.....

Mumbai: Former Home Minister late Shri R. R. Patil of the NCP in the year 2005 has decided to crack the whip on dance bars and bar girls in the State, saying that they were perverting youth and promoting flesh trade. He imposed a ban, which led to the shutdown of more than 700 dance bars across Mumbai and Maharashtra.

Dance Bar owners and women's rights groups had waged a war on the decision in the Bombay High Court submitting that it took away the bread and butter of hundreds of women. The HC, in April 2006, ruled in their favour, leading the state to appeal in the Supreme Court, which ordered the bars shut

till its verdict in the matter.

There were around 700 establishments across Maharashtra which employed more than 75,000 women according to newspaper reports. They performed Bollywood-style dance routines in bars, receiving cash tips from patrons apart from their salaries.

The state police had cracked down on dance performances in bars for the first time in 2005. Elite establishments, including five star hotels, were however, exempted. The state thereafter, bought in a law banning dance routines in all establishments after the Court pointed out the discrimination.

The dancers' union had opposed

the ban, saying many of its members would be forced into prostitution if the state refused to allow dance performances.

With regard to the recent Supreme Court order allowing the Dance Bar to reopen Shri Bharat Thakur, President of the Performance Bar Association a wing of Indian Hotel and Restaurant Association (AHAR) said "We are happy with the decision of court". "We always respected the dignity of women. We have been running dance bars since 1997 and there was no complaint against us on obscenity.

They may quibble and oppose each other on every other issue, but

when it comes to banning dance bars, Maharashtra's politicians stand shoulder to shoulder. A week after the Supreme Court had ordered that dance bars be given licenses by 15<sup>th</sup> March 2016, the ruling BJP-Shiv Sena government has proposed to bring another bill to stop them reopening.

"Our opinion and that of the Supreme Court order is different. In the assembly we can exercise our right. So we shall express our right through a law," said Chief Minister Devendra Fadnavis.

Opposition Congress and the Nationalist Congress party, which had repeatedly banned dance bars since 2005 but failed to pass the

legal test, supported the move.

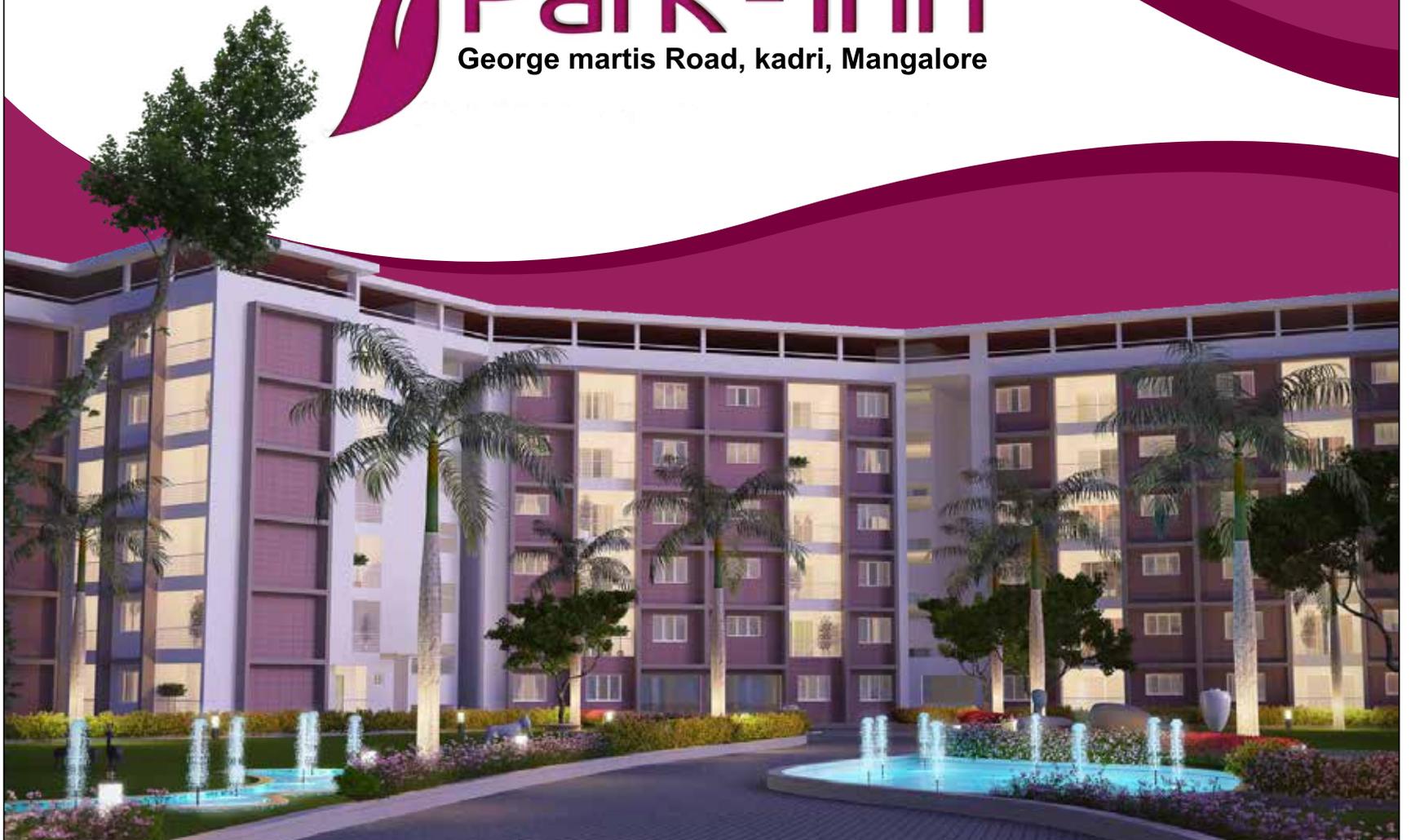
The Congress went a step further, blaming government and lawyers who failed to convince the top court.

