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#### IMPLEMENTATION MECHANISM OF MGNREGA IN HIMACHAL PRADESH

# KHEM RAJ RESEARCH SCHOLAR DEPARTMENT OF POLITICAL SCIENCE HIMACHAL PRADESH UNIVERSITY SHIMLA

#### ABSTRACT

The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) is a major step in the direction of providing security of employment to rural workers by providing at least 100 days of guaranteed wage employment in every year to every household whose adult members volunteer to undertake unskilled manual work. The Act makes a historic step towards recognizing and ensuring work as a right of the people. The major aim of the scheme was to strength the rural society. The Govt. of India has contributed huge capital in this scheme and almost every year this amount has increased. After 9 years of its inception, this scheme has given the mixed results. As MGNREGA is started all over India, we can easily analyze both the positive and negative aspects of this scheme. In some parts it has made the people especially women self-dependent and increased the employment rate while in some parts a number of reports regarding the corrupt activities in MGNREGA, non-availability of work, biasness regarding distribution of work had come. This paper aims at providing an overview of the implementation mechanism of MGNREGA.

#### **KEYWORDS**

MGNREGA, Employment Guarantee, Organisational apparatus, Rural Development.

#### INTRODUCTION

everal poverty alleviation programmes have been implementing by the centre and state governments in the rural areas of the country. The progress and success of these programmes, largely depends on the efficacy of organizational structure, with the help of which government is implementing these programmes. MGNREGA is the latest scheme being implemented by the state government with the share of center government. This scheme has been implemented by the Ministry of Rural Development Department, State Rural Development Department, District Rural development agencies, Development Blocks and Panchayati Raj Institutions. The success of MGNREGA depends on the competence and effectiveness of these agencies. Thus, it has found momentous to study the executive arrangements, established at various level for the implementation of poverty alleviation programmes, particularly for MGNREGA. Here an attempt has been made to study the Administrative arrangements for MGNREGA at the Centre, State, District and Block level.

#### IMPLEMENTATION APPARATUS OF MGNREGA AT CENTRE LEVEL

The Ministry of Rural Development, Government of India, is the nodal agency for the implementation of MGNREGA. The Central Government has the authority to set up Central Employment Guarantee Council for receiving advice on MGNREGA implementation besides independent evaluation and monitoring of the scheme. The Central Government also has to prepare the budget and disburse the funds. Minister for Rural Development, who is assisted by a secretary to the Government of India, heads the Ministry. In addition, there is an administrative as well as of technical personnel. Besides there is a Central Employment Guarantee Council, which helps and assists the Ministry in the implementing, reviewing, evaluating and monitoring the MGNREGA.

The Ministry of Rural Development has established a Professional Institutional Network (PIN) for steady, sustainable feedback to enhance the quality of the programme. PIN is envisaged as an integrated structure for concurrent appraisal, diagnosis, remedial action and capacity building for MGNREGA as well as strengthening capacity of districts to create positive impact. Presently, the Network has 18 member institutions including Indian Institute of Technology (IIT), Indian Institute of Management (IIFM), Administrative Staff College of India (ASCI), Indian Institute of Forest Management (IIFM), Agricultural Universities and other professional institutions. In its first phase, 13 institutions have conducted MGNREGA appraisal.<sup>2</sup> The roles and responsibilities of the Ministry of Rural Development are as follows:

- 1. Make rules under the Act.
- 2. Issue Operational Guidelines for the effective implementation of the Act.
- 3. Review list of permissible works under MGNREGA in response to demands of State Governments.
- Constitute the CEGC.
- 5. Set up National Employment Guarantee Fund.
- 6. Set up National Management Team (NMT) within the Department of Rural Development to perform the national level functions under MGNREGA.
- 7. Make budgetary allocation and ensure timely release of Central share.
- 8. Maintain and operate the MIS to capture and track data on critical aspects of implementation, and assess the utilization of resources through a set of performance indicators.
- 9. Support and facilitate use of Information Technology (IT) to increase the efficiency and transparency in implementation of the Act.
- 10. Facilitate technical support and capacity building to improve outcomes.
- 11. Support innovations that help in improving processes towards the achievement of the objectives of the Act.
- 12. Monitoring, Evaluation and Research on the performance of MGNREGA.
- 13. Empanel agencies that can be used by State Governments as PIAs for implementation of MGNREGA works and determine the percentage value of funding that can be given to them to meet their administrative costs.<sup>3</sup>

