

Role of youth in national development

[Life, Adolescence](#)



My name is Ram Manohar. I am a farmer engaged in paddy cultivation as well as the Secretary of an Association of farmers. I come from Thirunellveli district in Tamil Nadu. About five kilometers from my farm land, a multinational company established a factory for producing soft drinks. The entire land around the factory to an extent of 10 Sq. km was under paddy cultivation. The entire water requirement for the company was from bore wells in the company premises.

It is understood from the employees of the company that each bore well is around 1000 ft deep. Since the establishment of the factory the water availability in the bore wells in the farm land started receding. The main water source for agriculture and day to day life is from bore wells. The company apart from producing soft drinks is also producing a fertilizer as a by-product. The Agriculture Department of the Government of Tamil Nadu is marketing the fertilizer at a subsidized rate. The said fertilizer is very cheap and the farmers are using the same for paddy cultivation.

However the use of fertilizer has reduced the yield. Since the past two years almost the entire bore wells in the farm land has gone dry. Hence I am unable to cultivate paddy for the last two years. Around 2000 farmers in the locality are similarly placed. The Government has appointed a study commission to look into the issue of shortage of water, reduced yield and connected issues. After enquiry the Commission recommended the immediate closing of the factory. The Government of Tamil Nadu acted on the Report and closed the factory. In the meantime the Government also framed rules for regulating bore wells.

The company has wound up its entire activities in India and closed its office and its responsible persons had left India. The entire farmers in the locality under the association are on an indefinite strike. We are demanding compensation. Can we claim compensation from the Government as well as from the company. Presently the farmers have no means for their daily livelihood. Please advise us. Additional Information 1. I am sixty years old. 2. From time immemorial my family is engaged in paddy cultivation and Thirunelveli district is known as the rice bowl of Tamil Nadu. 3. I own fifteen acres of farm land. 4.

The name of the company is Popsco. It is a Finnish company. 5. The company started functioning in India in the year 2005. 6. The company has 100 acres of land. 7. There are 40 bore wells in the factory premises. 8. I have three bore wells in my farmland and they have also gone dry. 9. The average depth of the bore well in the farm land of the area is 250 ft. 10. The Commission was appointed during July 2007 11. The Commission gave its report during March 2008. 12. The Commission found that the fertilizer contained high level of Cadmium which has resulted in the reduced yield and that the farmlands have been contaminated. 13. The Commission also found that the water shortage was due to excess drawing of ground water by the factory. 14. The Commission found that the farm lands cannot be profitably cultivated for a minimum period of five years. 15. Fertilizers containing Cadmium has been banned since 2003 in almost all parts of Europe. 16. The commission found that a minimum ten years period is required for sufficient increase in the ground water level. 17. The estimated loss of income of the farmers as per the Commission Report is five thousand Crores. 18.

The commission found that the fertilizer was approved for sale bypassing statutory requirements. 19. The factory was closed during December 2009, till that time the factory was fully operational. 20. The association has given written representation for compensation to the company on October 10th 2009. ©KERALA LAW ACADEMY MOOT COURT SOCIETY, Thiruvananthapuram ELEVENTH NATIONAL CLIENT CONSULTING COMPETITION 2010 KERALA LAW ACADEMY, THIRUVANANTHAPURAM FINAL My name is Sofia. I am a veterinary doctor and an expert in embryo transplantation technology. I am an employee of a Company in Gujarat.

I joined the company on 10/05/06. The notification for selection stipulated that a five year bond has to be executed as a condition for selection. After selection I executed the bond. At the time of selection I have surrendered my entire original certificates to the company. The bond stipulated that I should work for minimum five years with the company and in case of resignation, liquidated damages of Rs ten lakhs has to be paid. Furthermore the bond contained a non - competition clause which prohibited me from working in a similar organization for ten years. All the selected candidates executed the bond.

I was sent to Denmark for routine training by the company. The company has agreed to enhance the salary to all employees w. e. f 01/01/08. However the company has not yet enhanced the salary citing financial crisis. There was an offer from another company. I appeared for the interview and got selected. I was instructed to produce the original certificates on or before 10/02/2010. I approached my company for relieving me and also for original

certificates. The company stated that I cannot be relieved as the new company is engaged in similar business. I lost the opportunity.

From April the company is facing severe financial crisis. The future of the company is uncertain. Can I resign from this company and opt for another job. The company has orally informed me that they would not relieve me till the bond period is over. I am one among the ten veterinary doctors in India who are skilled in embryo transplantation and as such I have tremendous job opportunities with higher prospects. Am I entitled to claim compensation from the company for denying my opportunity? The company is threatening to sue me if I join similar institutions. Please advise me.

Additional Information 1. Bachelor of Veterinary Science and Animal Husbandry Degree obtained in the year 2005. 2. The name of my Company is Gujarat Livestock Corporation. 3. Selection was through all India written test and Interview. 4. Bond was executed on 1/05/2006. The bond has no clause allowing the company to retain my original certificates. I have the copy of the bond and the copy of the notification inviting application for the job. 5. The pay scale is Rs 16000-22000. 6. My post is Assistant Veterinary Surgeon. 7. I successfully completed the probation on 10/05/08. 8.

It was told that the original certificates would be returned after the probation period. 9. The proposed enhancement of salary was Rs five thousand per month. 10. The offer for the new job was from Gujarat Dairy Corporation. 11. The offered post was Deputy Manager. 12. The pay scale of the new company was Rs 25000-35000. 13. Written request for relieving was made on 20/01/2010. 14. Reply to the above request was received on 28/01/2010.

15. Gujarat Dairy Corporation and Gujarat Livestock Corporation are engaged in similar activities and both are promoted by the Government of Gujarat. 16.

I was provided in-house training for the first six months by the company. 17.

I went to Denmark on 10/05/07. Training was the same as given in the in-house training and was for three months. 18. The company has spent Rs

fifteen lakhs as expenses for my training in Denmark. 19. In addition I went for training to Australia for three months with the permission of my

employer. Training in Australia was from 2/06/08 to 02/09/08. 20. The training in Australia was for specialization in embryo transplantation. 21.

Training in Australia was on my own expenses ©KERALA LAW ACADEMY

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