

The Hindu Important News Articles & Editorial For UPSC CSE

Tuesday, 22 Oct , 2024

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GURUKULAM IAS

The Supreme Court reaffirmed that secularism is an integral part of the Basic Structure of the Indian Constitution while hearing petitions challenging the inclusion of "socialist" and "secular" in the Preamble.

➔ These terms were added through the 42nd Amendment during the Emergency in 1976.

Secularism is a core part of the Constitution: SC

The Hindu Bureau
NEW DELHI

The Supreme Court on Monday said secularism is an indelible and core part of the Basic Structure of the Constitution.

The court made the oral observation while hearing a batch of petitions filed by former Rajya Sabha member Subramanian Swamy and others challenging the inclusion of the words "socialist" and "secular" in the Preamble to the Constitution.

"This court has in a number of judgments held that secularism was always part of the Basic Structure of the Constitution. If one looks right to equality and

the word 'fraternity' used in the Constitution, there is a clear indication that secularism has been held as the core feature of the Constitution," a Bench of Justices Sanjiv Khanna and Sanjay Kumar said.

Justice Khanna disagreed with the argument of the petitioners that the term "socialism" would curtail personal liberty and individualism.

"One should not take the meaning adopted in Western countries... Socialism can also mean that there should be equality of opportunity and the wealth of the country should be distributed equally," Justice Khanna remarked.



Advocate Ashwini Upadhyay, a petitioner, said he was not against the words "socialist, secular, and integrity" or their insertion in the Constitution but against the insertion of these words into the Preamble in 1976 and that too with a retrospective effect from November 26, 1949.

The Preamble was

amended in December 1976 by the Indira Gandhi government to introduce the words "socialist" and "secular". The phrase "unity of the nation" was replaced with "unity and integrity of the nation". The changes were made in the Preamble through the 42nd Constitution Amendment during the Emergency.

Originally, the text of the Preamble declared India as a "sovereign, democratic republic". The words "socialist" and "secular" were inserted between "sovereign" and "democratic".

The largest Bench in the history of the Supreme Court (13 judges) in the *Kesavananda Bharati* case

had held that the Preamble was an integral part of the Constitution, and was subject to the amending power of Parliament, provided the Basic Structure was not tinkered with.

Advocate Sriram Parakkat, appearing for CPI leader Binoy Viswam, said the 42nd amendment was indeed "infamous". It had after all tried to reduce the power of the Supreme Court and the High Courts. "While subsequent amendments more or less restored the Constitution to what it was pre-1976, this change was made in the Preamble... that we are secular and socialist... was retained," Mr. Parakkat submitted.

Secularism as Core Feature

- ➔ The Supreme Court reaffirmed that secularism is an essential and indelible part of the Basic Structure of the Indian Constitution.
- ➔ Justice Khanna highlighted that terms like "equality" and "fraternity" in the Constitution signal the importance of secularism.

Interpretation of Socialism

- ➔ The Supreme Court disagreed with the petitioners' argument that "socialism" limits personal liberty and individualism.
- ➔ It clarified that the meaning of socialism in India differs from Western interpretations, focusing on equality of opportunity and equitable wealth distribution.

Challenge to 1976 Amendment

- ➔ A petitioner argued that while not against the terms "socialist" and "secular," he opposed their retrospective insertion into the Preamble in 1976.
- ➔ The words were added through the 42nd Amendment during the Emergency, replacing "unity of the nation" with "unity and integrity."

Kesavananda Bharati Case

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Daily News Analysis

- ➔ The Kesavananda Bharati case established that the Preamble is part of the Constitution and can be amended, provided it does not alter the Basic Structure.

