



AHAR delegation to call on Union Finance Minister & Union Health Minister

Forever News Reporter

Shri Anil Salian VP-Zone-X and the host of 10th Monthly Managing Committee Meeting welcomed the delegates to the meeting. He acknowledged the support received from all members over the years in making the Zone a vibrant one. He further said that the membership drive is in full swing and sought the support of all members in renewal and enrolling of new members.

A delegation of AHAR is likely to have an audience with the Union Finance Minister, and the Union Health Minister very soon.

The delegation will raise the intriguing issue of Service Tax during their meeting with the Union Finance Minister. The issue of FSSAI will be the focus of their interaction with the Union Health Minister.

It could become possible after Shri Niranjan Shetty facilitated a meeting of hoteliers with the Union Minister, Shri Ananth Kumar to discuss issues affecting the growth of the industry. The Minister has assured the hoteliers of an audience with the Union Finance Minister & Health Minister during the winter session in Delhi to address our issues pertaining to Service Tax & FSSAI.

“Amongst the various issues including high inflation, outdated laws, multiple taxes we specifically highlighted the plight of the industry due to the levy of Service Tax in A/C restaurants & introduction of FSSAI by the Central Government during our meeting with the Union Minister. AHAR president Shri Arvind Shetty informed while addressing the 10th Monthly Managing Committee Meeting was held on 29 October 2014 at 7.45 p.m. at Hotel Avenue, Thakur Complex, W. E. Highway, Kandivili [East], Mumbai 400101.

The Hon. Gen. Secretary, Shri Sukesh



Welcome address by Host Shri. Anil Salin, Vice President-Zone-X

Shetty, briefed the house that an amount of Rs. 20 lakh was sanctioned in the earlier monthly meetings to meet the Service Tax legal expenses.

“We moved the Supreme Court by filing SLP, as the Service Tax writ petition was dismissed by Bombay High Court. We have to appointed Ms. Diksha Rai as our advocate on record and Adv. Mr. Arvind Datar as our counsel to file our reply for the affidavit. It may be noted that Adv. Mukul Rohatgi who was our counsel who prepared the draft petition has been appointed as the Attorney General of India by the Government of India.

Both the State & Central Administration have filed their respective affidavits in the Supreme Court. The earlier Single Bench Judgment of the Kerala High Court favoring Hoteliers was challenged by the Service Tax Department in the Division Bench. Now the Division Bench of the same Court has dismissed the appeal of the Department & upheld the earlier judgment stating that bifurcating a bill for the purpose of levying Service Tax is unconstitutional as the entire amount is constituted as sale of Goods & Tax by the State.

The newly introduced FSSAI has clearly mandated repeal of all other

Acts/Laws pertaining to Food. “We had requested the State & Local Administration to repeal the BMC 394 License as our members were facing a lot of difficulties due to the presence of two different Departments governing the same set of Food Laws. We have decided to file a Writ Petition in the Bombay High Court through our Advocate Smt. Anjali Purav,” the president said.

Restaurant Business Trade Exhibition

Shri Sudhakar T Shetty, chairman of the 35th AGM Committee informed the house that 30 stalls are booked for the Restaurant Business Trade Exhibition. The negotiation is still on for Title, Co-sponsorship and event support sponsors. He requested the members to canvass for stalls through their known sources.

He further urged the VPs to forward the applications for felicitation of the senior hoteliers and Cash award to the Students securing more than 75% marks in SSC/HSC latest by 15th of November 2014.

Moreover, he appealed the members to reach out for the bulk suppliers like Damodarabhai Chakkubhai and enrol them for sponsorship of our AGM events or stalls.

He added that an estimated expense of Rs. 22 lakh for 35th AGM needs to be approved. He read out the estimates as under:

Hall	Rs. 2,15,000.00
Catering	Rs. 6,00,000.00
Stalls /decoration	Rs. 7,85,000.00
Printing&Stationery	Rs. 2,00,000.00
Eventmanagement	Rs. 1,50,000.00
Adv., Mementoes, Photography, Video, Banner, etc.	Rs.1,25,000.00
Donation to NAB	Rs.1,25,000.00
Total	Rs.22, 00,000

35th AGM & AHAR Hospitality Expo Commences at Buntara Bhavana

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The one day AHAR Hospitality Expo aimed to catapult the ever increasing industry demands and changing market dynamics which will give boost to the specialized B2B event, on the 35th edition of AHAR Hospitality Expo organized on December 16, 2014.