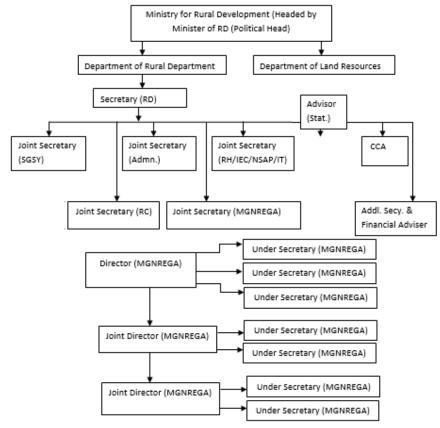
#### COMPOSITION OF MINISTRY OF RURAL DEVELOPMENT

Presently the Ministry of Rural Development consists of the following two departments:

- 1. Department of Rural Development
- 2. Department of Land Resources

Out of these two departments, Department of Rural Development is responsible for the implementation of the Mahatma Gandhi National Rural Employment Guarantee Act. The organizational setup of the Department of Rural Development has been reflected in Chart 4.1.

#### CHART 1: ORGANIZATIONAL STRUCTURE FOR THE IMPLEMENTATION OF MGNREGA AT THE CENTRE LEVEL



The political head of the Department of Rural Development at the Centre level is Minister for Rural Development. He is assisted by a Secretary to the Government of India, who is the administrative head of the department. He is assisted by Joint Secretary (MGNREGA). Joint Secretary (SGSY), Joint Secretary (Training), Advisor (Stat.), Joint Secretary (RC), Joint Secretary (RH/IEC/NSAP/IT) and Additional Secretary and Financial Advisor. These officials are assisted by several other officers such as Deputy Secretaries, Directors, Deputy Directors and Under Secretaries, etc. The Department of Rural Development is implementing a number of programmes in rural areas through the state Governments for poverty reduction, employment generation rural infrastructure, habitant development, provision of basic minimum services, etc.<sup>4</sup> The important programmes presently being implemented by the Department are MGNREGA, Pradhan Mantri Gram Sadak Yojana (PMGSY), Swarnjayanti Gram Swarozgar Yojana (SGSY), Rural Housing (Indira Awaas Yojana), DRDA Administration, Training Schemes, Promotion of Voluntary Schemes and Social Action Programme, organization.

#### CENTRAL EMPLOYMENT GUARANTEE COUNCIL

The Central Employment Guarantee Council (CEGC) (or 'Central Council') has been set up under the Chairmanship of the Union Minister of Rural Development. The roles and responsibilities of the CEGC, as per the Act, are to:

- 1. Establish a central evaluation and monitoring system.
- 2. Advise the Central Government on all matters concerning the implementation of the Act.
- 3. Review the monitoring and redressed mechanism from time to time and recommend improvements required.
- 4. Promote the widest possible dissemination of information about the Schemes.
- 5. Monitoring the implementation of this Act.
- 6. Preparation of annual reports to be laid before Parliament by the Central Government on the implementation of this Act.5

#### ORGANIZATIONAL STRUCTURE FOR THE IMPLEMENTATION OF MGNREGA AT THE STATE LEVEL

At the State level in Himachal Pradesh, there is a Department of Rural Development, which has the overall responsibility for the implementation of MGNREGA in the State. The Department of Rural Development is accountable for formulation, implementation, evaluation, monitoring of various rural development programmes, including MGNREGA, at State Level. To perform these functions there is a well established organizational structure of the department, which has been discussed as under.

