

# Communique

NEWS LETTER FOR PRIVATE CIRCULATION AMONG THE LEGAL FRATERNITY.

VOL 4

MAY 1992

PART 2

## Govt. offers H C Bench in North Karnataka

Mysore, May 1st : Mr. Blasius D'Souza, the Karnataka Law Minister, announced that the State Govt has decided to have a bench of the Karnataka High Court in North Karnataka. Mr. D'Souza was speaking at the function after inaugurating the Southern State's Bar Councillors meet held at Mysore. The councillors meet had delegations from the four Southern states of Andhra Pradesh, Karnataka, Kerala & Tamilnadu. Mr. P.M. Kathiresan, Chairman, Bar Council of Tamilnadu, who presided over the meet, stressed the need for providing more funds for organising Lok Adalats. Mr. K.N. Rajasekhara, Chairman, Karnataka State Bar Council, welcomed guests & delegates. He also explained the reasons for organising the first ever meet of bar councillors of Southern states. Among others Mr. P.P. Muthanna, Advocate General of Karnataka, was also present in the meet.

The meet adopted several resolutions including the plea for establishment of a bench of the Supreme Court in South India.

## State Lawyers Conference

Mysore, May 3rd : Renowned Lawyer F.S. Nariman inaugurated the 6th Karnataka State Lawyers Conference on 2-5-92 at Mysore, which was jointly sponsored by The Mysore Bar Association and the Karnataka State Bar Council. Mr. Blasius D'Souza the Karnataka Law Minister was the chief guest. The function was presided over

by Shri T.V. Krishna Rao, an Advocate from Mysore. Shri V.C. Misra, Chairman, Bar Council of India, released the souvenir brought out in this connection. Mrs. Shyamala Pappu, Advocate, Supreme Court also addressed the delegates.

About 1,850 delegates from all over the state and 600 local delegates attended the conference. In the subjects session five key note addresses were delivered by Shri H.K. Vasudeva Reddy, (Accountability - Atmosphere - Dispensation of Justice); Smt. Shyamala Pappu (Women - Legal profession - Judiciary); Shri A.N. Jayaram (Young Advocates - what Future?); Shri P. Vishwanatha Shetty (Welfare measures for Advocates) and Shri S.G. Sundaraswamy (Role of Advocates in Labour and Industrial Relations).

The Valedictory function was held on 3-5-92 in which the Union Minister for Law & Justice Shri K. Vijayabhaskara Reddy was the chief guest. The function was presided over by Shri S. Mallikarjuniah, the Lok Sabha Deputy Speaker.

The conference adopted several resolutions including representation of young Advocates in the State Bar Council, amendment to the Karnataka Advocates welfare Act, 1983, reservation for women lawyers in judicial appointments, payment of stipend to the young Advocates, amendment to the Karnataka stamp Act, 1957, amendment to the Advocates Act, establishment of All India Judicial Services and a bench of the Supreme Court in South India.

## Medical profession is a Service

In a landmark decision rendered on 24-4-92 the National Consumer Disputes Settlement Commission ruled that the Medical Profession is a service and any patient is a consumer of such service. It affirmed the ruling of Kerala State Consumer Disputes settlement Commission ruling that an aggrieved patient can raise a dispute against the former under the provisions of the consumer Protection Act, 1986.

## Literary Union

Between 20-4-92 and 25-4-92 a workshop on use of Kannada in administration was conducted for the lawyers under the joint auspices of the Bangalore Literary Union and the Department of Kannada and Culture, Bangalore. The inauguration of the workshop was done by Shri K.N. Subba Reddy, President, AAB. Shri R.G. Vidyanatha, the Principal Civil and Sessions Judge, Bangalore, presided. A large number of Advocates took advantage of the workshop by attending the same. On 25-4-92 the valedictory function was organised in which Justice P.K. Shamasundar was the chief guest.

On 22-4-92 Literary Union celebrated Vasanthotsava which included the releasing of a book "Bhavana Lahari" published by Lahari and a musical event. Shri H.S. Shivaprakash the noted Kannada Writer released the book.

## Jois made C J

Justice M. Rama Jois was sworn in as the Chief Justice of the Punjab & Haryana High Court on 3-5-92. Before his departure from Bangalore Karnataka State Bar Council Chairman read a farewell address on 30-4-92.

