

Dated 24.06.2024



Regd. No. UDYAM-PB-13-0011712

**Dr. Krishan Lal**

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Office: 90410-13814 - 19 (6 Lines)  
9815713297, 99150-31482  
Office Time: 10:00 AM TO 1: 00 PM, 4:00 PM TO 7:00 PM

A CONSULTANCY REGISTERED FIRM TO PROVIDE HELP FOR THE PROBLEMS OF GOVT. EMPLOYEES & RETIRED PENSIONERS

## **Haryana Govt. Employees Case**

### **For the stay of commutation recovery of 58 years retired employees in a period of 11 years 3 months (135 months)**

Contact Dr. Krishan Lal Mobile No. 98157-13297, 90410-13814 To 19 (6 Lines) for the stay of commutation recovery after 11 years 3 months (135 months) against the prescribed time limit of 15 years. It is due to increase of commutation interest 2.8% to 8.1%. The actual rate of interest being charged from an employer/pensioner is exorbitant i.e. 18.73% per annum instead of 8.1% per annum and the same is in excess to the tune of 10.63% without any plausible reasons. If the employee retiring at the age of 58 years, the commutation value expressed as per the years of purchase at the age of 59 years was reduced from 10.46 to 8.371 whereas the rate of interest was increased from 2.8% to 8.1% per annum. In the following cases the hon'ble Punjab and Haryana High Court Double Bench passed the orders for staying future recovery.

Sr. No.	Civil Writ Petition No.	Title V/S State of Haryana & Others	Department	Date of Commutation Recovery Stay	Remarks
1	11179 of 2024	Vijander Nath Goel and Others v/s State of Haryana	Irrigation Water Resources, PWD (B&R) and Public Health Engineering	14.05.2024	In the meanwhile, further recovery shall remain stayed.
2	13139 of 2024	Jai Ram and Others v/s State of Haryana	Education	29.05.2024	In the meanwhile, further recovery shall remain stayed.

It is arbitrary and without any mathematical calculation. Govt. of Gujarat, Finance Department, Govt. Resolution No. NVT/102010/D/66/P (Pension Cell) Sachivalaya, Gandhinagar, Dated: 12.10.2022. The Commutation Period has been reduced from 15 years to 13 Years (After careful consideration, Govt. is pleased to resolve the restoration of commuted value of pension after 13 years under rule-101 of Gujarat Civil Services (Pension) Rules, 2002) | Govt. of Haryana Finance Department issued stay order on recovery of commutation value of Pension from petitioners vide letter no. 1/15/2024-1 Pension (FD) CFMS-6209 Dated 20.06.2024

हरियाणा सरकार की तरफ से पेंशनरों की भलाई हेतु कांम्यूटेशन की किस्त 15 सालों के लिए काटी जाती है जब के ब्याज दर 8.1% हो गई है जब के बाजार में ब्याज दर कम हो रही है। The Hon'ble Kerala High Court in W.P.(C) No. 23282 of 2005, Central Government Pensioner Association .V. Union of India के फैसले के अनुसार केरला, मध्य प्रदेश, उड़ीसा और पंजाब में 15 साल से 12 साल कर दी गई है। पंजाब सरकार के नोटिफिकेशन 30.04.2004 अनुसर 04.03.2003 को कांम्यूटेशन का पीरियड 12 साल से 15 साल दोबारा कर दिया गया है। It is arbitrary and without any mathematical calculation. 58 साल के रिटायर्ड कर्मचारी कांम्यूटेशन की रिकवरी 11 years 3 months (135 Months) महीने में करवाने के लिए डॉ. कृष्ण लाल से मोबाइल नंबर 98157-13297, 99150-31482 और 90410-13814 से 19 (6 लाइनें) पर संपर्क करें।

Since 1992



Regd. No. UDYAM-PB-13-001743

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## PERFORMA

### **Writ Regarding For the stay of commutation recovery of 58 years retired employees in a period of 11 years 3 months (135 months)**

Name	
Father's Name	
Designation	
School / Office Name	
Date Of Birth	
Aadhar Card No.	
Date of Appointment	
Date of Regular	
Date of Retirement	
Total Commuted Amount	
Reduction of Commutation per month	
Month of Reduction of Commutation	
PPO number for Pensioner	
Mobile Number & Whatsapp Number	
Email Address	
Residence Address & Distt	
Signature	

Important Points:-

Paytm / Google Pay and PhonePe Payment UPI Id:- 9915031482@SBI

1. In case of female, write the name of husband in address.
2. Send one copy of performa by whatsapp and one by post.
3. Write tehsil and distt. name in school and residence address.
4. Send one copy of Aadhar Card by whatsapp and one by post.