#### COMPOSITION OF DEPARTMENT OF RURAL DEVELOPMENT IN HIMACHAL PRADESH

The Minister of Rural Development heads the Department. He is the political head of the department. He looks after the working of the department. He is responsible for the overall functioning of the department to the State Legislature. The Department is functioning under the overall control of the Private Secretary (RD) at the Government level assisted by the Director—cum—special Secretary (RD), Additional Director—cum—Additional Joint Secretary (RD). The following wings are functioning at the State level:

- 1. State Level Monitoring and Evaluation Cell (SLM and EC): Deputy Director (RD) is the Programme Officer of the Cell.
- 2. Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA): Deputy Director (Stats) and Assistant Director (MGNREGA) are the Programme Officers of the Cell.
- 3. State Level Nodal Agency (Watershed): Project Director (SLNA) is the Programme Officer of the Cell.
- Total Sanitation Campaign (TSC): Assistant Director (TSC) is the Programme Officer of the Cell.<sup>6</sup>

The organizational structure for the implementation of MGNREGA, in the State Level has been presented in Chart- 4.2.

#### CHART 2: ORGANIZATIONAL STRUCTURE FOR THE IMPLEMENTATION OF MGNREGA AT THE STATE

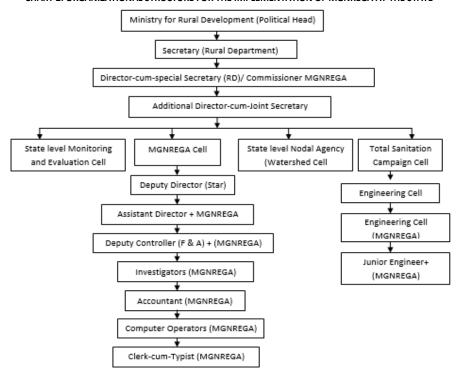


Chart 4.2 reflects that, In Himachal Pradesh Rural Development Department is headed politically by Minister of Rural Development. He is assisted by Secretary (Rural Development), who is administrative head of the department. Under the secretary, there are Director-cum-Special Secretary (RD)/Commissioner (MGNREGA), and Additional—cum-Joint Secretary. These officials are at the top stratum of the Department. The department is divided mainly three cells. MGNREGA cell is apprehensive with the implementation of MGNREGA out of these five cells in the state. Various officials are involved in these cell such as, Deputy Director (Statistics), Assistant Director and Deputy Controller (F&A). Additional charge of MGNREGA has been given to these officials. Under these officials, there are investigators (MGNREGA), Accountant (MGNREGA), Computers operators (MGNREGA), and clerk-cum-typist (MGNREGA).

#### RESPONSIBILITIES OF THE STATE GOVERNMENT

Responsibilities of the State Government include:

- 1. Make Rules on matters pertaining to State responsibilities under Section 32 of the Act.
- 2. Develop and notify the Rural Employment Guarantee Scheme for the State.
- 3. Set up the SEGC.
- 4. Set up a State level MGNREGA implementation agency/ mission with adequate number of high caliber professionals.
- 5. Set up a State level MGNREGA social audit agency/directorate with adequate number of people with knowledge on MGNREGA processes and demonstrated commitment to social audit.
- 6. Establish a State Employment Guarantee Fund (SEGF).
- 7. Ensure that the State share of the MGNREGA budget is provisioned for and released into the SEGF in the beginning of the financial year so that it can be used as a revolving fund.
- 8. Ensure that full time dedicated personnel, wherever required, are in place for implementing MGNREGA, specially the Employment Guarantee Assistant (Gram Rozgar Sahavak). the PO and the staff at state, district and Cluster level.
- 9. Delegate financial and administrative powers to the DPC and the Programme Officer, as is deemed necessary for the effective implementation of the Scheme.
- 10. Establish a network of professional agencies for training, technical support and for quality-control measures.
- 11. Regular review, research, monitoring and evaluation of MGNREGA processes and outcomes.
- 12. Ensure accountability and transparency in the Scheme at all levels.
- 13. Generate widest possible awareness about MGNREGA across the State.
- 14. Ensure that civil society organizations involved in mobilizing MGNREGA workers are able to formally meet State, district and block level officials in a formal setting at least once a month
- 15. Ensure compliance with all processes laid down in Act.8

