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## THE GOVERNMENT SAVINGS BANKS ACT, 1873

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# THE GOVERNMENT SAVINGS BANKS ACT, 1873 (5 OF 1873)

**28th January, 1873**

(As amended by Government Savings Bank Amendment Act, 1959 and further modified from time to time)

An Act to regulate and channelize the savings from general public into Government Savings Schemes. (As amended by chapter VIII of Finance Bill, 2018)

## Preliminary

**1. Short title:** This Act may be called the Government Savings Promotion Act, 1873.

**Local extent:** It extends to the whole of India.

**Note:** The act has been extended to the State of Sikkim vide Ministry of Home Affairs Notification No. F.11013/1/82-SKM dated **22.7.1983**.

**2. (Omitted vide Finance bill, 2018)**

**3. In this Act, unless the context otherwise requires:**

- a) "**account**" means an account opened under any of the Savings Schemes;
- b) "**administrator**" means an administrator as defined in clause (a) of section 2 of the Indian Succession Act, 1925; "means a person appointed by competent authority to administer the estate of a deceased person when there is no executor"
- c) "**Authorised Officer**" means
  - i. in the case of a Post Office Savings Bank, an officer authorised by the Director General Posts; and
  - ii. in the case of State Bank of India or a banking company or any other company or institution, an officer so authorised by State Bank of India or that banking company or that other company or that institution, as the case may be;
- d) "**Banking company**" means a banking company as defined in clause (c) of section 5 of the Banking Regulation Act, 1949; means any company which transacts the business of banking.
- e) "**depositor**" means an individual by whom, or on whose behalf money has been deposited in a Government Savings Bank and "deposit" means the money so deposited;
- f) "**executor**" means an executor as defined in clause (c) of section 2 of the Indian Succession Act, 1925. "means a person to whom the execution of the last Will of a deceased person is, by the testator's appointment, confided"

g) "Government Savings Bank" means—

- i. a Post Office Savings Bank; or
- ii. State Bank of India or a banking company, or any other company or institution, as the Central Government may, by notification in the Official Gazette, specify for the purposes of this Act;

h) "guardian" in relation to a minor or a person of unsound mind means—

- i. either of the parents;
- ii. where neither parent is alive or where neither or the only living parent is incapable of acting as such, a person entitled under the law for the time being in force to have the care of the property of a minor or a person of unsound mind, as the case may be;
- iii. legal guardian appointed by a court;

i) "minor" means a person who has not attained the age of majority under the Indian Majority Act, 1875;

j) "prescribed" means prescribed by rules made under this Act;★

k) "Savings Schemes" means the Government Savings Schemes, including Savings Certificates and Public Provident Fund Scheme, listed in the Schedule;

l) "Schedule" means the Schedule annexed to this Act.

## Section 3A

1. The Central Government may, by notification in the Official Gazette, frame new Savings Schemes or amend or discontinue existing Savings Schemes to promote household savings in the country.

2. The Central Government may, by notification in the Official Gazette, include or omit or amend Savings Schemes in the Schedule.

3. The notification referred to in sub-section (1) may include any or all of the following provisions, depending on the design of such Scheme, namely: –

- a. the persons who shall be eligible to make deposit in a Savings Scheme;
- b. the terms and conditions subject to which deposit may be made;
- c. manner of calculation, frequency of payment and rate of interest payable on the deposit;
- d. the maximum and minimum limits of deposit;

- e. premature closure, withdrawal of deposit, grant of loans against deposit and transfer of deposit;
- f. any other provision depending on the purpose and design of the Savings Scheme.

## Section 3B

1. A minor who has attained the age of **ten years** may open and operate an account in the Government Savings Bank, if so permitted under a Savings Scheme.
2. Subject to the provisions of sub-section (1), the guardian of a minor may open and operate an Account on behalf of the minor, till he becomes a major.