<b>State Bank of India Budhlada</b>
<b>Distt. Mansa(Punjab)</b>
<b>Current A/c No.39453963229</b>
<b>In Favour of: Krishana Consultancy</b>
<b>IFSC Code: SBIN0050050</b>
<b>Whatsapp No - 98157-13297</b>

# **POWER OF ATTORNEY**

In the Court of .....

Plaintiff/Appeallant  
Complainant  
Petitioner

## **VERSUS**

Defendant  
Respondent,  
Accused

**KNOW ALL** to whom these present shall come that I/We undersigned appoint

for the ..... in the above mentioned case to do all the following acts  
deeds and things or any of them that is to say :-

1. To act appear and plead in the above mentioned case in the court or any other Court in which the same may be tried or heard in the execution or in any stage of its progress until its final decision.
2. Present pleading appeals letter patent appeal cross objection or petitions for execution review, revisions withdrawal compromise or other petitions or affidavit or other documents as shall deemed necessary or advisable for the prosecution of the said case in all its stage.
3. To file and take back documents and to file application for restoration there of in case it is dismissed in default.
4. To withdraw or compromise the said case or submit for arbitration any difference or disputes that shall arise touching or in any manner relating to the said case.
5. To deposit draw any receive money and grant receipt there of and to do all other acts and things which may be necessary to be done for the progress and in the case of prosecutions of said case.
6. To employee and other legal practitioner authorising him to exercise the power and authorities hereby conferred on the advocate whenever he may think fit to do so.

And I/We hereby agree to ratify whatever the Advocate or his substitute shall do in the promises.

And I/We hereby agree not to hold the Advocate or his substitute responsible for the result of said for hearing case in consequence from the court when the said case is called up or for any negligence of the said Advocate or his substitute.

And I/We hereby agree that in the event of whole or any part of fee agreed by me to be paid to the Advocate, remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid if any costs are allowed for an adjournment the advocate would be entitled to the same.

**IN WITNESS WHERE OF** I/We agree to set my/our hands to the represent the contents of which have been explained to understand by me/us this the .....

.....day..... 20.....

(Signature or Thumb Impression of client)

Accepted :

**124 CWP-11179-2024**

**VIJANDER NATH GOEL AND ORS. VS STATE OF HARYANA AND OTHERS**

Present: Mr. Nitesh Singla, Advocate  
for the petitioners.

\*\*\*

Notice of motion for 21.08.2024.

On asking of the Court, Ms. Tanisha Peshawaria, D.A.G. Haryana, accepts notice on behalf of respondents-State and seeks time to file reply. May do so, on or before the next date of hearing with a copy in advance to the counsel opposite.

To be heard along with **CWP No. 9426-2023**.

In the meantime, further recovery shall remain stayed.

**(SANJEEV PRAKASH SHARMA)  
JUDGE**

**(SUDEEPTI SHARMA)  
JUDGE**

14.05.2024

*G Arora*

**143**

**CWP-13139-2024**

**JAI RAM AND ORS V/S STATE OF HARYANA AND OTHERS**

Present: Mr. Nitesh Singla, Advocate for the petitioners.

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Notice of motion.

Ms. Tanisha Peshawaria, DAG, Haryana accepts notice on behalf of State and seeks time to file reply. May do so, on or before the next date of hearing with a copy in advance to the counsel opposite.

List on 21.08.2024.

In the meanwhile, further recovery shall remain stayed.

Tag along with CWP-9426-2023.

