

BIRDEM Affair — Trade Union

by Rafique-ul-Huq

In response to Dr. Mohiuddin Khan Alamgir's observation on forming of a trade union in BIRDEM, the author, a Barrister-at-Law, clarifies the legal position as to whether it is feasible or not.

Bargain for the Best

Strikingly identical views were expressed by leading economists of the country at a seminar organised by the East-West University in the city on Monday. Where they seemed to differ was by way of addition not subtraction. Their points of convergence can be ticked off as follows: There needs to be a home-grown list of agenda for reforms based on local analytical skills of the experts and participatory inputs from the broader society. In the end it ought to be duly authenticated by a parliamentary consensus.

In their quest for a central, point to build an action programme around, Prof Rehman Sobhan advocated internally-inspired consultancy in place of the externally-sponsored variety while Prof Nurul Islam visualised well-researched crop diversification, technology and capital transfers from the cities to rural areas, and generation of analytical skill for trade and reform-related negotiations. Finance Minister SAMS Kibria laid emphasis on judicial reform and target-oriented human resources development. M Syeduzzaman brought up the seminal importance of bridging the rich-poor gap, planned urbanisation and overhauling the public administration. Prof Wahiduddin Mahmud gave primacy to land productivity, strategic support to export and import-substitution.

Most of them have talked of a visionary political and intellectual leadership to facilitate embarkation upon the next century from a vantage point enabling us to catch up with the rest of the world and live and prosper in competition with it. It is a tall order with only four years left of the current century. Political will and participatory local self-government might well be in place by then, but the experts perhaps need to do a good deal of home-work to give a practical shape to their academic ideas. They can count on the experiences of the men on the ground — the business and industry leaders, NGO functionaries, civic bodies and spokesmen of the peasantry, non-farm trades and industrial labour.

Frankly, we do not see anything wrong with some of the reform measures prescribed by the donor community. It's pity the suggestions did not originate locally. But yes, we must create our own analytical skill to fend for our interests. Ultimately, it is bargaining for the best in a competitive global market.

Aberrant Behaviour

Unbelievable things happen in this land. Or else, how do you explain some doctors' alleged act of taking away medical instruments, appliances and even furniture from government hospitals they have been working in for use at their homes or clinics? The Ministry of Health and Family Planning has just become aware of this and issued instructions to the heads of the establishments for recovery of the hospital assets.

The urgency sounded for a retrieval of the hospital property is, no doubt, appreciable. One only wonders though for how long this particular aberration has been going on.

There is a common complaint that treatment of serious and complicated diseases is no longer easily available in government hospitals. Doctors would rather prefer to treat patients in the clinics they are associated with instead of doing so in hospitals where they have been appointed by the government to serve the public.

We do not know about the scale of malpractices committed by the doctors. But we know it for sure that if sophisticated medical equipment and machines — which are not in abundance in hospitals — are taken away, treatment is bound to suffer greatly there. How could such a crime — yes, we call it a crime — go undetected so far? Persons running the hospitals ought to have known what was going on. If they didn't, that was negligence; and if they did, there could be suspicion of connivance in this awful misdeed?

Those found guilty of wrong-doing should be punished exemplarily, even black-listed for government service. This is necessary for two reasons: first, to improve the quality of medical service at the hospitals; and second, to restore public confidence in the integrity of medical practitioners.

Building Regulations

Building Construction Regulations, '96 have just been put into effect. New constructions in the four metropolitan cities of the country will be subject to these new set of rules. All the city development authorities — like the Rajdhani Unnayan Kartipakkha (RAJUK) for Dhaka — had so far been discharging their construction monitoring duties in accordance with the regulations made in 1952. Under the new regulations the fees for approval of housing models have been increased according to categories, with a significant raise for large buildings. Perhaps higher fees were warranted for buildings to be placed on commercial use.

As for the mandatory minimum spaces required to be kept between structures — five metres on the front and two and a half metres on the side — these do not seem enough to us. We do not know whether the provisions meet the international or even the regional standards. However, we strongly feel that apart from the stipulation of space between buildings, what will count most are planning and zoning of city areas. This calls for incorporating housing into city's development planning. Residential and other accommodations have to be self-contained and complementary to each other. Our focus has to be directed to this most crucial factor to avoid the various urban problems facing us now.