### 4. Nomination by depositor:

- a) "The depositors shall designate **one or more** individuals, as nominee or nominees, who shall be entitled, in the event of the death of the depositor of a single account, or all the depositors of a joint account, as the case may be, to receive the sum due, as an owner or a trustee, and to the extent, as may be specified by the depositor at the time of making nomination: Provided that if the depositor is a minor or a person of unsound mind, the nominee shall be designated by the guardian.";
- b) Any nomination referred to in sub-section (1) shall become void if the nominee predeceases, or where there are two or more nominees, all the nominees predecease the depositor.
- c) Where the nominee is a minor, it shall be lawful for the depositor to appoint in the prescribed manner any person to receive the deposit in the event of his death during the minority of the nominee.
- d) The transfer of deposit, if permitted under a Savings Scheme, shall automatically cancel a nomination previously made.

### 4A. Payment on death of depositor:

1. If a depositor dies and there is in force at the time of the death of the depositor a nomination in favour of any person, the deposit shall be paid to the nominee.
2. Where the nominee is a minor, the deposit shall be paid-
  - a. in any case where a person has been appointed to receive it under sub-section (3) of section 4, to that person; and
  - b. Where there is no such person, to the guardian of the minor for the use of the minor.

3. Where a deposit is payable to **two or more** nominees and either or any of them is dead, the deposit shall be paid to the surviving nominee or nominees.

(3A) Where the deposit belongs to a minor or to a person of unsound mind who dies and there is no nominee immediately before the date of commencement of Part I of Chapter VIII of the Finance Act, 2018, the deposit shall be paid to the guardian.";

4. If the depositor dies and there is no nomination in force at the time of his death and probate of his will or letters of administration of his estate or a succession certificate granted under the Indian Succession Act, 1925 (39 of 1925) is not, within **three months** of the death of the depositor, produced to the Authorised Officer of the Government Savings Bank in which the deposit is, then—

- a. if the deposit does not exceed such limit as may be prescribed, the Authorised Officer may pay the same to any person appearing to him to be entitled to receive it or to administer the estate of the deceased in accordance with such procedure as may be prescribed.
- b. Omitted.

**STATUTORY UPDATE:** The limit prescribed under Section 4A(4)(a) for payment without production of legal evidence (Succession Certificate, etc.) is currently **5 Lakh** (Rupees Five Lakh). (Ref: Rule 15(6) of the Government Savings Promotion General Rules, 2018, vide G.S.R. 1003(E) dated **5th October 2018**).

## 5. Payment to be a discharge:

1. Any payment made in accordance with the foregoing provisions of this Act shall be a full discharge from all further liability in respect of the money so paid:

2. **Saving of right of executor:** – Nothing herein contained precludes (Prevent) any executor or administrator, or other representative of the deceased, from recovering from the person receiving the same the amount remaining in his hands after deducting the amount of all debts or other demands lawfully paid or discharged by him in due course of administration.

3. **Saving of right of creditor:** – Every creditor or claimant against the estate of the deceased may recover his debt or claim out of the money paid under this Act to any person, and remaining in his hand unadministered, in the same manner and to the same extent as if that person had obtained letters of administration of the estate of the deceased.

## 6. Security for due administration:

The Authorised Officer of a Government Savings Bank may take such security as he thinks necessary from any person to whom he pays any money under sub-section (4) of section 4A for the due administration of the money so paid, and he may assign the said security to any person interested in such administration.

## 7. Power to administer oath:

1. For the purpose of ascertaining the right of the person claiming to be entitled as aforesaid, the Authorised Officer of a Government Savings Bank may take evidence on oath or affirmation according to the law for the time being in force relating to oaths and affirmations.
2. **Penalty for false statements:** Any person who, upon such oath or affirmation, makes any statement which is false and which he either knows or believes to be false or does not believe to be true shall be deemed guilty of an offence under section 193 of the Indian Penal Code (45 of 1860).

**7A.** The Central Government through any designated authority, may call for such information, documents and evidence as it may deem necessary, in relation to any account, for carrying out the purposes of this Act.

## 8. Deposit when excluded in computing court fees:

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Where the amount of the deposit belonging to the estate of a deceased depositor does not exceed the prescribed limit, such amount shall be excluded in computing the fee chargeable under the Court-fees Act, 1870 (7 of 1870) on the probate or letters of administration, or succession certificate (if any), granted in respect of his property:

Provided that the person claiming such probate or letters or certificate shall exhibit to the Court authorised to grant the same a certificate of the amount of the deposit in any Government Savings Bank belonging to the estate of the deceased. Such certificate shall be signed by the Authorised Officer of such Bank, and the Court shall receive it as evidence of the said amount.