**(SANJEEV PRAKASH SHARMA)  
JUDGE**

**29.05.2024**  
*mohit goyal*

**(SUDEEPTI SHARMA)  
JUDGE**

Government of Haryana  
**Finance Department**



हरियाणा सरकार  
**वित्त विभाग**

CFMS-6909  
dt 20/06/24

No. 1/15/2024 -1Pension (FD)

From

Additional Chief Secretary to Government, Haryana  
Finance Department

To

1. Principal Accountant General (A & E), Haryana, Sec-33 B, Chandigarh.
2. Director, *PSO Lij*  
Treasuries and Accounts Department, Haryana, Pension Disbursement Cell, Chandigarh.  
*19.06.24*

Dated- 19.06.2024

*✓T/A(A)*  
*✓T/A(PDC)*  
Subject: **Issue of stay order on recovery of Commutation Value of Pension from petitioners.**

This is in continuation of this department Memo No. 1/15/2024-1Pension(FD) dated 13.06.2024 on the subject noted above.

In compliance to Interim Order passed by Hon'ble Punjab and Haryana, High Court in various CWP's, it is requested to issue necessary directions to the concerned officers, **to stop the recovery of Commutation Value of Pension till the vacation of stay orders, from the petitioners in the following CWP's, who has completed 10 years of retirement or above.**

Sr.No.	CWP No.	Particulars	Order dated
1.	CM 8893/2024 in CWP 35904/2019	Narveer Singh & others V/s State of Haryana and another's	24.05.2024
2.	11085/2024	Surinder Kumar Goel & others V/s State of Haryana and another's	14.05.2024
3.	12022/2024	Hans Raj Janni & others Vs State of Haryana and another's	22.05.2024
4.	12067/2024	Balraj Singh & others V/s State of Haryana and another's	22.05.2024
5.	12105/2024	Mohinder Singh Hooda and others Vs State of Haryana and another's	22.05.2024
6.	12135/2024	Mahesh Kumar Hans and others Vs State of Haryana and another's	22.05.2024
7.	12153/2024	Darya Singh Parmar & others V/s State of Haryana and another's	23.05.2024
8.	12438/2024	Bal Kishan Gupta and others Vs State of Haryana and another's	24.05.2024

Government of Haryana  
**Finance Department**



हरियाणा सरकार  
**वित्त विभाग**

9.	12889/2024	Raj Kumar Malik and others Vs State of Haryana and another's	28.05.2024
10.	13161/2024	Indeshwar Nath and others Vs State of Haryana and another's	29.05.2024
11.	13181/2024	Babu Ram and others Vs State of Haryana and another's	29.05.2024
12.	13400/2024	Dev Kumar Gupta and others Vs State of Haryana and another's	30.05.2024
13.	13524/2024	Mani Ram Poswal and others Vs State of Haryana and another's	30.05.2024
14.	13642/2024	Jai Parkash and others Vs State of Haryana and another's	30.05.2024
15.	13750/2024	Ram Dhari and others Vs State of Haryana and another's	31.05.2024
16.	14003/2024	Sham Sunder Alias Sham Sunder Khurana and others Vs State of Haryana and another's	31.05.2024
17.	14178/2024	Vijay Kumar Vatsya and others Vs State of Haryana and another's	31.05.2024

*Ajay Kumar*

**Deputy Secretary Finance (Pension),**  
 for Additional Chief Secretary to Government, Haryana  
 Finance Department *P*

Dated 24.06.2024



Regd. No. UDYAM-PB-13-0011743

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आदरणीय भाई और बहन जी,

हम नीचे दिए अनुसार अध्यापकों, कर्मचारियों को उनके बनते लाभ दिलाने के लिए कोर्ट केस तैयार करवा रहे हैं। अगर आपका या आपके साथी का विचार हो तो वह निम्नलिखित केसों में शामिल होने के लिए डॉक्टर कृष्ण लाल जी जिनका मोबाइल नंबर 98157-13297 और 90410-13814 से 90410-13819 (6) नंबरों पर संपर्क करें।

1. The Haryana Guest Teachers (JBT Teacher / TGT Teacher / PGT Teacher) were appointed against regular sanctioned vacant posts during the year 2005, 2006 and 2007 on the basis of per day per period. The Haryana Govt. had converted the appointments of the guest teachers on contract basis for a period of one year with fixed remuneration instead of per day per period basis on 02.03.2009. That thereafter another policy for engaging/outsourcing of service/activities was issued by the state of Haryana on dated 06 April 2015 and in this also part II of the policy is applicable upon the guest teachers as the guest teachers are working from the initial engagement against sectioned posts. The General Administration Department had fixed the wages of contract employees uniformly across the state on formula of 50% of Initial pay (Pay in Pay Band + Grade Pay + DA) of fresh entrant Regular Employee after 01.01.2006, subject to minimum of 8100/- per month vide letter dated 06.06.2016.