THANKS to Mr Mahfuz Anam for writing on BIRDEM affair which I read very carefully. Also I have read the article written by Mr Atiqur Rahman in The Daily Star on the same matter. The problems in BIRDEM cropped up all of a sudden, as it generally happens with the change of any government in this country. However, due to timely intervention by Dr Mohiuddin Khan Alamgir, Secretary to Prime Minister, the strike was called-off. We are grateful to him. It is unfortunate that his intervention has raised some other problems, which possibly could be avoided by him. As a Member of the National Council I was present in that meeting. Dr Alamgir confirmed in clear terms that the present government has no intention to interfere in the internal management and affairs of BIRDEM. He was only using his good offices in view of emergent situation arising out of the strike in BIRDEM. We all appreciated his good gesture.

Mr Anam has discussed in detail different aspects arising out of personal intervention of Dr Alamgir in the affair of BIRDEM. Possibly he is not aware about Dr Alamgir's one observation made in the said meeting which is a serious matter for BIRDEM and other similar non-government hospitals. This is about formation of a trade union by the employees of BIRDEM. Without any aspersion any aspersion to Dr Alamgir or the employees of BIRDEM or similar non-government hospitals, I take the opportunity to clarify the legal position as to formation of a trade union by such employees. In the said meeting of the National Council and in presence of the Press, Dr Alamgir, while replying to a question, made an observation that the employees of BIRDEM have right to form trade union because Bangladesh is one of the signatories to ILO Charter, which provides that every worker has a right to form trade union. He was perfectly right in making such observation and in all probability he sincerely made such comment and with all good intention. But before making such a serious comment he should have examined whether the em-

ployees of a hospital in Bangladesh can form a trade union. Industrial Relations Ordinance, 1969 deals with formation of trade union and collective bargaining agent in an establishment. High Court Division of the Supreme Court of Bangladesh had an occasion to decide such an issue, namely, whether the then Cholera Research Laboratory (now ICDDR,B) or Kumudini Hospital at Mirzapur is an "industry" within the meaning of the said Ordinance. In that case it was decided by the Court that a hospital is not an establishment which carries on any industry and as such the provisions of the said Ordinance as to trade union, collective bargaining agent, etc. are not applicable to those hospitals. However, if a hospital is run as business in a commercial way then there may be an element of industry

ernment hospital. The Diabetic Association of Bangladesh was incorporated under the Societies Registration Act, 1860. The primary object was to establish organisations for the benefit and service of diabetics and others associated with diabetic diseases with endocrine and metabolic disorders. The main purpose was research and to establish hospital which is necessary to conduct such research. One of the declared objects of this Association, in the language of late Prof. M Ibrahim, is "a diabetic shall not die untreated or unemployed or unaided, if poor." He wanted to rehabilitate the diabetic patients in the society. With that view in mind, the BIRDEM was established. Full name of BIRDEM is Bangladesh Institute of Research and Rehabilitation in Diabetics, Endocrine and Metabolic Disorders (popularly known as BIRDEM).

which is run on commercial basis. It is financed by donations from government, contributions from Trust Fund created by Diabetic Association of Bangladesh and some income from the institution itself. Incidentally it may be mentioned that treatment of all diabetic patients relating to diabetic illness is free in BIRDEM. Which is a non-profit making organisation. To quote Mr Atiqur Rahman: "BIRDEM is a non-government charity organisation with a good reputation. It is the only hospital in the country where people get the treatment for diabetic disease at a lower or even free of cost without any assessment." Under the relevant law as well as Memorandum and Articles of Association of the Diabetic Association of Bangladesh — "all income of the association shall be applied towards the promotion of the objects of the association and

berculosis hospital in Delhi was an industry within the meaning of the Industrial Disputes Act, 1947 (of India). The Supreme Court of India in a case of similar nature held that: "Mere fact that payment is accepted in respect of some beds cannot lead to the inference that the hospitals are run as a business in commercial way." Main object of BIRDEM is research and for that purpose the hospital is maintained. So the employees of BIRDEM cannot form a trade union. The Supreme Court of India has reiterated the same principle of law in various cases relating to hospital. That Court in the case of Safdar Jung Hospital, New Delhi held that: "Hospital run by government and even by private associations but not on commercial lines but on charitable lines or as part of the functions of Government Department of

country, specially in BIRDEM, it is necessary to bring it to the notice of all concerned before any embarrassing situation is created in this regard. If relying on the observation made by Dr Alamgir, who happens to be associated with Office of Prime Minister, the employees of BIRDEM want to form a trade union it may put the registering authority in an embarrassing situation. In fact, the employees of Diabetic Association of Bangladesh/BIRDEM are aware of their legal position and that is why instead of forming a trade union they have formed an Employees' Welfare Association registered under the Voluntary Social Welfare Agencies (Registration and Control) Ordinance No. 46 of 1961.