**STATUTORY UPDATE:** Though Section 8 mentions a "prescribed limit" for Court Fee exclusion, under current GSPR 2018 rules, the emphasis is on the claim limit of **5 Lakh** for settlement without legal evidence.

## **9. Act not to apply to deposits belonging to estates of European Soldiers or deserters:**

Repealed by the Government Savings Banks (Amendment) Act, 1959 (45 of 1959).

## **Deposits belonging to minors**

**10. Payment of deposits to minor or guardian:** Any deposit made by or on behalf of, a minor, may be paid to him personally, if he made the deposit, or to his guardian for the use of such minor if the deposit was made by any person other than the minor, together with the interest accrued thereon. The receipt of the minor or guardian for money paid to him under this section, shall be a sufficient discharge therefor.

**11. Legalization of like payments heretofore made.** Repealed by the Government Savings Banks (Amendment) Act, 1959 (45 of 1959).

## **Deposits belonging to lunatics**

**12. Payment of deposits belonging to lunatics:** If any depositor becomes insane or otherwise incapable of managing his affairs, and if such insanity or incapacity is proved to the satisfaction of the Authorised Officer of the Government Savings Bank in which his deposit may be, such Authorised Officer may, from time to time, make payments out of the deposit to guardian, and the receipt of such guardian, for money paid under this section, shall be a sufficient discharge therefor. Where a committee or manager of the depositor's estate has been duly appointed, payments shall be made to such committee or manager.

**12A.** Any depositor who suffers from physical infirmity, including blindness may operate and make a deposit through any literate individual whom he authorises.

## **13. Omitted.**

## **Miscellaneous**

**14. Protection of action taken in good faith:** No suit or other legal proceeding shall lie against the Authorised Officer or any other officer of the Central Government of India in respect of anything which is in good faith done or intended to be done under this Act.

## **15. Power to make rules:**

1. The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

2. In particular, and without prejudice to the generality of the foregoing power, such rules may provide all or any of the following matters, namely: –

- a. Omitted.
- b. "The conditions as to interest or discount relating to deposits generally, or any class of deposits in particular;"
- c. the non-accrual of interest on deposits when the maximum limits are exceeded and the recovery of any interest paid in excess in the same manner and as arrear of land revenue or in any other manner;
- d. the persons to whom and the manner in which deposits may be paid;
- e. the form of nominations, the manner in which, the persons in whose favour and the conditions and restrictions subject to which, nominations may be made and the registration of nominations;
- f. the variation or cancellation thereof;
- g. "The fees that may be levied for discharge of any services under this Act;"
- h. the manner in which any person may be appointed for the purpose of sub-section (3) of section 4;
- i. "The limit and procedure under clause (a) of sub-section (4) of section 4A;
- j. the mode of making deposits, such as physical, electronic or through use of any other tools of communication and information technology;
- k. benchmark for interest rates on deposits with a view to ensure financial sustainability of Savings Schemes;
- l. amount to be excluded in computing the court fee chargeable under the Court-fees Act, 1870 for the purpose of section 8 of the Act;
- m. mechanism for redressal of grievances and settlement of disputes;
- n. any other matter which is required to be or may be, prescribed.".

3. Every rule made under this section shall be laid as soon as may be, after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