42nd Amendment

- ➔ Added the words "Socialist", "Secular", and "Integrity" to the Preamble. Transferred subjects like Education, Forests, Weights & Measures, and Protection of Wild Animals and Birds from the State List to the Concurrent List.
- ➔ Restricted the power of judicial review, enhancing Parliament's supremacy over laws.
- ➔ Extended the term of Lok Sabha and State Legislatures from 5 to 6 years.
- ➔ Introduced Fundamental Duties for citizens under Part IV-A of the Constitution.
- ➔ Gave primacy to Directive Principles over Fundamental Rights. Made the President bound by Cabinet advice.
- ➔ Amended Emergency provisions.

Countries are lagging behind on the ambitious goals set by the Kunming-Montreal Global Biodiversity Framework to halt nature destruction by 2030.

- ➔ The COP16 summit in Colombia aims to address funding gaps and boost global efforts towards biodiversity conservation.

Analysis of the news:

- ➔ In 2022, the Kunming-Montreal Global Biodiversity Framework was established to halt nature destruction by 2030.
- ➔ By 2024, countries are falling behind on their biodiversity goals.
- ➔ COP16, a U.N. biodiversity summit in Cali, Colombia, brings together nearly 200 nations under pressure to meet their commitments.
- ➔ A key issue is securing funding for conservation, with new revenue-generating initiatives being explored.
- ➔ Only 31 of 195 countries submitted National Biodiversity Strategies and Action Plans (NBSAPs) by October 2024.
- ➔ Richer nations filed more plans, while poorer countries face funding and expertise challenges.
- ➔ The summit's aim is to re-energize global efforts and address delayed biodiversity plan



Colombian women perform during the opening ceremony of COP16, a United Nations' biodiversity conference, in Cali, Colombia, on Sunday. AP

World lags on 2030 nature goals as COP16 talks begin

Reuters

The world in 2022 reached its most ambitious deal ever to halt the destruction of nature by decade's end. Two years later, countries are already behind on meeting their goals.

As nearly 200 nations meet on Monday for a two-week U.N. biodiversity summit, COP16, in Cali, Colombia, they will be under pressure to prove their support for the goals laid out in the Kunming-Montreal Global Biodiversity Framework agreement.

A top concern for countries and companies is how to pay for conservation, with the COP16 talks aiming to develop new initiatives that could generate revenues for nature.

"We have a problem here," said Gavin Edwards, director of the nonprofit Nature Positive. "COP16 is an opportunity to re-energise and remind everybody of their commitments two years ago and start to course correct if we're going to get anywhere close to 2030 targets being achieved."

The rate of nature destruction through activities like logging or overfishing has not let up, while governments miss deadlines on their biodiversity action plans and funding for conservation is billions of dollars away from meeting a 2025 goal.

The summit in Colombia, marking the 16th meeting of nations that signed the original 1992 Convention on Biodiversity, is set to be the largest biodiversity summit to date, with some 23,000 delegates registered to participate as well as a large exhibition area open to the public.

Whether the participation and pressure can push countries towards bolder conservation actions remains to be seen.

The clearest sign of lagging efforts is the fact that most countries have yet to submit national conservation plans, known officially as National Biodiversity Strategies and Action Plans (NBSAPs), though they had agreed to do so by the start of COP16.

As of October 18, 31 out of 195 countries had filed a plan with the U.N. biodiversity secretariat.

Richer nations have been quicker to file, including many European nations, Australia, Japan, China, South Korea, and Canada. The United States attends the talks but has never ratified the Convention on Biodiversity, so is not obligated to submit a plan.

Another 73 countries as of October 18 had opted to only file a less ambitious submission that sets out their national targets without details of how they would be achieved.

With so few plans filed, experts will likely struggle to gauge progress in meeting the agreement's hallmark "30 by 30" goal of preserving 30% of the land and sea by 2030.

Colombia's Environment Minister Susana Muhamad, who also serves as COP16's president, said the summit must also address why so many others are late.

"It could be that the funds are not enough, for example, to be able to produce the plans," she said.

Poorer countries have had a harder time finding the funding and expertise needed to develop national biodiversity plans, World Wide Fund for Nature advocacy chief Bernadette Fischler Hooper said.

The IMF is concerned about a growing liquidity crisis in emerging economies, despite the resolution of some debt defaults.