and the concerned authorities should know that a trade union cannot be formed in BIRDEM or in Diabetic Association of Bangladesh. This is not an industry which is run on commercial basis. It is a medical research organisation mainly financed by donations and other incidental income. The hospital is established for the purpose of carrying out its main objects, namely, research and rehabilitation of diabetic patients. Dream of late Prof. M Ibrahim should be cherished and respected by all concerned. Genuine grievances of the employees should always be looked into, but not through a trade union or a collective bargaining agent. This should be known to all concerned.

I shall welcome any comments on this issue from other lawyers and experts in labour laws. I am not an expert in labour laws but incidentally I was the conducting advocate in the case before the Supreme Court of Bangladesh where it was decided that a hospital is not an industry within the meaning of the Industrial Relations Ordinance, 1969. So far I know the legal position has not been changed after the judicial pronouncement but in any case lawyers and other experts on this subject may give their comments. Neither, Dr Alamgir nor the employees of BIRDEM should misunderstand me. I have only clarified the legal position as a lawyer and not as a Member of the National Council of DAB.

The employees of BIRDEM and the concerned authorities should know that a trade union cannot be formed in BIRDEM or in Diabetic Association of Bangladesh. This is not an industry which is run on commercial basis. It is a medical research organisation mainly financed by donations and other incidental income.

but the court held that Cholera Research Laboratory and Kumudini Hospital did not come within the scope of the said Ordinance. It was held by their Lordships that Cholera Research Laboratory though maintains a full-fledged hospital but it was financed by donations from various countries and the services rendered by this institution are also free and it is a non-profit making charitable organization, whose dominant purpose is to conduct research in cholera in order to eradicate the same. It was not an industry within the meaning of the said Ordinance. This judgment was given by a most reputed judge of this country, who retired as Chief Justice of Bangladesh. Since then, so far I know, this is the final pronouncement of our Supreme Court as to forming of trade union by the employees of a hospital, specially in a private hospital or a non-gov-

So, from the very name it indicates that the main purpose is research and rehabilitation relating to diabetics, endocrine and other metabolic disorders. As a part of this project he established a Rehabilitation and Vocational Training Centre at Jurain, Dhaka in order to rehabilitate young diabetic patients belonging to lower socio-economic group. This research institution (i.e. BIRDEM) has now taken a big shape and obtained international recognition. It is the first WHO collaborating centre outside Europe for prevention and control of diabetic and its allied diseases. This is an institution where largest number of diabetic patients are treated under one roof. Main purpose of this institution is research and rehabilitation and the hospital is only to cater to the needs of such research and rehabilitation of diabetic patients. This is not a hospital

no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise." So this is not a profit-making organisation nor the profit of this organisation can be distributed amongst the members or any other persons. In fact, under its own Articles of Association in the event of wound-up of Diabetic Association of Bangladesh — "all assets after meeting liabilities shall be transferred to similar other institutions." In short, this is a charitable organisation and run for no profit. It is mainly a research and rehabilitation centre. As decided by the Supreme Court of Bangladesh, this is not an industry within the meaning of the Industrial Relations Ordinance, 1969. The employees cannot form a trade union. Similar issue came up before the Supreme Court of India to decide whether a tu-

Health cannot be included in the definition of industry." In similar other cases, the Supreme Court of India held that hospital, specially of the type of BIRDEM, is not an industry and as such the employees of such hospital cannot form a trade union. I think that Dr Alamgir was not aware of this legal position. He made the observation in general term without realising the implication thereof, so far BIRDEM is concerned. It is now settled by highest judicial pronouncement in this country that such employees cannot form a trade union. So, without any aspersion to Dr Alamgir's remark I have only clarified that the employees of BIRDEM and employees of similar other institutions cannot form trade union for the purpose of collective bargaining and/or any other purpose. I thought that in the situation now prevailing in the

Indo-Bangladesh Water Talks: What Qualitative Change is Expected?

by Zagul A Chowdhury

Since both the sides are putting emphasis on the need for a permanent solution to the water issue, Mr Farooq Sobhan's visit to India has to be action-oriented in the sense that brass tacks discussions have to take place with a view to lessening this country's hardship due to the shortage of water.