## 16.

1. The Government Savings Certificates Act, 1959 and the Public Provident Fund Act, 1968 are hereby repealed.
2. Notwithstanding such repeal and without prejudice to the provisions contained in the General Clauses Act, 1897, with respect to repeals—
  - a. anything done or any action taken or purported to have been done or taken, including any rule, notification, order or notice made or issued or any direction given under the repealed enactments shall be deemed to have been done or taken under the corresponding provisions of this Act;
  - b. subject to the provisions of clause (a), any instrument executed or certificate issued, or anything done under or in pursuance of any repealed enactment shall, if is in force at the commencement of Part I of Chapter VIII of the Finance Act, 2018, continue to be in force in so far as it could have been executed, or issued or done under or in pursuance of such Part, shall have effect as if the same has been executed, issued or done under or in pursuance of the provisions contained in the aforesaid Part;
  - c. all deposits made or accounts or certificates held under the repealed enactments shall be deemed to be deposits or holdings in the Savings Scheme made under the corresponding provisions of this Act; and
  - d. any proceeding under the repealed enactments pending immediately before the commencement of Part I of Chapter VIII of the Finance Act, 2018 before any court shall, subject to the provisions of this Act, continue to be heard and disposed of by the said court.
3. The repeal shall not prejudicially affect the interest of depositors who, before the commencement of Part I of Chapter VIII of the Finance Act, 2018, made deposits or were issued certificates or made contribution to any scheme under the repealed enactments.

## THE SCHEDULE [See section 3A]

This Act applies to the following Government Savings Schemes:

### PART A - EXISTING SAVINGS SCHEMES

1. Post Office Savings Account
2. National Savings Monthly Income (Account)
3. National Savings Recurring Deposit
4. Sukanya Samridhhi Account
5. National Savings Time Deposit (1 year, 2 years, 3 years and 5 years)
6. Senior Citizens' Savings Scheme
7. Savings Certificates: –
  - a. Kisan Vikas Patra (discontinued from 1st December, 2011 and restarted from 23rd September, 2014);
  - b. National Savings Certificates (VIII Issue).

8. Public Provident Fund Scheme
9. PM CARES for Children Scheme, 2021
10. Mahila Samman Savings Scheme, 2023

**PART B - DISCONTINUED SAVINGS SCHEMES** 1. National Savings Scheme, 1987

2. National Savings Scheme, 1992
3. Block Deposit Account
4. Defence Savings Account
5. Gift Coupons
6. Cumulative Time Deposit Accounts
7. 5-year account
8. 10-year account
9. 15-year account
10. 5-year Prize Bonds
11. 5-year Premium Prize Bonds
12. 5-year Compulsory Deposit Account Scheme, 1963
13. 5-year Fixed Deposit Account
14. 5-Year Cash Certificates
15. 10-Year Defence Savings Certificates
16. 12-Year National Savings Certificates
17. 7-Year National Savings Certificates
18. 5-Year National Savings Certificates
19. 10-Year Treasury Savings Deposits Certificates
20. 15-Year Annuity Certificates (I series)
21. 10-Year National Plan Savings Certificates
22. 10-Year Treasury Savings Deposits Certificates
23. 12-Year National Plan Savings Certificates
24. 15-Year Annuity Certificates (II series)
25. 10-Year Defence Deposit Certificates
26. 12-Year National Defence Certificates
27. 10-Year National Savings Certificates (I-Issue)
28. 7-Year National Savings Certificates (II Issue)
29. 7-Year National Savings Certificates (III-Issue)
30. 7-Year National Savings Certificates (IV-Issue)
31. 7-Year National Savings Certificates (V-Issue)
32. 12-Year National Savings Annuity Certificates
33. 5-Year National Development Bonds
34. 6-Year National Savings Certificates (VI-Issue)
35. 6-Year National Savings Certificates (VII-Issue)
36. 10-Year Social Security Certificates
37. Indira Vikas Patras
38. 10 Year National Savings Certificate (IX Issue)