➔ Rising debt costs and limited external funding threaten development, climate efforts, and trust in governments, especially in low-income countries.

As poor nations' default wave peaks, cash shortage could take its place

The IMF worries that emerging economies could face a dangerous liquidity shortfall as western countries hesitate to send money overseas; China's pull-back in lending has also hit emerging countries, turning a large source of incoming cash into a net negative flow for those repaying old debts

NEWS ANALYSIS

Reuters
LONDON

The punishing post-COVID wave of sovereign defaults has finally crested, with the likes of Ghana, Sri Lanka and Zambia concluding years of painful debt reworks.

But the International Monetary Fund (IMF) and others worry that a dangerous liquidity shortfall could take its place in many emerging economies, setting back development, stunting climate change mitigation and fuelling distrust in governments and Western institutions.

The West's hesitation

The issue, and what to do about western countries' increasing hesitation to send money abroad, is a key topic at the IMF World Bank (WB) autumn meetings taking place in Washington, D.C. this week.

"It's a challenge in the sense that for many, debt service has grown, borrowing has become more expensive, and external sources (have become) less certain," said Christian Libalato, portfolio manager with RBC BlueBay.

The U.S. Treasury's top economic diplomat has called for new ways to provide short-term liquidity support to low- and mid-



Debt trap: In 2022, countries paid more to service external debts than they received in new finance. AFP

dle-income countries to head off debt crises.

The Global Sovereign Debt Roundtable—an initiative bringing together representatives from countries, private lenders, the WB and the G20—has also tried to tackle the issue, and it will be on the agenda when they meet in Washington on Wednesday.

But with constrained budgets and crises around every corner, Vera Songwe, chair of the Liquidity and Sustainability Facility, a group that aims to lower debt costs for Africa, said current fixes lack the scale and the speed needed.

"Countries are avoiding...education, health and infrastructure expenditures to service their debt,"



Countries are avoiding education, health and infrastructure expenditures to service their debt

VERA SONGWE
Chair, Liquidity and Sustainability Facility

Ms. Songwe said. "Even in the advanced economies...there are stresses in the system."

Data from non-profit advocacy group ONE Campaign shows that in 2022, 26 countries—including Angola, Brazil, Nigeria and Pakistan—paid more to service external debts than they received in new external finance.

transfers for 2023 and 2024 are likely worse. Fresh funding from the IMF, the World Bank and other multilaterals failed to compensate for the rising costs, he said.

World Bank and IMF officials seem to agree. The World Bank aims to boost lending capacity by \$30 billion over 10 years. The IMF cut surcharges, lowering the cost for the most overstretched borrowers by \$1.2 billion annually.

Tide turning?

Bankers say many of the countries are now able to tap markets again, alleviating cash flow worries.

"I don't think there's a limitation on access," said Stefan Weiler, head of CEE-MEA debt at JPMorgan. "The market is really wide open."

Mr. Weiler expects bond issuance in Europe, the Middle East and Africa to reach a record \$275-\$300 billion this year—with more countries, even Nigeria and Angola, possibly issuing bonds next year.

But the cost remains high. Kenya, scrambling to repay a maturing dollar-bond, borrowed at above 10%, a threshold seen widely as unsustainable.

Finance minister John Mbadi said Kenya cannot fund infrastructure investments through the budget.

"Kenyans keep on complaining about 'we don't have money in our pocket

ets.' That in a sense is just saying that we have challenges with liquidity in the economy," Mr. Mbadi said during a news conference.

China's pull-back in lending has also hit emerging countries hard, turning what had become a large source of incoming cash into a net negative flow for those repaying old debts.

Development banks are already scrambling to work together to maximise lending; the Inter-American Development Bank and the Africa Development Bank are in the midst of a global campaign to get countries to donate their IMF reserve assets, so-called "special drawing rights", which they say could turn every \$1 donated into \$8 in lending.