#### STATE EMPLOYMENT GUARANTEE COUNCIL

A State Employment Guarantee Council (SEGC) (or State Council) is to be set up by every State Government under Section 12 of MGNREGA. The SEGC has the following roles and responsibilities;

- 1. Advise the State Government on the implementation of the Scheme.
- 2. Review the monitoring and redressal mechanisms and suggest improvements.
- 3. Evaluate and monitor the Scheme within the State.
- 4. Recommend the proposals of works to be submitted to the Central Government under para 1B (xvi) of Schedule I of the Act.
- 5. Promote widest possible dissemination of information about this Act and the Schemes under it.
- 6. Prepare the annual report to be laid before the State Legislature by the State Government.9

#### ORGANIZATIONAL STRUCTURE FOR THE IMPLEMENTATION OF MGNREGA AT THE DISTRICT LEVEL

The District Rural Development Agency (DRDA) is a principal organ responsible to look after the implementation of various rural development activities and especially anti-poverty programmes at the district level. These agencies are autonomous bodies and registered under the Societies Registration Act, 1860. These agencies have been constituted to implement schemes/programmes of rural development in the district concerned. The DRDA is headed by the District Collector who

is its ex-officio chairman. An Additional Collector (Development) who also function as Project Director DRDA, is overall responsible for managing affairs of DRDA. As Project Director, he is assisted by a team of officials viz. District Planning Officer, the Project Manager, the Assistant Engineer, Subject Matter Specialist and an Accounts Officer, etc.<sup>10</sup> Organizational structure at district level has been shown in chart 4.3

CHART 3: ORGANIZATIONAL STRUCTURE FOR THE IMPLEMENTATION OF MGNREGA AT THE DISTRICT LEVEL

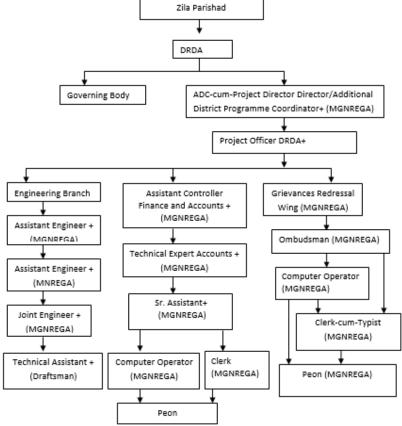


Chart 4.3 shows that, Deputy-Commissioner is the chief executive officer of the District Rural Development Agencies (DRDAs). Besides, Deputy Commissioner, there is a Project Director of the rank of an Additional District Magistrate (ADM) who heads the District Rural Development Agency. He is a senior scale officer of the All India Services or a senior officer of the state services eligible for appointment to the All India Services. Additional District Magistrate is overall incharge of the working and activities of the District Rural Development Agency. There is an Assistant Control (Finance and Accounts) under Project Officer who has the additional charge of MGNREGA, a Technical expert (Accounts), Senior Assistant and Computer Operator and Clerk. A Grievance Redressal wing has also been constituted to redress the grievances of the rural households pertaining to the MGNREGA. Ombudsman is the head of the Grievance Redressal Cell.