FOREIGN Secretary Farooq Sobhan's visit to New Delhi comes as a logical corollary to the visit of his Indian counterpart Salman Haider here last month. When such visits take place at the ministerial or high official level between two countries, whose relations are marked by sensitivities despite protestations of good neighbourliness from both sides, an expected and normal feature of the outcome of the visit is that contacts or parleys between two countries will continue and the other side will be in the capital of the other country at a convenient time likely to be fixed through "diplomatic channel". This particular phenomenon in the realm of diplomatic activities has been witnessed especially in Indo-Bangladesh relationship and is generally seen as an innocuous exercise but unlikely to bear any fruits on the issues which are at stakes in the discussions. Arguably, given the complexities of the kind of the subjects involved in such parleys like the water issue, demarcation of land and maritime boundaries, return of the tribal refugees from camps in Indian state of Tripura, allegations of assistance to anti-national militants in the soil of either country, transit facilities or trade imbalance can not be redressed in the

meetings of the foreign secretaries, ministers for foreign affairs, water resources or commerce as they find it extremely difficult to make progress on these issues even if they have full mandate from their respective heads of government. Experiences have shown that talks even at summit level seldom produce quick results on the thorny issues notwithstanding the existence of political goodwill and in the process the very pattern that talks have to continue remains unaltered although the ambience of the discussions does change from time to time because of the political atmosphere that governs the ties. The Indian foreign secretary was here last month but Mr Haider was here also before as the foreign secretary in June, last year, to continue the talks that he had with his Bangladesh opposite number in the Indian capital during the last SAARC summit. Incidentally, it was Mr Farooq Sobhan who was the foreign secretary of this country also at that time and both the foreign secretaries had adorned the high position not long ago

prior to their talks. Two foreign secretaries were asked by their prime ministers to begin discussions primarily on the water issue and the then Indian prime minister P V Narasimha Rao had gone on record saying that his country can not afford to watch neighbouring Bangladesh starved of waters. Interestingly, political changes in two countries brought new prime ministers in both New Delhi and Dhaka, in the process Begum Khaleda Zia now plays the role of opposition leader in the Parliament, a position that she has swapped with prime minister Sheikh Hasina. But the scenario in India is somewhat more interesting in this regard since Mr Rao is not the opposition leader in the House even though remains the leader of the Congress parliamentary party, the second biggest group in the Lok Sabha. The largest parliamentary party in the House there is the opposition in a strange turn of events that took place following the last elections and prime minister H D Deve Gowda is the head of the government — paradoxically being the leader

of his Janata Dal having less than one tenth of total strength of the House. Congress having extended its support to the Janata Dal-led united front government, is neither in the government nor in opposition and Mr Rao finds himself in a peculiar but advantageous position. He can pull the carpet from under the feet of the Gowda government resulting in the collapse of the government and when and how Mr Rao does it remains another story. Once he can put his own house in order weathervaning dissident leaders Karunanakaran, Rajesh Pilot, Sharad Pawar, Golam Nabi Azad and others and overcome litigational problems centring alleged bribery scandals and if the Indian electorate is ready for another hustings in too short a time — the Indian scene will take a different shape. However, all these remain within the realm of speculations and contingent upon developments in near future. The New Delhi meetings between two foreign secretaries had raised some hopes of progress in the complex