But the World Bank and others are still fighting to convince western countries to cough up more cash to supercharge their lending; debt-laden France plans to cut 1.3 billion euros of foreign aid, following cuts by the previous government in Britain.

A strong dollar means key donor Japan would have to significantly boost its contributions to keep at the same level.

The mix is toxic for developing nations.

"We see protests from Kenya to Nigeria to elsewhere. It's a very dangerous situation," Mr. Diwan said.

"We're losing the whole global south at this stage."

Observations by the IMF:

- The post-COVID wave of sovereign defaults has peaked, with countries like Ghana, Sri Lanka, and Zambia concluding debt restructurings.
- The IMF is concerned about a liquidity shortfall in emerging economies, hindering development, climate change mitigation, and increasing distrust in governments and Western institutions.
- Debt servicing costs have risen, borrowing has become more expensive, and external financing is less reliable.
- Many countries are cutting essential expenditures like education, health, and infrastructure to service debts.
- In 2022, 26 countries, including Angola, Brazil, Nigeria, and Pakistan, paid more to service external debts than they received in new finance.
- Rising global interest rates have made affordable refinancing difficult for countries with maturing debts.
- The IMF and World Bank are increasing efforts to boost lending, with the World Bank aiming to raise its lending capacity by \$30 billion over 10 years.
- Despite market access reopening for some countries, borrowing costs remain high, with nations like Kenya borrowing at unsustainable rates above 10%.

Recently, INS Trikand and Dornier Maritime Patrol Aircraft, participated in the Indo-Oman bilateral naval exercise Naseem-Al-Bahr held in Goa.



About Exercise Naseem-Al-Bahr:

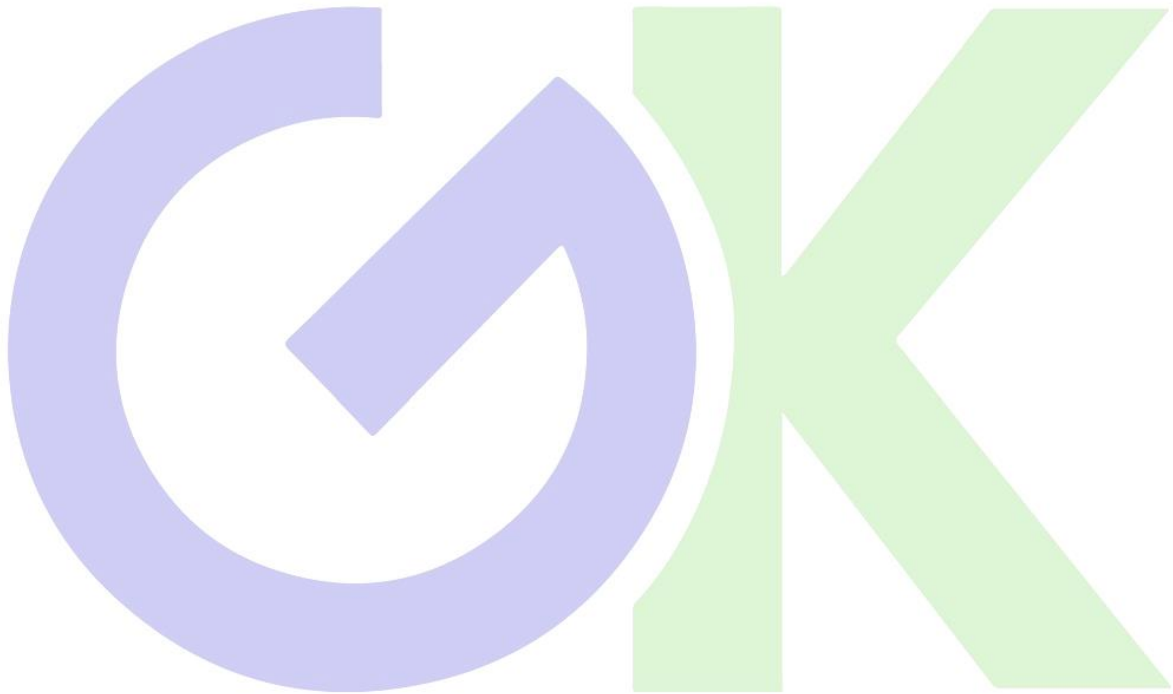
- It is a bilateral naval exercise between India and Oman.
- It was initiated in 1993, symbolises the long term strategic relationship between the two countries.
- Oman is the first country in the Gulf Cooperation Council (GCC) which has been in conducting bilateral exercises with India jointly.
- The exercise was conducted in two phases: with the harbour phase followed by the sea phase.
- As part of harbour activities, personnel from both Navies engaged in professional interactions, including Subject Matter Expert Exchanges and planning conferences. In addition, sports fixtures and social engagements were also held.