The display profile covers: The fair is being hosted by

Indian Hostel & Restaurant Association (AHAR). AHAR is one of the first movers in the B2B Exhibition scenario to keep the buyer seller connect under one roof. The exhibition space proved to be one single point contact for all the buyers and seller at huge magnitude. The success been retired as some of the exhibitors have booked for five years in row, which reaffirms that the success story of the event.

Relaxation of Dry Day on the day of counting

Serving of the liquor by the restaurants will now be possible after 6.00 p.m. on the day of polling in future.

“As Electronic Voting Machines nowadays helps in accelerating the process of counting & results are out by late afternoon, we requested the Administration to allow us to serve Liquor in the Evening. As there was no response from the Department, we moved the Hon’ble Bombay High Court, which in turn granted us permission to serve liquor in our Restaurants after 6.00 p.m. in the evening,” the president informed.

Transfer of senior MCGM official

“AHAR Leaders from Zone V like VP Shri Ravindra Nire, Ex VP Shri Vijay Shetty, Shri Adarsh Shetty & all the Committee members should be complimented for the exemplary manner in which they pursued harassment cases of Senior Ward Official & compelled the Administration to transfer the above mentioned officer. The Officers in future may think twice before venturing

out to unnecessarily harass our members”.

Simplification of licence conditions & one window clearance.

AHAR has been vigorously campaigning since the last few years for simplification of Rules & License conditions in State Excise, Police, Urban & Local Administration.

“We are pleased to announce that AHAR has been appointed in a Committee constituted by the State Government to address the above issues which were affecting the Growth of the Tourism & Hospitality Industry in the State. It is truly recognition of decades old experience available in AHAR,” the president said.

Felicitation

Shri Gopal Shetty, Member of Parliament was honoured with Shawl and floral bouquets on the occasion.

Replying to the felicitation, Shri Gopal Shetty said that with BJP Government in the Centre and the State will surely help the largest industry of Hotels in solving their pending grievances. He suggested the Association

to represent their pending grievances for redressal in the new Government. He assured his support for matters pertaining to the industry. He asked members to procure the open space use permission in advance and not to violate any laid down norms. He warned the Association not to sit on past laurels but continue the fight against injustice.

Best Performing Zone

The Hon. Gen. Secretary read out the points earned by each Zone and declared Zone-X as the Best Performing Zone for the month of October 2014. Anil Salian, VP, Zone-X accepted the memento and the floral bouquets on behalf of his Zone.

Presentation

Shri Nandlal Rathod, Asst. Welfare Commissioner & Additional Welfare Fund Inspector, who graced the occasion briefed about the various welfare benefits available to the employees working in hotel. He said that the amount of Labour welfare fund paid by the Hoteliers every June and December along with Employers contribution and the Government contribution is kept in corpus fund and the amount is paid through various welfare schemes. He requested the members to take benefit of the same and also offered his and his teams support. The team also distributed booklets containing the benefits of the welfare fund to employees. He thanked Shri Harish Shetty, the Board

member and the President Shri Arvind Shetty for giving him an opportunity to brief the scheme.

Shri Nandlal Rathod and Shri Harish Shetty were honoured with floral bouquets.

President Shri Arvind Shetty said that it is a an awareness to the hoteliers and requested them to take benefit of the same.

Condolence

1. Shri Jerome D'Souza, Uncle Kitchen, Malad (W) on 12.10.2014.
2. Shri Vithal B Shetty, Pushpa Punjab Bar & Rest., Vikhroli (E) on 21.10.2014.

Stall Participations

Menson	Hotel Software
Tiny Owl	Online Order
Almondz	Insurance Products
Purevede	Perfume
Royal Uniform	Uniform
Gardre Marine	Marine Products
Food Panda	Online Booking
Zero Degree	Ice Cream
Diamond Heritage Jewellery	

Vote of thanks

The Meeting was concluded with Vote of thanks by the Hon. Jt. Secretary Shri Satish R Shetty.

AHAR felicitation



Shri Gopal Shetty, Member of Parliament honoured with Shawl and floral bouquets on the occasion of Xth Managing Committee Meeting.

During the felicitation, Shri Gopal Shetty said that with BJP Government in the Centre and the State will surely help the largest industry of Hotels in solving their pending grievances. He also suggested getting the open space use permission in advance and also not to violate any laid down norms. He also warned the Association not to sit on laurels but continue the fight against injustice.



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Shri Anil Salian, VP Zone-X receiving Best Performing VP of the month award from President Shri Arvind Shetty and Advisors in the presence of the Committee Members of Zone-X.