**The detail of scales granted to the guest teachers from time to time is reproduced below for ready reference:-**

W.E.F.	JBT	TGT	PGT
01.04.2009	10000	11000	13500
01.07.2010	12000	13200	16200
01.07.2011	14400	15840	19400
01.01.2014	17500	19000	23500
01.07.2014	19000	21000	26000
01.01.2017	21715	24001	29715
01.07.2018	26000	30000	36000
01.01.2019	26780	30900	37080
01.07.2019	28080	32400	38880
01.07.2021	31720	36600	43920
01.01.2022	32500	37500	45000
01.07.2022	33540	38700	46440
01.01.2023	34580	39900	47600
01.07.2023	35400	41100	47600

**While revising the pay scale vide notification dated 28.10.2016 w.e.f. 01.01.2016 the minimum scales of the JBTs/TGTs/PGTs as under:-**

JBT	35400
TGT	44900
PGT	47600

गेस्ट टीचर नियमित कर्मचारियों के समान वेतन मंजूर शूदा पर ले सकते हैं सुपीम कोर्ट

**Civil Appeal No. 223 of 2013 State of Punjab & Others V/S Jagjit Singh** के सम्मान योग्य न्यायाधीश जे एस खेहर और एस सी बोर्ड के 102 पन्ने पर 26-10-2016 के फैसले के अनुसार समान काम के लिए समान वेतन का सिद्धांत Daily Wages / Temporary Worker और अनुबंध (ठेके) पर लगे कर्मचारियों पर भी लागू होगा जो Proper Selection Procedure के द्वारा तथा Sanctioned Posts पर लगे हुए हैं और वे निश्चित कर्मचारियों के सम्मान वेतन प्राप्त कर

सकते हैं क्योंकि वह भी स्थाई कर्मचारियों के बराबर ही काम करते हैं संविधान के अनुसार बराबर काम के लिए नियुक्त कर्मचारियों को स्थाई कर्मचारियों के मुकाबले कम वेतन नहीं दिया जा सकता। In light of the judgement dated 26.10.2016 the Haryana Govt. had taken a decision on 03.11.2017 to grant the minimum scales to the contract / daily wages employees w.e.f. 01.11.2017. Even the decision taken by govt. on 03.11.2017 should be implemented on the guest teachers (JBT Teacher RS/- 35400 / TGT Teacher RS/- 44900 / PGT Teacher RS/- 47600) from 01.01.2016 on the principal of equal pay for equal work as admissible to regular employee. डॉ. कृष्ण लाल से मोबाइल नंबर 98157-13297, 99150-31482 और 90410-13814 से 19 (6 लाइनें) पर संपर्क करें।

Guest Teacher	Pay From 01.01.20 17	Pay From 01.07.20 18	Pay From 01.01.20 19 With 3% D.A.	Pay From 01.07.20 19 With 8% D.A.	Pay From 01.07.2 021 With 22% D.A.	Pay From 01.01.2 022 With 25% D.A.	Pay From 01.07.2 022 With 29% D.A.	Pay From 01.01.2 023 With 33% D.A.	Pay From 01.07.2 023 With 37% D.A.
Lecturer	29715	36000	37080	38880	43920	45000	46440	47600	47600
Benefit with 47600 Minimum Grade pay from 01.01.2016	47600- 29715=17 885	47600- 36000=11 600	47600- 37080=10 520	47600- 38880=87 20	47600- 43920=3 680	47600- 45000=2 600	47600- 46440=1 160	—	—
Master/TGT and Language Teachers (Hindi, Punjabi and Sanskrit)	24001	30000	30900	32400	36600	37500	38700	39900	41100
Benefit with 44900 Minimum Grade pay from 01.01.2016	44900- 24001=20 899	44900- 30000=14 900	44900- 30900=14 000	44900- 32400=12 500	44900- 36600=8 300	44900- 37500=7 400	44900- 38700=6 200	44900- 39900=5 000	44900- 41100=3 800
JBT/PRT/Drawing Teachers	21715	26000	26780	28080	31720	32500	33540	34580	35400
Benefit with 35400 Minimum Grade pay from 01.01.2016	35400- 21715=13 685	35400- 26000=94 00	35400- 26780=86 20	35400- 28080=73 20	35400- 31720=3 680	35400- 32500=2 900	35400- 33540=1 860	35400- 34580=8 20	—