## News Focus

On 3-4-92 a Special General Body Meeting of AAB was held to discuss about the problems faced by lawyers before the labour courts.

On 3-4-92 K. M. Prakash (skin specialist) addressed members of AAB on the subject "Aids-growing threat to Humanity". Sri K. N. Subba Reddy, presided.

On 10-4-92 Dr. M. S. Ravindra Ophthalmologist addressed the members of AAB on the subject "Eye Care and problems of blindness in India".

On 13-4-92 Sri Ramanavami was Celebrated, as usual, in the AAB premises. Justice N. Y. Hanumanthappa was the chief guest. Mayo Hall Court unit also separately celebrated the festival.

On 25-4-92 Annual Day celebrations of the AAB was held at the Banquet hall, Vidhana Soudha. Justice N. Venkatachala was the chief guest at the function.

On 4-5-92 K. Vijaya Bhaskara Reddy, Union Minister for Law & Justice, inaugurated the new association premises of the AAB in the Magistrate's Court Unit. Justice S. P. Bharucha, Chief Justice, Karnataka High Court, presided. Justice N. Venkatachala was the guest of honour.

## OBITUARY

In the passing away of S. Ananth, Advocate, On 27-4-92 "Communique" has lost one of its patrons.

On 5-5-92 A. L. Mahadevappa, Judicial Member, Karnataka Sales Tax Appellate Tribunal, Bangalore, died at Mysore.



*The offender never pardons — George Herbert*

## DISCRIMINATION MUST STOP

The convention that has been established is that the Chief Justice of a High Court should be from outside the State. While there can be arguments in favour of and opposed to this principle there can be no quarrel regarding the noble objective behind this principle. This convention presupposes that seniority of puisne judges is maintained at the all India level and such seniority is taken into account while filling up the vacancies of Chief Justices of various High Courts. Unfortunately it is seen that the seniority of puisne judges is not taken into account on all occasions while filling up the vacancies of the Chief Justices.

At the time of the appointment of a person as a judge of the High Court sufficient precaution is taken to ascertain the credentials of that person. When such is the position under the normal circumstances all puisne judges are to be considered as eligible for being posted as the Chief Justices according to their all India seniority. Except under exceptional circumstances the seniority of judges should not be overlooked so as to deny them the opportunity of functioning as Chief Justices.

If no common yardstick is adopted in the filling up of these coveted posts it brings discrimination against the judges as a whole which is not a healthy sign. Besides the non-appointment of senior most judges as Chief Justices would amount to interference of the executive in the internal affairs of the judiciary which is impermissible under the Doctrine of Separation of Powers among the three branches of the State. Further the seniormost judges when asked to work under their juniors may not always put out their best performance. The is bound to affect the disposal of cases.

It has also come to notice that the Chief Ministers of the concerned States are being consulted by the Centre before appointing the Chief Justice to that State. While there may be arguments in favour of and opposed to that practice the same has resulted in denial of opportunities to the eligible puisne judges for being posted as the Chief Justices.

There appears to be political considerations as well in the appointment of Chief Justices. Needless to state again that this is not a healthy trend. Since in a democratic system the Governments of the day can be of a particular party it should not have any bearing on the appointment of Chief Justices of the High Courts. Further in a Federal setup Governments formed by different political parties can be at the Centre and the States. When such is the position there is every possibility of the central authority not being impressed by the background of a judge. It can be otherwise also in as much as the State Government run by a political party may not like the appointment of a particular Chief Justice done by the Centre run by another political party. In this quagmire of political uncertainty the cause of justice is bound to suffer. Hence the need for a uniform practice.

## Humour in Courts

□ Two lawyers were casually conversing with each other.

First lawyer: In what connection your senior colleague is going abroad?

Other lawyer: Having mastered the Indian law he wants to master the alien laws!

□ Viva voce test was being held for the candidates aspiring to become Munsiffs.

Q: Who is a pauper?

A: I am one among them!