water issue since absence of an accord on sharing the waters for too long a time represents a potential factor to bedevil the ties. Both Mr Sobhan and Mr Haider are considered outstanding in their respective countries as career diplomats and earlier served such key assignments for their nations like Mr Sobhan as envoy to India and Mr Haider to China — both important and sensitive from their countries' point of view. The two men continued their talks in Dhaka when both said a kind of breakthrough on the water issue was in the offing with India saying that permanent solution of the sharing problem is desirable. The meeting that ended on high positive note at that time was followed — not totally surprisingly — by an unusual delay with no follow-up developments and it was also told that water resources ministers of two countries were not finding a convenient time for their meeting. Sure foreign secretaries had decided to re-activate the ministerial level joint rivers commission (JRC) which was otherwise moribund for a long time. Understandably, governments in both countries became busy with their own domestic matters — elections being the main — but whatever steam that billowed for a settlement of the water issue evaporated fast causing a lull in the hitherto positive condition. The Indian foreign secretary flew in here after a year but by that time drastic change in the political landscape has taken place. Mr Haider was more careful this time as he said he was not on a "negotiating mission" but to convey the greetings of the new Indian prime minister to his more new Bangladeshi counterpart. But discussions did cover all issues and certainly highlighted the crucial matter like the sharing of waters. The new government in Bangladesh cannot afford to be seen that it has even an iota of slackening attitude as regards to the water issue. Needless to say, the issue figured in the election manifesto of the Awami League and party leaders never missed in taking a swipe at his principal political adversary BNP for its failure to secure waters of the Ganges when it was in power for long five years. Awami League critics will also seldom miss an opportunity in turning the table on it by accusing the present government of its dealing with the water issue. The new government can not turn a blind eye to the fact that it is perceived in some quarters as being "soft" to India and hence its eagerness to deal with the water issue with all seriousness.

that brass tacks discussions have to take place with a view to lessening this country's hardship due to the shortage of water. India is likely to come up with its views like shortage of waters in the upstream in India itself but two sides have to evolve mechanisms not without making rhetoric. Permanent solution of the problems is a long-term affair and it is laudable if they can reach some basic understandings on this but at the same time immediate needs cannot be ignored. India and Bangladesh are known to be differing for a long time on such matters, construction of storages in Nepal as a way out to augment the dry season flows of the Ganges. The positions of two sides on matters like inland canal through the Brahmaputra and exercise area of Nepal in the exercise are too well-known. Despite all these, there is no dearth of exuding optimism from both sides when they speak of good neighbourliness and the SAARC spirit. While broader issues like the much talked-about Indian desire of transit facilities — either tinged with water issue or not — and the trade imbalance can wait but water issue cannot.

Hiroshima on My Mind

by Habibul Haque Khondker

YEARS ago, as a teenager I read about the tragedy of Hiroshima and Nagasaki in a newspaper in Dhaka. That was the commemoration of twenty-five years of the dropping of the atom bomb. I remember the vividness of the description including such asides as a man who having survived the Hiroshima bombing on August 6, found himself in Nagasaki and survived miraculously the second bombing on August 9, three days later. On my young mind the tragedy etched indelibly. However, it took me years to get a more comprehensive understanding, the total picture — if you will — of the implications and the background of the tragedy. Set against the Rape of Nanking, or Pearl Harbor or the several other atrocities committed by the Japanese Imperial military in Southeast Asia, one may view the tragedy of Hiroshima and Nagasaki slightly differently. Hiroshima or Nagasaki was not a stand-alone tragedy. Rather they were parts of a chain of tragedies that began on September 1, 1939 when Hitler's army burst into the Polish border. In 1992, I was walking down the streets of Tokyo with an ex-GT who returned to this city after 47 years. Both of us were participants in the International Decade for the Natural Disaster Reductions (IDNDR) conference held in Chiba. He gave me a running commentary of what Tokyo was like as his detachment moved in soon after the Japanese surrender on August 15, 1945. The whole city was leveled by ceaseless bombing that included extensive use of fire bombs. A tragedy somewhat overshadowed by Hiroshima and Nagasaki. The fire bombing of Tokyo and several other Japanese cities by

the Allied forces probably killed more people than the death toll of Hiroshima and Nagasaki put together. I have read and seen people arguing about these numbers. Such numbers in history become highly politicized and after a point become meaningless. Many try to put Hiroshima and Nagasaki bombings in the context. It is argued after the official US line of President Truman that the bombings put an end to the war speedily thus saved more lives and shortened agonies. Others contend that once several millions of dollars went into the "Manhattan Project", the project assigned to develop the bomb, it took its own logical course. The bomb was developed and tested and had to be used in combat, at least, to justify the vast expenditure of the tax-payers' money. Some scientists involved with the project felt that a demonstration of the awesome power of the bomb — rather than actual bombardment of the cities — would have brought the Japanese to their knees. But the military mentality prevailed. Scientists involved in the project were divided on the morality of their deadly invention. Robert Oppenheimer, the chief scientist, had serious reservations about its combat use. Edward Teller on the other hand was sorry that the bomb brought such a tragedy, yet he did not feel guilty about its use. There are others who suggest that the bomb was used symbolically against the Russians: First, to preempt their advancement to the Far Eastern theater thus preventing Japan from falling at their