2. प्रधानाचार्य/प्रधानाध्यापक के उच्च पद के संबंध में वेतन और परिलब्धियां जारी करना, जिसके विरुद्ध उन्हें पी.ग्रोवर बनाम हरियाणा राज्य, 1983 एआईआर (एससी) में माननीय सर्वोच्च न्यायालय के निर्णय के अनुसार प्रधानाचार्य/प्रधानाध्यापक की क्षमता में आहरण और संवितरण अधिकारी (डीडीओ) की शक्तियों का प्रयोग करने के लिए कहा गया था, 1060. पी. ग्रोवर के मामले (सुप्रा) में तथ्य यह थे कि अधिवर्षिता की आयु प्राप्त करने से दो साल पहले अपीलकर्ता को जिला शिक्षा अधिकारी का स्थानापन्न प्रभार दिया गया था। शीर्ष अदालत ने उच्च पद के वेतन और परिलब्धियों को मुक्त करने के अपीलकर्ता के दावे को स्वीकार करते हुए कहा था कि उच्च पद पर पदोन्नत अधिकारी को ऐसे उच्च पद के वेतन का भुगतान करने से इनकार करने को उचित ठहराने वाले किसी नियम के अभाव में, विचाराधीन कर्मचारी जिला शिक्षा अधिकारी के पद के वेतन का भुगतान करने का हकदार है, जिसके खिलाफ उसने कार्य किया था। आहरण और संवितरण अधिकारी प्रिंसिपल/हेड मास्टर के उच्च पद के वेतन और परिलब्धियों के हकदार हैं, जिस अवधि के लिए उन्होंने वास्तव में सीडब्ल्यूपी संख्या 2015 के 26598 गुरजंट सिंह और अन्य के माध्यम से इस तरह के पद के अपने कर्तव्यों और जिम्मेदारियों का पालन किया था। बनाम हरियाणा राज्य और अन्य। दिनांक 12.03.2020 को अनुमति दी गई और 1999 के आरएसए संख्या 1539 में इस माननीय न्यायालय के निर्णय के संदर्भ में, जिसका शीर्षक हरियाणा सरकार, औद्योगिक प्रशिक्षण और व्यावसायिक शिक्षा के आयुक्त और सचिव, चंडीगढ़ बनाम एसके बग्गा है। 2015 के सीडब्ल्यूपी संख्या 26598 में 2023 की सीओसीपी संख्या 2025 के संबंध में हलफनामे के

माध्यम से बोलने का आदेश, गुरजंट सिंह और अन्य। (ग) हरियाणा राज्य और अन्य के मामले में माननीय उच्चतम न्यायालय ने हरियाणा राज्य और अन्य के मामले में महानिदेशक प्राथमिक शिक्षा हरियाणा, पंचकूला द्वारा 22.01.2024 को चंडीगढ़ में माननीय पंजाब और हरियाणा उच्च न्यायालय में जारी किया गया है। 69234 रुपये का भुगतान प्रधानाचार्य राजकीय सेन माध्यमिक विद्यालय, दारसुन कलां, जिला फतेहाबाद द्वारा बलदेव सिंह को किया गया है। फतेहाबाद 17.08.2004 से 28.02.2014 की अवधि के लिए चालान संख्या 0601080523106868 के खिलाफ वेतन आदेश संख्या 0601042682 के तहत डीडीओ (डाइंग और संवितरण अधिकारी) के रूप में कार्य किया।