## LAW AS PROTECTION FROM POWER

Justice M. N. Venkatachalaiah

(from the last issue)

The Home Office pleaded, amongst others, exclusion of liability on ground of public policy. It urged that an open rather than closed borstal system would promote rehabilitation and if liability were to be imposed it would curtail outside activities and lead to stricter discipline. The House of Lords rejected this plea. Lord Diplock held that Geddiss principle did not apply. The decision proceeded on a "planning-operation" dichotomy as to the area of liability. Lord Diplock was of the view that in regard to the 'Policy' area, the court could not substitute its own view of the appropriate means of achieving the desired objective for that of the department. The decision to have a system of open rather than closed borstal institutions, which necessarily involved a higher risk of escape and damage to property of others was, it was held, a policy decision and the Home Office, would not be liable in negligence from the mere fact that there was such an increased risk which could materialise in injury to others. The task of satisfactorily answering the question whether the Home Office had been negligent in making a particular policy-option was one, it was held, which the court was not competent to perform. It was held that there was no reason why at the operational-level the Home Office should not be held responsible for the acts of carelessness in the execution or operation of the policy. If plaintiff was claiming negligence flowing, not from the existence of the open borstal system itself, but from some carelessness in its method of operation there should be no reason to grant immunity in respect of this.

The "planning-operation" dichotomy implicit in Dorest case became explicit in Anns

v. London Borough of Merton ([1977] 2 All ER 492). In that case, the statutory powers under the Public Health Act enabled the Borough Council to make bye-laws to regulate the construction of buildings. The Council did make and promulgate Bye-laws, of which 18 (1)(b) required that the foundation of every building should be up to such depth or be so designed as to safeguard the building against subsoil settlement. In February 1962, the Council approved the building plans for a two-storeyed structure. The notice of development required that intimation be given to the Council before the foundations were covered so that inspection by a Council-Surveyor was possible upon completion of the building. Some of the plaintiffs obtained long leases of the flats and others were assignees from the lessees. By February 1970, cracks had appeared in the walls and the floors showed a tilt. The plaintiffs alleged that the damage was on account of the negligence in approving inadequate foundations by the Council surveyor. In the House of Lords the leading judgment was of Lord Wilberforce. The earlier distinction between "planning and operational" was made explicit. Where a local authority had exercised the power to make bye-laws, the policy decision would encompass as to what scale of resources should the authority make available to carry out the powers, how many inspectors should be appointed, and what type of inspection should be made. But the operational level was concerned with the manner of carrying out the inspection, given the limits set by the policy decision. In that case, the Council raised an interesting argument based on as to what would have happened if the authority had not utilised the power to make bye-law at all contending that this would have

(to be continued)



## Presidential Reference

K. S. Savanur, Advocate

(from the last issue)

(c) such question of law or fact is of a nature and such public importance; (d) It is expedient to obtain the opinion of the Supreme Court upon it and hence reference is made by the President to the Supreme Court; (e) after hearing by the Supreme Court it submits its report or its opinion thereon to the President.

Article 143 (1) by use of the words 'may' gives discretion to the Supreme Court to give its opinion-report but under article 143 (2) the Supreme Court cannot decline to give its opinion when the word 'shall' is used therein. In this sub-article it is to be noted that article 143 (2) supersedes the proviso to article 131. Further the matters falling under proviso to article 131 is not justiciable in the courts. Therefore, the marked distinction between articles 143 (1) and 143 (2) of the Constitution. Further the procedure before the Supreme Court on reference under article 141 is the same as followed by it in other matters.

Under Article 213 of the Government of India Act some references were made of which the Judgments of the Federal Court are in AIR 1943 F. C. 13 and AIR 1944 F. C. 73 are to be noted.

Under article 143 of the present Constitution seven (7) references made by the President of India to the Supreme Court are as stated below :

- a) Constitutional validity of existing law : Re : Delhi's Act 1912 - AIR 1951 SC 332.
- b) Constitutionality of Kerala Education Bill 1959-AIR 1958 SC 956.
- c) Implementation of International Agreement 1960 (Indo-Pakistan) AIR 1960 SC 875.
- d) Constitutional views on the bill in Parliament : See Customs Act, 1878. AIR 1963 SC 1760.
- e) Jurisdiction of the legislatures and of

the Courts vis-a-vis contempt of the legislatures - AIR 1965 SC 745. f) Re : The Presidential Poll 1974 : AIR 1974 SC 1682. g) Constitutionality of special courts : 1979-AIR 1979 SC 498.