## Practice Questions

1. The Government Savings Banks Act, 1873 was renamed to the "Government Savings Promotion Act, 1873" by which amendment?
  - a) The Finance Act, 1959
  - b) The Government Savings Amendments Act, 2005
  - c) The Finance Act, 2018
  - d) The Banking Regulation Act, 1949
2. What is the extent of the Government Savings Promotion Act, 1873?
  - a) Whole of India except J&K
  - b) Whole of India except Sikkim
  - c) Whole of India
  - d) Only in Union Territories
3. Under Section 3, who defines the term "Administrator"?
  - a) The Reserve Bank of India Act
  - b) The Indian Succession Act, 1925
  - c) The Banking Regulation Act, 1949
  - d) The Indian Contract Act, 1872
4. According to Section 3(c), who is the "Authorised Officer" for a Post Office Savings Bank?
  - a) An officer authorised by the Finance Minister
  - b) An officer authorised by the Director General Posts
  - c) The Postmaster General
  - d) The Sub-Postmaster
5. A "minor" under this Act is defined based on which Act?
  - a) The Indian Minority Act, 1990
  - b) The Indian Majority Act, 1875
  - c) The Juvenile Justice Act, 2015
  - d) The Guardians and Wards Act, 1890
6. At what age can a minor open and operate an account independently under Section 3B?
  - a) 18 years
  - b) 14 years
  - c) 10 years
  - d) 12 years
7. Who designates the nominee if the depositor is a minor?
  - a) The minor themselves
  - b) The Authorised Officer
  - c) The Guardian
  - d) The Court
8. If a depositor dies and there is a valid nomination in force, to whom shall the deposit be paid?
  - a) Legal heirs
  - b) The Nominee
  - c) The Executor of the Will
  - d) The District Magistrate

9. What happens to a nomination if a deposit is transferred (where permitted under a Scheme)?
- a) It remains valid
  - b) It is suspended for 6 months
  - c) It automatically cancels the previous nomination
  - d) It must be re-verified by a gazetted officer
10. Under Section 4A(4), if a depositor dies without a nomination, within what period must probate/succession certificate be produced to avoid the 'prescribed limit' payout clause?
- a) 1 month
  - b) 3 months
  - c) 6 months
  - d) 1 year
11. Which section deals with "Payment to be a discharge"?
- a) Section 4
  - b) Section 5
  - c) Section 6
  - d) Section 7
12. If a person makes a false statement on oath under Section 7, they are guilty of an offence under:
- a) Section 420 of IPC
  - b) Section 193 of IPC
  - c) Section 188 of IPC
  - d) Section 302 of IPC
13. Which section empowers the Central Government to call for information/documents regarding any account?
- a) Section 7A
  - b) Section 15
  - c) Section 3A
  - d) Section 12
14. Under Section 10, if a deposit was made by a person other than the minor, payment may be made to:
- a) The minor only
  - b) The guardian for the use of such minor
  - c) The District Collector
  - d) The Authorised Officer
15. Section 12A allows a depositor suffering from physical infirmity (including blindness) to operate an account through:
- a) A lawyer
  - b) Any literate individual authorised by him
  - c) Only a blood relative
  - d) A bank employee
16. Who has the power to frame new Savings Schemes under Section 3A?
- a) Reserve Bank of India
  - b) Director General Posts
  - c) Central Government
  - d) State Bank of India

17. Section 14 provides protection for action taken in:
- a) Negligence
  - b) Good faith
  - c) Emergency
  - d) Public interest litigation
18. Rules made under Section 15 must be laid before each House of Parliament for a total period of:
- a) 60 days
  - b) 30 days
  - c) 90 days
  - d) 14 days
19. Which two Acts were repealed by Section 16 of the Government Savings Promotion Act, 1873 (as amended in 2018)?
- a) The PPF Act, 1968 and b) The Post Office Act, 1898 and RBI  
Government Savings Certificates Act  
Act, 1959
  - c) The Banking Regulation Act and d) The Unit Trust of India Act and  
PPF Act Savings Bank Act
20. The "Schedule" attached to the Act is divided into how many parts?
- a) One
  - b) Two (Part A and Part B)
  - c) Three (Part A, B and C)
  - d) Four
21. Which scheme is listed as "discontinued" in Part B of the Schedule?
- a) Sukanya Samridhhi Account
  - b) Senior Citizens' Savings Scheme
  - c) Indira Vikas Patras
  - d) PM CARES for Children Scheme
22. "Banking Company" is defined under this Act with reference to:
- a) Companies Act, 2013
  - b) RBI Act, 1934
  - c) Banking Regulation Act, 1949
  - d) Negotiable Instruments Act, 1881
23. If a nominee predeceases the depositor, the nomination becomes:
- a) Void
  - b) Transferable to nominee's heirs
  - c) Valid for 3 months
  - d) Payable to the State
24. Which new scheme was added to Part A of the Schedule in 2023?
- a) PM Jan Dhan Yojana
  - b) Mahila Samman Savings Scheme,  
2023
  - c) Gold Monetisation Scheme
  - d) Sovereign Gold Bond
25. If there are multiple nominees and one dies, who receives the payment upon depositor's death?