The District Collector as Chairman of DRDA is empowered to form a committee to assist. DRDA in matter of development within the district related to smooth execution of programmes/schemes. The committee is not a permanent body but expected to meet once in a month. The committee performs the following functions:

- 1. Finalizes the different doctoral annual plans to be inducted into Annual Action Plan of the district.
- 2. Guides, monitors and reviews the various development programme/schemes.
- 3. Approves annual programmes at the village and block level for execution.
- 4. Reviews the progress of various programme and schemes implemented in the district for the development of scheduled castes.
- 5. Considers new schemes for the development of scheduled castes and other rural masses in the district.
- 6. It has the power to tie up sectroal programmes and inter related input requirements. Thus, DRDA acts as an agency incharge of planning, implementation, monitoring and evaluation of the rural development programmes in the district.<sup>11</sup>

#### THE DRDA PERFORMS THE FOLLOWING FUNCTIONS

- 1. Identification of BPL families.
- 2. Keeping liaison with district level and block level agencies so that rural development takes may be performed in the desired manner.
- 3. Preparing plans and schemes to assist BPL families for improving their economic conditions.
- 4. Evaluating and monitoring of the programmes to ensure their effectiveness and follow up actions.
- 5. Arranging institutional credit support to identified beneficiaries.
- 6. Securing inter-sectorel and inter-departmental coordination and cooperation;
- 7. Publicity with an aim to generate awareness about rural development programmes.
- 8. Sending periodical reports to the state government on a prescribed format.
- 9. Preparing comprehensive development plan for every block.
- 10. Coordinating surveys and preparing perspective plans, annual action plans for blocks and district plans.

The administrative cost of DRDA is charged by setting apart an amount, i.e. some specific percentage of total allocation allotted to a development programme by the government. But this practice is not mandatory now a days, as many programmes have been entrusted to this agency and some of them may not provide for any administrative costs in exchange of their implementation/execution by DRDA. Therefore, this issue needs an attention of the government particularly in the time when Union government wishes to make this agency more responsible by entrusting more functions and by extending direct financial grants for rural development programmes.

In real sense, the union government has introduced a scheme to professionalize the DRDA since 1st April 1999. The primary objective to professionalize DRDAs is to make these bodies capable to effectively manage the anti poverty programme of the Ministry of Rural Development and interact effectively with other agencies. The agencies are expected to coordinate effectively with the line departments, the PRIs, the banks and other financial institutions, the NGOs as well as the technical

institutions with a view to gather requisite support and resources required for poverty reduction effort in the district. The agency has been performing the role of facilitator, guide and monitoring of all kinds of activities pertaining to rural development. It has been executing the programmes with close cooperation of block and village level elected and administrative institutions. It is the block and the village level governance which translates the policy and programmes of rural development in reality and therefore, the efficacy of policy formulation as well as execution depends on these district and sub – district level agencies. 12

#### **DISTRICT PROGRAMME COORDINATOR (DPC)**

The State Government designates a DPC, who can be either the Chief Executive Officer of the District Panchayat (DP), or the District Collector (DC), or any other District-level officer of appropriate rank. The DPC is responsible for the implementation of the scheme in the district, in accordance with the provisions made In the MGNREGA 2005 and rules and guidelines made there under. The DPC shall:

- i) Assist the DP in discharging its functions.
- ii) Receive the Block Panchayat plans and consolidate them along with project proposals received from other implementing agencies for inclusion in the District Plan for approval by the DPs.
- iii) Accord timely sanction to shelf of projects.
- iv) Ensure that any new projects added at block and district levels are presented again for ratification and fixing priority by concerned GS(s) before administrative sanction is accorded to them.
- v) Ensure timely release and utilization of funds.
- vi) Ensure wage-seekers are provided work as per their entitlements under this Act.
- vii) Review, monitor and supervise the performance of the POs and all implementing agencies in relation to MGNREGA works.
- viii) Conduct and cause to be conducted periodic inspection of the works in progress and verification of Muster Roll.
- ix) Ensure that First Information Report (FIR) is filed in every case in which there is prima facie, evidence misappropriation or financial irregularity.
- x) Appoint Project Implementation Agencies (PIAs) throughout the district, keeping in mind that for a least 50% of value of works, the PIAs need to be GPs.
- xi) Carry out responsibilities as given in Schedule II related to grievance redressal.
- xii) Coordinate an Information Education and Communication (IEC) campaign for MGNREGA within the district
- xiii) Develop annual plans for training and capacity building of various stakeholders within the district.
- xiv) Submit periodic progress and updates to the State Government.
- xv) Ensure that social audits are done in all GPs once in six months and ensure follow up action on social audit reports.
- xvi) Ensure that, all transactions including issue of JCs, recording of applications for work, allocation of work, generation of wage slips and Fund Transfer Orders (FTOs), entries relating to work performed delayed payment of wages, and unemployment allowance are made through MGNREGA soft only.
- xvii) Ensure that all entries relating to works such as details of the shelf of works, GPS coordinates, status of implementation, photographs of works at three different stages are entered in MGNREGA soft at even required stage. Information regarding completion of work should be entered in as soon as possible but in any case no *later* than 2 months from the time of physical completion.
- xviii) Ensure that all funds received by Implementing Agencies and District level authorities including Panchayats are posted in MGNREGA soft no later than two days of receipt of such funds.
- xix) Ensure that all required entries in MGNREGA Soft are made by all concerned officials including the line departments, in the district.