"This is the result of the way the Maharashtra government handled this issue in court.... They should have presented their side well in the Supreme Court, which I don't think so they did it," said Congress lawmaker Shri Anant Gadgil.

"For a decade, the government is dragging its feet on this issue. Even after the court orders, they don't want to restart dance bars. I fail to understand how they can so blatantly refuse to obey even Supreme Court (Continued from page 7)



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## Dance Bar so near yet so far.....

(Continued from page 5)  
orders?" said Shri Bharat Thakur - Chairman Performance Bar Committee of AHAR. He further said that the department which had reluctantly issued few licences



**Shri Bharat Thakur**  
Chairperson - Performance Bar

were revoked even before the commencement of the performance on some flimsy grounds. The CM suspended four Police officers for derelictions of duty and submitting false reports.

But despite all their efforts, on grounds of parity and the right to work, the courts have struck down the diktats. The stage is now set for another round of legislature versus judiciary.

### Identity card and Fixed pay for Bar Dancers

If the Maharashtra government has its way, bar dancers in the state will be provided with a fixed monthly salary and identity cards. A draft legislation by the Maharashtra government proposes that the salary be fixed by bar owners, though dancers should have the right to choose their work timings.

The proposal, made by the state home department in a bid to regularise dance bars, also wants identity cards for the dancers be made mandatory. The department wants bar owners to follow these rules, but the legislation has not been finalised as yet, as legal opinion is awaited before it is converted into a bill.

The draft legislation was put forth after the Supreme Court last week struck down six of the 26 norms proposed for obtaining Dance bar licences.

The Maharashtra home department plans to impose stricter norms to contain obscenity and vulgarity, which the apex court accepted within the purview of the state and put the onus of safety of the dancers on bar owners.

The state government plans to

table the draft of the proposed bill in the budget session starting March 9 and subsequent decision will be taken



in the matter.

In a major development, the Supreme Court has reiterated its earlier order of October 15, 2015 asking Maharashtra government to issue licences to dance bar owners.

Maharashtra government has informed the Supreme Court that its orders will be complied within two weeks and all eligible hoteliers will be given licences. The Supreme Court also raised questions over Maharashtra government laws banning dance bars. The apex court questioned dance, dance forms and moralities.

The court questioned how individual morality, perceptive morality and selective morality can merge into collective and legal morality. Maharashtra government also relies on studies by TISS and SNDT College which show how youngsters are tempted to drinking and going to these dance bars.

However, Maharashtra Chief Minister Shri Devendra Fadnavis said he respects the Supreme Court order. "We respect the Supreme Court's order. However, we are principally against opening of dance bars. Will explore all legal options including legislative intervention", he said.

Maharashtra Dance Bar owners object to government's condition of giving CCTV footage to police stations.

The Supreme Court has asked licensing authority to respond to the objection raised and said there is also the issue of privacy of clients visiting the Dance Bars. However, the Supreme Court said there can be no change in the judgment.

The Supreme Court (SC) ensured that all of them get licenses to reopen

the Dance Bars soon. Bar owners will not have to erect a three-feet high permanent wall around the

performing stage, which was an earlier contentious stipulation. Forced by the apex court, the Maharashtra police changed the condition to just a railing around the stage.

The most controversial requirement to install CCTVs all over the dance bar including over the stage and to give live feeds to the nearest police control room also has been scrapped and the new condition only permits CCTVs at the entrance and other places for security reasons.

A bench headed by Justice Dipak Misra also persuaded the police to allow the bars to allow more than four dancers to perform. While only four can perform at a time, others have been allowed to wait in the green room for their turn to come on stage.

"Dance Bar owners are to comply with the condition within three days after which licences will be issued within further ten days. We are certain that now the competent authorities will not impose new conditions to stall grant of licence. They shall act in accordance with law and not venture to deviate (from the court order)," said the bench.

Protesting the condition of the three-foot wall around the performing area, the Indian Hotel and Restaurants Association (AHAR) and Performance Bar Association said it would seriously affect their business.

"Indian women are around 5 feet or 5.5 feet. If they are going to cover upto 3 feet, only the top halves of the women will be visible. Dance steps involve full body movements, how will patrons see them dancing?" said Shri Shashikant Shetty a hotelier in Chembur.

Terming the rule for installing CCTV

cameras, including over the dancing area as "irrational" and ordering its removal, Justice Misra had said

"CCTV cameras invade a patron's right to privacy. We do not mind you installing the cameras at certain sports where there could be

and regulation of the government notifications. Four Dance Bar licences was issued and around sixteen applications are in the pipeline for obtaining licence. However, there were many inspections and verifications to the Dance Bars and the owners feel that it is again a harassment time too.

While going to the press it had been brought to our notice that the few licences which were issued earlier were revoked for non compliances and not adhering to the guidelines laid down by the Supreme Court. In this connection four policemen were suspended for derelictions of duty and false reporting ●

### Dance Bar so near yet so far.....

#### Police Licences Not Required For The Following:

1. Eating House Registration Certificate.
2. Swimming Pool License.
3. Place of Public Entertainment License [PPEL-A]
4. Place of Public Entertainment License [PPEL-B]
5. Performance License.

For above circulars and more details visit [www.ahar.in](http://www.ahar.in)

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