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- ➔ During the sea phase of the exercise both ships carried out various evolutions, including gun firings at surface inflatable targets, close-range anti-aircraft firings, manoeuvres, and Replenishment at Sea Approaches (RASAPS).
- ➔ The integral helicopter operated from INS Trikand and undertook cross-deck landings and vertical replenishment (VERTREP) with RNOV Al Seeb.
- ➔ Additionally, the Indian Navy's Dornier aircraft provided Over-the-Horizon Targeting (OTHT) data with the participating ships.
- ➔ **Significance:** The exercise helped strengthen interoperability and enhanced understanding of each other's best practices.



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In News : National Water Award

The Hon'ble President of India will confer the 5th National Water Awards 2023 on October 22nd 2024 at Vigyan Bhawan, New Delhi.



About National Water Awards:

- The first edition of the National Water Awards was introduced by the Department of Water Resources, River Development and Ganga Rejuvenation in 2018.
- The award focuses on the good work and efforts made by individuals and the organizations across the country in attaining the government's vision of a 'Jal Samridh Bharat'.
- The awards are for creating awareness among the people about the importance of water and motivating them to adopt best water usage practices.
- The 5th National Water Awards, 2023, is given for 09 categories viz Best State, Best District, Best Village Panchayat, Best Urban Local Body, Best School or College, Best Industry, Best Water User Association, Best Institution (other than school or college), and Best Civil Society.
- In the category of Best State, the first prize has been conferred upon Odisha, with Uttar Pradesh securing the second position, and Gujarat and Puducherry jointly securing the third position.
- Each award winner will be conferred with a citation and a trophy as well as cash prizes in certain categories

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An approaching milestone in constitutional governance

November 26 this year will mark the commemoration of the 75th anniversary of the adoption of the Constitution of India. It is a milestone that needs to be celebrated by every stakeholder of Indian democracy. Constitutional governance in India is not merely a facet of the laws, rules and regulations that govern the establishment and the evolution of democratic institutions. It is also about permeating a deep sense of constitutional culture that has captured the collective consciousness of Indians across different cultures, faiths and beliefs.

Respect for institutions, power transition

As we move towards celebrating this Constitution Day, it is an opportune time to identify the core constitutional values that have shaped the constitutional culture of India. These five values have also withstood the test of time.

First, people's respect for democratic institutions. The Constitution of India was adopted on November 26, 1949, a time when life expectancy in India was around 32 years. Today, it has progressed to around 70 years. This extraordinary improvement in the standards of living and the quality of life has contributed in a significant manner for the ordinary Indian to respect the role and the contribution of democratic institutions. The social and economic development of India is an example of the progressive implementation of public policy over the last several decades. There is a need for a nuanced understanding on why Indians continue to participate in such large and significant numbers in every election – local, State or national – notwithstanding the fact that they expect a better performance from their representatives. Since the first elections in 1951-52, we have consistently witnessed nearly 60% of Indians participating in elections including in the 2024 general election where there was a 65.79% voter turnout. The respect for democracy and faith in democratic institutions in India is a core constitutional value that has withstood the test of time.