hands. Secondly, to warn Stalin off future adventurism. Only the first objective was met. Stalin made his own bomb in 1949. One of the fall-outs, thus, of Hiroshima and Nagasaki was the beginning of a long drawn-out and expensive nuclear arms race between the superpowers, the collapse of the Soviet Union has halted the cold-war, but the threat to the use of nuclear weapons have not disappeared completely. On August 6, 1995 fifty years after Hiroshima, I broached the subject to a young Japanese woman who was born twenty-five years after the tragedy. We were fellow-travellers on a train from Frankfurt to Cologne. Maybe it was a case of wrong choice of words, but I heard her use the word "accident" to refer to the tragedy of Hiroshima. And to my utter disbelief, she told me that many in Tokyo see it as a problem of Hiroshima. I hope she is not a true representative of the Japanese youth. She is a student of French nuclear testing in the South-Pacific. She is a part of a wayward, fin-fluvio, globe-trotting generation with little sense of history. She was on her way to Paris. We disembarked at Cologne to see the Klon Cathedral together. Outside the Cathedral, there was an anti-nuclear rally. Conscientious musicians played music for peace and speakers spoke against French nuclear tests in the South-Pacific. I do not understand the German language although I took basic Deutsche many years ago. But the language of peace is universal. Meanwhile, I lost the budding economist. Back in Holland in one

August afternoon, I had a long discussion with Professor Makoto, a visiting Japanese scholar at the Institute of Social Studies at the Hague, blocks away from the seat of the International Court of Justice, on the justness of the use of nuclear bombs. Professor Makoto was of the opinion that the scars of Hiroshima will not go away from the Japanese psyche. We discussed the morality of war and the morality of nuclear bomb. More people die in road accident in the United States in a typical year than the total casualty on the American said in the Vietnam war. Yet, traffic accident is not a serious moral problem in the United States. It does not generate so much guilt, national fervour, or angst as does Vietnam. The issue is morality, not numbers. Professor Makoto, his daughter, Haro, and I were invited at a dinner at Dr Jan Nederveen Pieterse's house at Amsterdam at a balmy August evening. Haro, a fresh graduate from Canada's Trent University studiously bought Spanish wine for the occasion and chided her father for not boycotting French wine that he brought in protest of French nuclear testing in the South-Pacific. Michael J. Lifton, the Harvard psychoanalyst, makes it a point to bring up Hiroshima every time he finds an opportunity for. In an essay entitled "Is Hiroshima 'Our Text'?" he urges: "Like any powerful text, Hiroshima must be read, absorbed, and recreated by each generation searching for its own truths." Haro gives me hope that the new generation of Japan as elsewhere will continue to learn from Hiroshima. Hiroshima will remain a sad, yet unforgettable text. The author teaches Sociology at the National University of Singapore.

As a positive development of Mr Haider's visit, his Bangladesh counterpart is visiting New Delhi and a ministerial meeting is also expected shortly. Since both the sides are putting emphasis on the need for a permanent solution to the water issue, Mr Farooq Sobhan's visit to India has to be action-oriented in the sense

that brass tacks discussions have to take place with a view to lessening this country's hardship due to the shortage of water. India is likely to come up with its views like shortage of waters in the upstream in India itself but two sides have to evolve mechanisms not without making rhetoric. Permanent solution of the problems is a long-term affair and it is laudable if they can reach some basic understandings on this but at the same time immediate needs cannot be ignored. India and Bangladesh are known to be differing for a long time on such matters, construction of storages in Nepal as a way out to augment the dry season flows of the Ganges. The positions of two sides on matters like inland canal through the Brahmaputra and exercise area of Nepal in the exercise are too well-known. Despite all these, there is no dearth of exuding optimism from both sides when they speak of good neighbourliness and the SAARC spirit. While broader issues like the much talked-about Indian desire of transit facilities — either tinged with water issue or not — and the trade imbalance can wait but water issue cannot.