#### **DISTRICT PANCHAYAT**

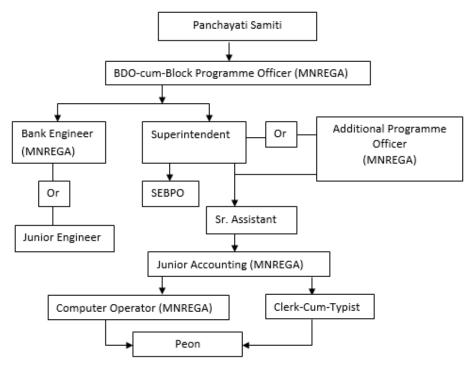
DPs are responsible for:

- 1) Consolidation of Annual Block Plans (within the District) into a District Plan.
- 2) Adding any inter-block work that according to them will be a good source of employment.
- 3) Monitoring and supervision of the MGNREG A in the District
- 4) Carry out such other functions as may be assigned to it by the state council, from time to time. 13

#### ORGANIZATIONAL STRUCTURE FOR THE IMPLEMENTATION OF MNREGA AT THE BLOCK LEVEL

The primary responsibility for implementation of development programmes rests with panchayats samities and teams of officials at block level. The Samiti or the block office is the basic unit for preparation of perspective and annual active plan and for the implementation and evaluation of different programmes as per the state norms. In real sense it is the real rural development programme implementing agency, headed by an officer called Block Development and Panchayat Officer (BDPO) of Taluq Development Officers, etc. The officer is assisted by a team of extension officers like Social Education and Panchayat Officer. The Block Development Office now a days is not having any extension officer in functional areas rather they (extension officers) work under their district departmental heads. The 73<sup>rd</sup> constitutional Amendment Act has not also strengthened the panchayats samiti or administrative office at this level may be because it wishes to strengthen the DRDA. The Gram Panchayat has also been strengthened by the new enactment and that has again undermined the responsibility of panchayat samiti or block level administrative set – up established by a rural development. A village level official called Village Level Worker (VLW) Gram Sewak/ Gram Sachiv help the Block Development Office and to maintain the records of the village panchayats. Usually 3-4 Gram Panchayats are under this official. He assists the BDPO in implementing rural development schemes at village level. Organisational Structure for the implementation of MGNREGA at Block level has been shown in Chart 4.4.