Service Tax Matter

The Service Tax Department's appeal against an earlier Single Bench Judgment on Service Tax favouring Hoteliers is dismissed by Division Bench of the Kerala High Court.

Division bench of Kerala High Court struck down Service Tax on Restaurants and Hotels, held that only States alone have power to impose tax.

The Hon'ble Kerala High Court had earlier held that the levy of Service Tax on Restaurants and Hotels is beyond the legislative powers of Parliament. It was declared that sub-clauses (zzzzv) and (zzzzw) to Section 65 (105) of the Finance Act 1994 as amended by the Finance Act 2011 is beyond the legislative competence of the Parliament as the said sub-clauses are covered by Entry 54 and Entry 62 respectively of List II of the Seventh Schedule. The Court had also allowed refund of Service paid by the Petitioners in the stated case. Being aggrieved the Department filed a Writ Appeal before the Division Bench of Kerala High Court.

The Department paced reliance on the subsequent decision of the

Hon'ble Bombay High Court in the case filed by AHAR wherein the Bombay High Court gave a contrary judgment denying the decision of the Kerala High Court and upheld the constitutional validity of levy of Service Tax on AC Bar Restaurants.

The Division Bench of Kerala High Court disposed of the Writ Appeal filed by the Department against the Single Judge's Order and categorically endorsed the analysis of the Single Judge and distinguished the Bombay High Court order.

AHAR has moved the Supreme Court

by filing SLP after its Writ Petition against Service Tax was dismissed by the Bombay High Court. AHAR has appointed Ms. Diksha Rai as advocate on record and Adv Arvind Datar as Counsel to file the reply for Affidavit. It may be noted that Adv Mukul Rohatgi who was counsel who prepared draft petition has been appointed as Advocate General of India by the Government of India. Both the State and Central Administration have filed their respective affidavit in the Supreme Court.

Visit www.ahar.in for full Kerala HC and Mumbai HC Judgments.

Free to choose power distributor

After introduction of portability in sectors like mobile phone number as per which a subscriber is free to change his telecom operator according to his choice, the same has now become possible for the power consumers in the Mira Bhayander, Chene and Vasrsova.

The Tata Power Company (TPC)

14 of the Electricity Act, 2003, has granted licence (s) to persons seeking to act as Transmission Licensee(s), Distribution Licensee(s) and Electricity Trader(s) in the State of Maharashtra. Since Tata Power has applied for grant of Distribution Licence within the State of Maharashtra, this Commission is the Appropriate Commission for this case. Accordingly, the Commission has admitted the Petition and decided the same through an Order.

Visit www.ahar.in for full report on power.

Display of signboard

There is a good news for the hotels and bars. They can put up illuminated signboards on their premises without paying exorbitant advertisement charges for the same. It has become possible through a petition which had been filed by an AHAR member, Mr. Shivaram Shetty in the Bombay High Court. While hearing the petition, the court referred to a Supreme Court judgment and said that the hotels and bars were free to display signboards on their premises so as to help their

customers locate their premises. However, this order comes with a rider, The hotels and bars have been instructed that the signboards should be in such a manner that they do not invite customers or for any other such commercial gain purposes.

The court said that signboards indicating the name of the business place doesn't amount to an advertisement and therefore the display of signboard will not amount to an offence within the section 328 A of Mumbai Municipal Corporation Act and will not be punishable u/s 471 of the said Act.

Visit www.ahar.in for more information on signboard and full judgement.

Landmark Judgments

had filed a petition before the Maharashtra Electricity Regulatory Commission requesting for grant of Distribution Licence under the provisions of Section 15 of the Electricity Act, 2003 and Maharashtra Electricity Regulatory Commission (General Conditions of Distribution Licence) Regulations, 2006. The proposed area of supply falls within the geographical boundaries of the State of Maharashtra.

The Maharashtra Electricity Regulatory Commission, under the powers conferred on it by Section 86(1) (d) read with the Section

Medical Camps



Free Complete Health & Eye Check up Camp for Hotel Employees held on 08.10.2014 at Symphony Pride Celebration, Mulund East by VP Zone VI Shri Sunil Patil and his Team.



A Free Eye Check up Camp for Hotel Employees held on 29 September 2014 at Su-Swagat Bar & Rest, Dattapada Rd., Rajendra Nagar, Borivali (E) hosted by Shri Anil Salian, Vice President Zone X and his team.



Free Eye Check up Camp for Hotel Employees held on 13.10.2014 at Hotel Pratiksha, Navjeevan Society, Mumbai Central by VP Zone II Shri Gangadhar Shetty and his Team



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