The opinion of the Supreme Court under article 143 is stated as "consultative or advisory jurisdiction" such opinion of the Supreme court is not binding as it is not a law declared within the meaning of article 141 of the Constitution. This distinction is nicely brought about in the rulings of the Federal Court in AIR 1943 F. C. 13 and in AIR 1944 F. C. page 73 and by the Supreme Court in AIR 1965 S. C. 745 and in AIR 1979 S. C. 498. The word 'Law' can be referred to article 13 (3) (a). Article 366 (10) Article 367 (1) of the present Constitution and section 3 (29) of the General Clauses Act, 1897.

Article 143 is a marked departure from similar law under the Constitution of U.S.A and Australia. It is in consonance with the similar law under Canadian Constitution and section 4 of the Judicial committee Act in U.K. In U.S.A. the Supreme court declined to give consultation or advisory opinion on the questions that there was no provision in its Constitution and on extra judicial cases and also on the principle of separation of powers. In Canada frequently the power of reference was used by the authorities there under. In U.K. His Majesty referred for its opinion to the Privy Council. By noting all these different Constitutions article 143 was a advisedly included in the present constitution of India. On such reference under article 143 the facts stated in the reference are binding on the Supreme court, and it cannot go behind that reference. Opinion given by the Supreme court under articles 143 though not binding

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## Transfer Of Judges

The following transfers and postings of Officers of Judicial Department in the cadre of District Judges / Civil Judges / Munsiffs are ordered to take effect from 1-6-1992.

□ D.R. Sundaresh, XIX, Addl. CC & SJ, Bangalore as Dist. & SJ, Kodagu, Madikeri; Y.S. Venkat Rao, III Addl. C.C. & S J Bangalore as member, KAT, Bangalore; H.S. Naik, DJ & Addl. Registrar, Kar. Lokayukta, Bangalore as Member, KAT, Bangalore; J. Chandrasekaraiah, Dist. & SJ, Kodagu, Madikeri as Member, KAT, Bangalore; P. Saetharamaiah, II Addl. Dist & SJ, Belgaum as X Addl. CC & SJ, Bangalore; A.L. Mahadevappa, Member, KAT, Bangalore as Addl. Registrar Kar. Lokayukta, Bangalore; B.L. Sreekantaiah, Member, KAT, Bangalore as XIX Addl. CC & SJ, Bangalore; M. Thipperudrappa, Member, KAT, Bangalore as III Addl. CC & SJ, Bangalore.

□ Basanna Mannuray, CJM, Bangalore as Addl. CJM, Bijapur; P.T. Patil, Dy. Director of Prosecutions, Bangalore as Addl. CJ & CJM, Tumkur; S. Mariyappa, Registrar - cum - Admn. officer, State Commission, Consumer Redressal Forum, Bangalore as CJ, Udupi; H.M. Bharathesh, XIII Addl. Judge, CSC, Bangalore as II Addl. CJ & CJM, Mysore; K.G. Lakshminpathy, IV Addl. CMM, Bangalore as CJ & JMFC, Ramanagaram; M.S. Evani, IX Addl. CMM, Bangalore as Prl. CJ & JMFC, Chikodi; Nadiga Jayaswamy XVII Addl. Judge, CSC, Bangalore as CJ & CJM, Chikamagalur; V.P. Jahagirdar, CJ (LR) High Court, as CJ & CJM, Bellary; H.G. Syed Murthuza, Prl. CJ & JMFC, Chikodi as VII Addl. Judge CSC, Bangalore; A. Krishnapppa, Addl. CJ & CJM, Tumkur as CJM, Bangalore; G.H. Prasad, II Addl. CJ & CJM, Mysore as IV Addl. CMM, Bangalore; D. Krishnappa, Registrar, CCC, Bangalore as IX Addl. CMM, Bangalore; V.G. Charati, Addl. CJ & CJM,

Bijapur as V Addl. CMM, Bangalore; L. Subramanya, CJ & CJM, Chikamagalur as XIII Addl. Judge, CSC, Bangalore; Vijaya alias Baba Saheb Jadhav, V Addl. CMM, Bangalore as Registrar, CCC, Bangalore; S.N. Vednikop, CJ & JMFC, Ramanagaram as XVII Addl. Judge, CSC Bangalore; G. Sreenivasa murthy, VII Addl. Judge, CSC, Bangalore as Registrar - Cum Admn. Officer, State Commission, Consumer Redressal Forum, Bangalore; S. A. Patel, Prl. CJ & CJM, D.K. Mangalore as Dy. Director of Prosecutions, Bangalore; G. T. Veerabhadrapa, CJ, Udupi as Prl. CJ & CJM, D.K. Mangalore; V. B. Shiriyannavar, CJ & CJM, Bellary as CJ & JMFC, Koppal; M.G. Hiremath, CJ & JMFC, Koppal as prl. CJ & CJM, Bidar;