- a) The heirs of the deceased nominee      b) The surviving nominee or nominees  
 c) The Government      d) The account is frozen
26. Under Section 6, the Authorised Officer may take what measure before paying money under Section 4A(4)?
- a) Take a photograph      b) Take security for due administration  
 c) Take a thumb impression only      d) Take a video recording
27. The term "Government Savings Bank" includes:
- a) Only Post Offices      b) Only SBI  
 c) Post Office Savings Bank      d) Only Nationalised Banks  
 and any other authorised company/institution
28. Who is an "executor" according to Section 3(f)?
- a) A person appointed by court to manage property      b) A person to whom execution of the last Will is confided by the testator  
 c) A government officer      d) A legal heir
29. Can a minor who has not attained 10 years open an account?
- a) Yes, independently      b) No, not even with a guardian  
 c) Yes, the guardian may open and operate on their behalf      d) Yes, with the permission of the Head Postmaster
30. Section 8 allows exclusion of deposit amount in computing court fees if:
- a) The deposit is in a Post Office      b) The deposit does not exceed the prescribed limit  
 c) The depositor was a soldier      d) The death occurred before 2018
31. The "Kisan Vikas Patra" was restarted in which year according to the Schedule?
- a) 2011      b) 2014  
 c) 2018      d) 2023
32. What is the status of "10-Year Social Security Certificates" in the Schedule?
- a) Existing Scheme      b) Discontinued Scheme  
 c) Proposed Scheme      d) Merged Scheme
33. The PM CARES for Children Scheme, 2021 falls under which Part of the Schedule?
- a) Part A (Existing)      b) Part B (Discontinued)  
 c) Not listed      d) Part C (Special)

34. Under Section 15, who has the power to determine the benchmark for interest rates?

  - a) The RBI Governor
  - b) The Central Government
  - c) The Indian Banks Association
  - d) The SEBI

35. If a depositor becomes insane, who can receive payments on their behalf under Section 12?

  - a) Any neighbour
  - b) The Guardian or appointed committee/manager
  - c) The local police station
  - d) No one, account is frozen

36. Section 7A allows the Central Government to call for documents to:

  - a) Increase tax collection
  - b) Carry out the purposes of this Act
  - c) Audit the Post Office only
  - d) Verify the employment of the depositor

37. The "National Savings Time Deposit" includes which tenures?

  - a) 1, 2, 3 and 5 years
  - b) 5 and 10 years only
  - c) 6 months and 1 year
  - d) 10, 15 and 20 years

38. Which section provides for the "mode of making deposits" (physical/electronic)?

  - a) Section 3
  - b) Section 10
  - c) Section 15 (Power to make rules)
  - d) Section 20

39. Is the "Public Provident Fund Scheme" considered a Savings Scheme under this Act?

  - a) No, it has its own Act
  - b) Yes, as listed in the Schedule and defined in Section 3(k)
  - c) Only for government employees
  - d) Only if opened in SBI

40. Under Section 4A, if the nominee is a minor, the deposit is paid to:

  - a) The minor directly
  - b) The person appointed under Sec 4(3) or the guardian
  - c) The court registry
  - d) A trust fund

41. The protection under Section 14 applies to officers of:

  - a) State Government
  - b) Central Government
  - c) Private Banks only
  - d) NGOs

42. Which body notifies the "Government Savings Bank" in the Official Gazette?



## Answer Key

Q.No	Ans	Q.No	Ans	Q.No	Ans	Q.No	Ans
1	c	14	b	27	c	40	b
2	c	15	b	28	b	41	b
3	b	16	c	29	c	42	b
4	b	17	b	30	b	43	c
5	b	18	b	31	b	44	b
6	c	19	a	32	b	45	b
7	c	20	b	33	a	46	b
8	b	21	c	34	b	47	a
9	c	22	c	35	b	48	b
10	b	23	a	36	b	49	b
11	b	24	b	37	a	50	a
12	b	25	b	38	c		
13	a	26	b	39	b		