3. जो प्रिंसिपल फर्स्ट और सेकंड ACP लेकर उन् प्रिंसिपलों से कम वेतन प्राप्त कर रहे हैं जो फर्स्ट, सेकंड और थर्ड एसीपी लेकर प्रिंसिपल बने हैं। वे सीनियर प्रिंसिपलों जूनियर प्रिंसिपलों के समान वेतन प्राप्त कर सकते हैं।

सीनियर अधिकारी व कर्मचारियों का वेतन जूनियर अधिकारी वह कर्मचारी से कम नहीं हो। सकता हरियाणा सरकार के सीनियर कर्मचारी और अधिकारी अपना वेतन जूनियर कर्मचारियों के बराबर निश्चित करवाने के लिए संपर्क करें।

4. **For the stay of commutation recovery after 11 years 3 months (135 months) against the prescribed time limit of 15 years. It is due to increase of commutation interest 2.8% to 8.1%. The actual rate of interest being charged form an employer/pensioner is exorbitant i.e. 18.73% per annum instead of 8.1% per annum and the same is in excess to the tune of 10.63% without any plausible reasons. If the employee retiring at the age of 58 years, the commutation value expressed as per the years of purchase at the age of 59 years was reduced from 10.46 to 8.371 whereas the rate of interest was increased from 2.8% to 8.1% per annum. In the following cases the hon'ble Punjab and Haryana High Court Double Bench passed the orders for staying future recovery.**

Sr. No.	Civil Writ Petition No.	Title V/S State of Haryana & Others	Date of Commutation Recovery Stay	Remarks
1	11179 of 2024	Vijander Nath Goel and Others v/s State of Haryana	14.05.2024	In the meanwhile, further recovery shall remain stayed.
2	13139 of 2024	Jai Ram and Others v/s State of Haryana	Education	29.05.2024

**It is arbitrary and without any mathematical calculation. Govt. of Gujarat, Finance Department, Govt. Resolution No. NVT/102010/D/66/P (Pension Cell) Sachivalaya, Gandhinagar, Dated: 12.10.2022. The Commutation Period has been reduced from 15 years to 13 Years (After careful consideration, Govt. is pleased to resolve the restoration of commuted value of pension after 13 years under rule-101 of Gujarat Civil Services (Pension) Rules, 2002) | Govt. of Haryana Finance Department issued stay order on recovery of commutation value of Pension from petitioners vide letter no. 1/15/2024-1 Pension (FD) CFMS-6209 Dated 20.06.2024**

हरियाणा सरकार की तरफ से पेंशनरों की भलाई हेतु काम्यूटेशन की किस्त 15 सालों के लिए काटी जाती है जब के ब्याज दर 8.1% हो गई है जब के बाजार में ब्याज दर कम हो रही है।

**The Hon'ble Kerala High Court in W.P.(C) No. 23282 of 2005, Central Government Pensioner Association .V. Union of India के फैसले के अनुसार केरला, मध्य प्रदेश, उड़ीसा और पंजाब में 15 साल से 12 साल कर दी गई है। पंजाब सरकार के नोटिफिकेशन 30.04.2004 अनुसर 04.03.2003 को कम्यूटेशन का पीरियड 12 साल से 15 साल दोबारा कर दिया गया है। It is arbitrary**

and without any mathematical calculation. 58 साल के रिटायर्ड कर्मचारी का म्यूटेशन की रिकवरी **11 years 3 months (135 Months)** महीने में करवाने के लिए डॉ. कृष्ण लाल से मोबाइल नंबर **98157-13297, 99150-31482** और **90410-13814** से **19 (6 लाइनें)** पर संपर्क करें।

5. **CWP No. 8364 of 2024 (O&M) Suresh Kumar Singla and Other v/s State of Haryana and others** के 16-4-2024 के अनुसार सेवा नवृति समय सेवा 6 मास इससे अधिक बनती है (अले हो एक वर्ष से कम हो) वह भी एक increment लेने का हकदार है। इसके पक्ष में Writ allow हो चुकी है। इसके साथ कर्मचारियों की सेवा नवृति के लाभ जैसे Gratuity, कमाई छुट्टी और पैनशन में भी वृद्धि होगी।

PERFORMA (ENGLISH CAPITAL LETTERS)											
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2.Only Signature on Power of Attorney left side as written Signature or Thumb Impression of client.



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