□ Chandraiah, Prl. II Munsiff, Bangalore as Prl. Munsiff & JMFC, Virajpet; S. M. Nayak, MM, TC-I, Bangalore as Prl. Munsiff, Udupi; S. Renuka Prasad, Dy. Registrar, CMM, Bangalore as Prl. Munsiff & JMFC, (II Court) Madikeri; H.B. Mukta, Addl. II M, Bangalore as Prl. II M, Bangalore; C. Guruswamy, Munsiff & JMFC, Siddapur as Registrar, CSC, Bangalore; K. Rachaiah, Munsiff & JMFC, K.R. Pet, as Under Secretary to Govt. Law Dept. Bangalore; Yeshoda S. Arumugam, Under Secretary to Govt. Law Dept. as Munsiff & JMFC, Hoskote; C. Chandramalle Gowda, Munsiff & JMFC, Kanakapura, as MM, TC-I, Bangalore; M. M. Soorangi, Prl. Munsiff & JMFC, K.G.F. as Under Secretary to Govt. Law Dept. Bangalore; Somaraju, Addl. Munsiff & JMFC, K.G.F. as Prl. Munsiff & JMFC, K.G.F., N.H. Savalgi, Prl. Munsiff & JMFC (II-C) Raichur as Prl. Munsiff, Bijapur; B. Durgappa, Munsiff & JMFC, Hiriya as Munsiff & JMFC, Sira; Jiten-dranath V. Angadi Hiremath, I Addl. Munsiff & JMFC, (II-C) Gulbarga as Munsiff & JMFC, Bailhongal; R. S. Beerannavar, Munsiff & JMFC, Hungund as Munsiff & JMFC, Koppal;

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### Transfer of Judges

(from Page No. 3)

R A. Chiniwal, Prl. Munsiff, Bijapur as Munsiff & JMFC, Hiriya; S. N. Naik, Munsiff & JMFC, Hangal as Prl. Munsiff, Mangalore; A. B. Wadeyar, Munsiff & JMFC, Haliyal as Munsiff & JMFC, Hungund; S.Y. Irannavar, Prl. Munsiff & JMFC, Sirsi as Munsiff & JMFC, K. R. Nagar; R. M. Shettar, Munsiff & JMFC, Indi as Munsiff & JMFC, Haliyal; V. S. Akki, Munsiff & JMFC, Kalaghatgi as II Addl. Munsiff & JMFC (II-C), Dharwad; Lingamma Patil, Addl. Munsiff & JMFC (II-C), Raichur as Prl. Munsiff & JMFC (II-C), Raichur; K. Ninge Gowda, Munsiff & JMFC, Somwarpet as Prl. I Munsiff, Mysore; T.H. Avin, Munsiff & JMFC, Chincholi as II Addl. Munsiff, Belgaum; V. H. Kulkarni, Munsiff & JMFC, Bailhongal as Munsiff & JMFC, Hangal; C. N. Shiva-Puji, Prl. Munsiff, Mangalore as II Addl. Munsiff, Mangalore; J. S. Somasekhara, II Addl. Munsiff & JMFC (II-C) Raichur; G. K. Somanath, Prl. Munsiff, Udupi as Prl. Munsiff & JMFC, Sirsi; T. Nagappa, II Addl. Munsiff, Belgaum as I Addl. Munsiff & JMFC (II-C) Gulbarga; K. Manamohana, Prl. Munsiff & JMFC (II-C), Madikeri as Munsiff & JMFC K. R. Pet; C. R. Jaweed Pasha, munsiff & JMFC, Pavagada as Munsiff & JMFC, Kalaghatgi; S. S. Murgod, Munsiff & JMFC, Khanapur as III Addl. Munsiff, Hubli; Nandikambada Patil Vamdev, Munsiff & JMFC, Hoskote, as Munsiff & JMFC, Kanakapura; K. M. Hadimani, Prl. I Munsiff, Mysore as I Addl. I Munsiff, Mysore; K. H. Mallappa, Munsiff & JMFC; Sira as II Addl. I Munsiff, Mysore; M. P. Tonne, III Addl. Munsiff, Hubli as Munsiff & JMFC Indi; H. F. Sangatti, Munsiff & JMFC, Sullia as III Addl. I Munsiff, Mysore; Mahadev Krishtappa Hajawagle, II Addl. I Munsiff, Mysore as Munsiff & JMFC, Somwarpet; B. S. Manjunatha Swamy, Addl. Munsiff & JMFC, Virajpet as