Second, the smooth transition of elected governments. The seven decades have seen numerous elections across States and at the national level. India has seen elected representatives representing different political parties, with varying degrees of strength and presence, within a State and/or at a pan-India level. We have also seen political leaders of different ideological persuasions winning elections and holding positions of power and responsibility in the States and at the Centre. But if there is one thing that is unique and distinctive about India's democratic traditions, it is the deep commitment every political party attaches to the



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idea of smooth transitions of power at the end of elections. While elections are fought with high-voltage campaigns and at times, even divisive narratives, the electoral results are almost always a humbling experience – it is the people of India who win each election without any exception. The Indian electorate has, time and again, demonstrated to the world that its understanding of problems and challenges will shape our decisions relating to elections. The people of India have imbibed this core constitutional value of participating in elections and enabling the smooth transition of power from one government to the other.

Upholding rights

Third, protection of rights and freedoms through courts. The Constitution is very forthright in recognising the highest degree of importance being attached to the fundamental rights and the courts, which are institutions created under the Constitution to protect the rights of people. It is even more remarkable that the framers of the Constitution were people associated with the freedom movement and responsible for building the foundations of the Indian Republic. They struggled to fight against colonialism to help achieve India's freedom. While drafting the provisions relating to fundamental rights, the members of the Constituent Assembly were mindful of the power of the mighty state and its instrumentalities. They could have tilted towards the idea of a benevolent state, especially when almost the entire first Cabinet had people who were part of the freedom movement. However, their deep scepticism of the state apparatus and the fervent commitment towards protecting individual rights and freedoms reflected a far-sighted vision on their part. This vision of recognising the role of the state, while being conscious of the fact that rights and freedoms are paramount, is a core constitutional value that has only been strengthened over the years.

Fourth, federalism as a facet of constitutional governance. The framers of the Constitution were mindful of the extraordinary diversity of the country, including its linguistic diversity and other forms of pluralism deeply embedded in our civic and political culture. The history and the tradition of every State of India also meant that they were conscious of protecting the unique identity, tradition and culture of the States and the people while forging a collective national identity. They created different forms of autonomy and special privileges for different States keeping in mind their unique histories and cultures. To efficaciously ameliorate the disparities that are prevalent among the people in certain regions of the nation, the Indian Constitution delineates a paradigm of special

India has every reason to celebrate 75 years of constitutional governance

dispensations, furthering the agenda of equity and inclusivity.

Over the last seven decades, the idea of federalism has further deepened at least at two levels: first, the rise of State-level political parties across India and their own contribution to the development of national political consciousness. This has, on several occasions, led to strong State parties contributing to the development of coalition governments in the States and at the Centre. Second, the idea of federalism has also led to the passing of the 73rd and 74th Constitutional Amendments, which led to the establishment of panchayat raj institutions and *nagarpalikas*.

The part played by media, civil society

Fifth, the role of the media and civil society in instilling faith in democracy. Much has been said and written about the Indian media. The Indian media is a diverse and heterogeneous institution with views and perspectives that are generated across India in different languages. Further, the transition of print media to broadcast and further innovations in media and technology have democratised access to information and indeed the role of media. While there are fundamental challenges relating to the economic model of governance of media institutions, it is fair to say that media and civil society have contributed to the instilling of faith in Indian democracy. While we need to be critical of the challenges of the autonomy and the independence of media, it is equally important to recognise the values of transparency that have been part of the media culture. In the cacophony of an information explosion through various forms of media and the medium of communication, the Indian electorate has been enlightened to develop an informed degree of understanding of the role of the media and civil society.

We have every reason to celebrate 75 years of constitutional governance.

After Independence, the last British commander in chief of the Indian Army, General Claude Auchinleck had observed, "The Sikhs may try to set up a separate regime. I think they probably will and that will be only a start of a general decentralization and break-up of the idea that India is a country, whereas it is a subcontinent as varied as Europe. The Punjabi is as different from a Madrassi as a Scot is from an Italian. The British tried to consolidate it but achieved nothing permanent. No one can make a nation out of a continent of many nations."