#### CHART 4: ORGANIZATIONAL STRUCTURE FOR THE IMPLEMENTATION OF MNREGA AT THE BLOCK LEVEL



Block Development Officer is at the apex at the block level, while performing the duties under Mahatma Gandhi National Rural Employment Guarantee Act, he is treated as Programme Officer. For the assistance of BDO, there is an Additional Programme Officer MGNREGA at the block level who assists BDO in the functioning of MGNREGA. In the absence of Additional Programme Officer, the superintendent has to perform the activities/functions assigned to Additional Programme Officer. There are two Senior Assistant in the account branch who deals with the Centre and State heads each. To deal with the maintenance of MGNREGA records and accounts, there is a Junior Assistant. There are two computer operators (MGNREGA) and lower division clerk under their subordination. There are four Junior Engineers in technical branch who provides engineering services at the block level and assist it in reconstruction of works at the block level holeck level. Social Education and Block Planning Officer (SEBPO) also looks MGNREGA activities at block level. All the poverty alleviation programmes including MGNREGA have been reviewed in the meeting of APO, SEBPO under the chairmanship of Block Development Officer. The review of all the activities has also been made in the quarterly meeting of the Panchayati Samiti under the chairmanship of the Chairperson of Panchayat Samiti with BDO as its member secretary. <sup>14</sup>

#### **FUNCTIONS OF BDO**

The primary responsibility of BDO is to ensure that anyone who applies for work gets employment within 15 days. The important functions of BDO are as follows:

- i) Consolidating, after scrutiny, all project proposals received from GPs into the Block Plan and submitting it to the District Panchayat for scrutiny and consolidation.
- ii) Matching employment opportunities arising from works within the Block Plan with the demand for work at each GP in the Block.
- iii) Ensuring baseline surveys to assess work demand.
- iv) Monitoring and supervising implementation of works taken up by GPs and other implementing agencies within the Block.
- v) Ensuring prompt and fair payment of wages to all labourers and payment of unemployment allowance in case employment is not provided on time.
- vi) Maintaining proper accounts of the resources received, released and utilized.
- vii) Redressing grievances within the Block. The PO shall enter every complaint in a complaint register and issue dated and numbered acknowledgement. Complaints that fall within the jurisdiction of the PO, including any complaints concerning the implementation of the Act by a GP shall be disposed of by the PO within 7 days, as prescribed under Section 23(6) of the Act. In case a complaint relates to a matter to be resolved by any other authority, the PO shall conduct a preliminary enquiry and refer the matter to such authority within seven days under intimation to the complainant.
- viii) Ensuring conduct of social audits and following upon required actions.
- ix) Ensuring all the required information and records of all implementing agencies such as JC register, employment register, work register, GS resolution, copies of the sanctions (administrative or technical or financial), work estimates, work commencement order, Muster Roll issue and receipt register, Muster Rolls, wage payment acquaintance, materials bills and vouchers (for each work), measurement books (for each work), asset register, action taken report on previous social audits, grievance or complaints register.
- x) Ensuring any other documents that the Social Audit Unit (SAU) requires to conduct the social audit processes are properly collated in the requisite formats; and provided along with photocopies to the SAU for facilitating conduct of social audit at least fifteen days in advance of the scheduled date of meeting of the GS.
- xi) Setting up Cluster-Level Facilitation Teams (CFTs) to provide technical support to GPs within each Cluster of GPs.
- xii) Facilitating technical support to Gram Panchayats by CFTs.
- xiii) Liaison with Banks and Post Offices in opening up of new accounts and making regular and timely payments to labour. Liaison between GPs and Block as also between Block and District for all correspondence and communication.
- xiv) Organise formal monthly meetings with civil society organizations (CSOs) involved in facilitating MGNREGA implementation in the block.

#### **INTERMEDIATE PANCHAYAT**

The function of the Panchayat at intermediate level shall be, to:

- i) Approve the Block Level Plan for forwarding it to the district Panchayat at the district level for final approval;
- ii) Supervise and monitor the projects taken up at the Gram Panchayat and Block level;
- iii) Carry out such other functions as may be assigned to It by the State Council, from time to time.

iv) Where Part IX of the Constitution does not apply, local Councils/authorities as mandated by the State concerned, will be invested with these responsibilities. 15

Lastly, the block development machinery along with panchayats samiti is assisted by the Gram Panchayats and the Village Development Committees constituted for the purpose in some states. Rural development governance must be effective particularly to encourage local initiative and participation. New PRIs are quite helpful in this regard but the answer of the question whether these agencies are able to function in tune with the larger objectives for which they are created and the rural populations have an emotional nexus with these agencies is still not affirmative.

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