### Bombay Wrests Championship

Bangalore, April 25 : Bombay lawyers wrested the trophy from Karnataka lawyers by winning the finals of the recently concluded 3rd All India Invitation Cricket Tournament For Lawyers by five wickets. The tournament was hosted by the Bangalore Lawyers. Karnataka team emerged as the runners up. Mr. Sathyananda Bhandari of Karnataka received the prize for being declared the "Man of the series". Mr. E. A. S. Prasanna the former test player distributed the Prizes while the other former test cricketers Mr. Brijesh Patel and Mr. Ashok Mankad graced the occasion.

Before reaching the finals Bombay had defeated Kerala in the league match and Nagpur in semi finals. Whereas Karnataka had beat Kerala, Bombay in the league matches & Tamilnadu in semi finals. Earlier this one week extravaganza was inaugurated on 19-4-92 by Hon'ble Mr. Justice E. S. Venkataramaiah the former Chief Justice of India. Hon'ble Mr. Justice S. Rajendra Babu was the guest of honour during the inaugural function.

The reception Committee set-up for the purpose of hosting the tournament did a commendable job.

### Presidential Reference

(from Page No. 3)

on the President, will be helpful as guidelines to the President or Parliament or the Legislature before any of whom the question of law or fact has arisen and they are to be guided by that opinion in order to avoid future conflicts and challenges on the basis of the rights, Constitutional or fundamental, as guaranteed in the Constitution of India. (concluded)

Munsiff & JMFC, Pavagada; K. S. Pundalik, III Addl. I Munsiff, Mysore as Munsiff & JMFC, Sullia.

## Periscope

☐ **Arbitrary ways of Adjournments :** Why should all the Courts follow any yardstick regarding adjournment of the hearing of the cases. It may be that some of the Courts in Bangalore may adjourn the cases beyond six months & some other courts may adjourn on day-to-day basis. One need not expect that all the Courts should follow any uniform approach in this regard.

☐ **Freedom of parking :** When Indian citizens have several freedoms why should freedom of parking of vehicles in any manner they like in Bangalore City Civil Court Complex be denied to them. It is another thing that the other car owners cannot take out their cars for hours together because of the parking of some other vehicles in front of their cars.

☐ **Issue of cause list :** Months together same cases are repeated in the cause lists of the High Court even when it is known that the cases will not reach. No purpose is being served from this except incurring avoidable expenditure and at times compelling the lawyers to wait in the Courts.

☐ **Ways of the functioning of High Court Office :** Many memos filed by the lawyers are not posted before the court and they are withheld by the office months together. Even when emergent notice is ordered by the court with regard to rule or interim prayer the office is not posting such cases after the Respondents are served. The purpose of filing memos and/or getting an order of emergent notice from the court is defeated in this way by the office. Lawyers seem to be helpless in the matter.

☐ **Discrimination over death references :** It is not certain as to what is the basis to make reference by the High Court in the event of death of lawyers since in all such cases reference is not made. Few lawyers are wondering whether there can be discrimination even in such matters.

☐ **Entertainment at whose cost ?** Of late AAB is in the habit of arranging entertainment programmes by getting the services of professional orchestra and by rewarding the concerned. Being motivated by this practice even the Literary Union adopted this easy method of providing entertainment in the recently conducted Vasanthotsava. Is there any dearth of talent among the lawyers in entertaining their colleagues and if not why their co-operation is not enlisted ?

☐ **How not to conduct the Annual day :** During the latest Annual day celebrations of AAB hundreds of lawyers and their family members had to return home without food after having been invited for a dinner. Considering the number of participants and the provision made for service of dinner and the melee that ensued in getting the food by even those who could get it - a remark from one of the participants that was heard was that even though first of April was over the month of April was still on !

Insider