We proved many people wrong in not only forging a national identity of a nation that is built on constitutional ideals but we have also made the Constitution an instrument of galvanising social conscience and political consciousness.

GS Paper 02 : Governance

UPSC Mains Practice Question : Discuss the core constitutional values that have shaped India's democratic governance since the adoption of the Constitution, with special emphasis on the role of federalism and the protection of individual rights.
(250 Words /15 marks)

Context :

- The article highlights the 75th anniversary of India's Constitution, emphasising five core constitutional values that have shaped Indian democracy.
- These values include respect for democratic institutions, smooth power transitions, protection of rights, federalism, and the role of media and civil society.

Commemorating the 75th Anniversary of India's Constitution

- November 26, 2024, marks the 75th anniversary of the adoption of the Indian Constitution, a milestone that calls for celebration by every stakeholder of Indian democracy.
- Constitutional governance in India transcends mere laws, shaping a constitutional culture deeply embedded in the collective consciousness of its people, regardless of their diverse cultures, faiths, and beliefs.

Five Core Constitutional Values Shaping India's Democracy

1. Respect for Democratic Institutions

- The adoption of the Constitution in 1949 came at a time when India's life expectancy was only around 32 years; today, it stands at about 70 years.
- This remarkable improvement in living standards has significantly contributed to the respect for democratic institutions among the Indian population.
- India's social and economic progress is largely the result of the effective implementation of public policies over decades.
- Since the first general election in 1951-52, nearly 60% of the electorate has participated in elections, including a 65.79% voter turnout in the 2024 election.
- This continued participation reflects the people's respect for democracy and faith in democratic institutions, making it a core constitutional value that has withstood the test of time.

2. Smooth Transition of Power

- Over the past seven decades, India has witnessed numerous elections, with different political parties and ideologies coming to power at both State and national levels.
- Despite intense electoral campaigns, often marked by divisive rhetoric, the smooth transition of power after each election remains a hallmark of India's democracy.

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- The Indian electorate's understanding of problems and challenges helps shape electoral outcomes, ensuring that the people of India ultimately win every election.

3. Protection of Rights and Freedoms through Courts

- The Constitution prioritises fundamental rights, and the judiciary plays a critical role in protecting these rights.
- The framers of the Constitution, many of whom were part of the freedom movement, were deeply sceptical of state power and focused on safeguarding individual rights and freedoms.
- Their vision of balancing the role of the state with the protection of individual liberties is a core constitutional value that has grown stronger over time.

4. Federalism as a Pillar of Governance

- The framers of the Constitution recognized India's extraordinary diversity, including its linguistic, cultural, and historical variations.
- They crafted mechanisms to protect the unique identities of the States while forging a collective national identity.
- Over time, federalism has deepened, as evidenced by the rise of State-level political parties and their contribution to national governance.
- The 73rd and 74th Constitutional Amendments, which established panchayati raj institutions and urban local bodies (nagarpalikas), have further strengthened federalism by decentralising power.

5. Role of Media and Civil Society

- The Indian media is diverse and heterogeneous, representing various perspectives across the country in multiple languages.
- The transition from print to broadcast media, and further innovations in media and technology, have democratised access to information.
- Despite challenges concerning media independence, it has played a significant role in instilling faith in democracy by promoting transparency and accountability.
- Civil society organisations also contribute to democratic governance, fostering public participation and engagement in civic issues.

Proving Naysayers Wrong

- ➡ After Independence, British officials like General Claude Auchinleck doubted India's ability to form a unified nation, given its diverse population.
- ➡ Contrary to such predictions, India successfully forged a national identity based on constitutional ideals.
- ➡ The Constitution has not only served as a framework for governance but has also galvanised the nation's social conscience and political consciousness.

Conclusion

- ➡ As India celebrates 75 years of constitutional governance, the country's commitment to democratic values, federalism, and the protection of rights stands as a testament to the enduring legacy of its Constitution.

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