

## **Lex Infinitum 2019 - Negotiation Problem**

**Water is magic; Price it fairly!**

**By Dr. MRK Prasad & Dr. Sandhya Ram**

### **Parties**

Jal Jadoo, represented by its Managing Director, Globinse Paul

Consumer Alert 24 x 7, represented by its President, Kalidas Almeida

### **The Backdrop**

Some lands are like that. As if heavenly signature is bestowed upon it, it attracts people from all over the world and Nageshi is one such breathtaking destination in the State of Goa. The legend is that Parashuram, an incarnation of Lord Vishnu threw his axe into the ocean and thus emerged the blissful land of Goa blessed with serenity and natural resources. The sun, the sand and the sea, of course, is united with a combination of lush green mountains and the free flowing rivers. It goes without saying that tourism flourish in such a land and fetches travellers all over the year including monsoon time.

### **Jal Jadoo**

Globinse Paul is an established entrepreneur who had proved his innovation and success in many sectors including film making and amusement parks. Globinse has the legacy of establishing and successfully managing a number of water theme parks and amusement ventures in South India, known for its splendid location, innovation and ecofriendly elements. Having explored the scenic charm and rich natural resources in the State of Goa, Globinse approached the Government of Goa with proposals of a public private association in bringing up a 'never miss' tourist destination in the state. With their contacts and credentials, Globinse Paul, in March 2018, procured a fifty year lease of over fifty acres of land at Nageshi Village bordered by the Western Ghats and adorned by the flowing Mhadei River and the very many natural springs. It is on this property that the 'Jal Jadoo' was build, a massive water theme and amusement park, with around seventy joy rides spread all over, the settings aptly suiting the name 'jal jadoo'; 'jal' meaning water and 'jadoo' meaning magic.

The entry to Jal Jadoo was on payment of Rs.1500 per person, and the ticket cost would cover using all or any of the rides and premises upto 6pm on the day of issue of the ticket. Food and drinks from outside was strictly prohibited and the ticket holders were permitted entry only after checking their bags and persons. Sufficient number of food corners and rest rooms were spread all over the property,

and a variety of food was made available. One would see a long queue at the rides, restless and curious kids and adults waiting to try the mind blowing rides, especially during the school holidays. Those who had purchased the privilege ticket worth Rs.3000 could literally jump the line and secure a preference slots in each of the rides. On 7<sup>th</sup> November 2018, the day following Diwali, there was a heavy rush at Jal Jadoo and specially at the ‘Seven Dragon Loop’, a very popular ride where the rider would slide down from one pool to the other in floating tube and float all the way to the next pool with dragons spraying water from all sides, and many surprises to follow. There was a long queue waiting for their chance at the Dragon Loop. Restless, yet enthusiastic children and anxious adults, at the queue were most disappointed to see a group of privilege pass holders just walking in to enter the ride, surpassing all others. Few of them protested against this by questioning the employee at the entry pole and challenging the privilege ticket holders. There was a commotion and the men pushing one another fell upon Amitash, a ten year old boy. Amitash lost his consciousness and was rushed to the first aid centre. He revived soon, and sustained minor injuries.

### **Consumer Alert 24 x 7**

Consumer Alert 24 x 7 is a Non-Governmental Organization working for the cause of consumer protection and awareness. It is involved in audits and surveys of products and services. It has taken up many consumer complaints before the Consumer Dispute Redressal Authorities and obtained favorable orders. There is a helpline number dedicated for alerting consumer issues, which were duly recorded and prompt follow up actions undertaken. Consumer Alter 24 x 7 publishes a newsletter which has a fairly good readership. The office bearers of Consumer Alert have also occupied some prime time slots in the local television channels, where the survey findings are discussed for the benefit of the potential consumers and phone-in queries are answered. In one such phone-in program, a consumer brought it to the notice of the anchor that the food inside the amusement centres is over-priced. Meanwhile Amitash’s parents approached Consumer Alert regarding the mishap and sought their intervention in the matter.

### **The Mediation**

Consumer Alert 24 x 7 send a legal notice to Jal Jadoo. The Managing Director of Jal Jadoo, Globinse Paul invited Consumer Altert 24 x 7 for a mediation to sort out the difficulties, to which the latter obliged.