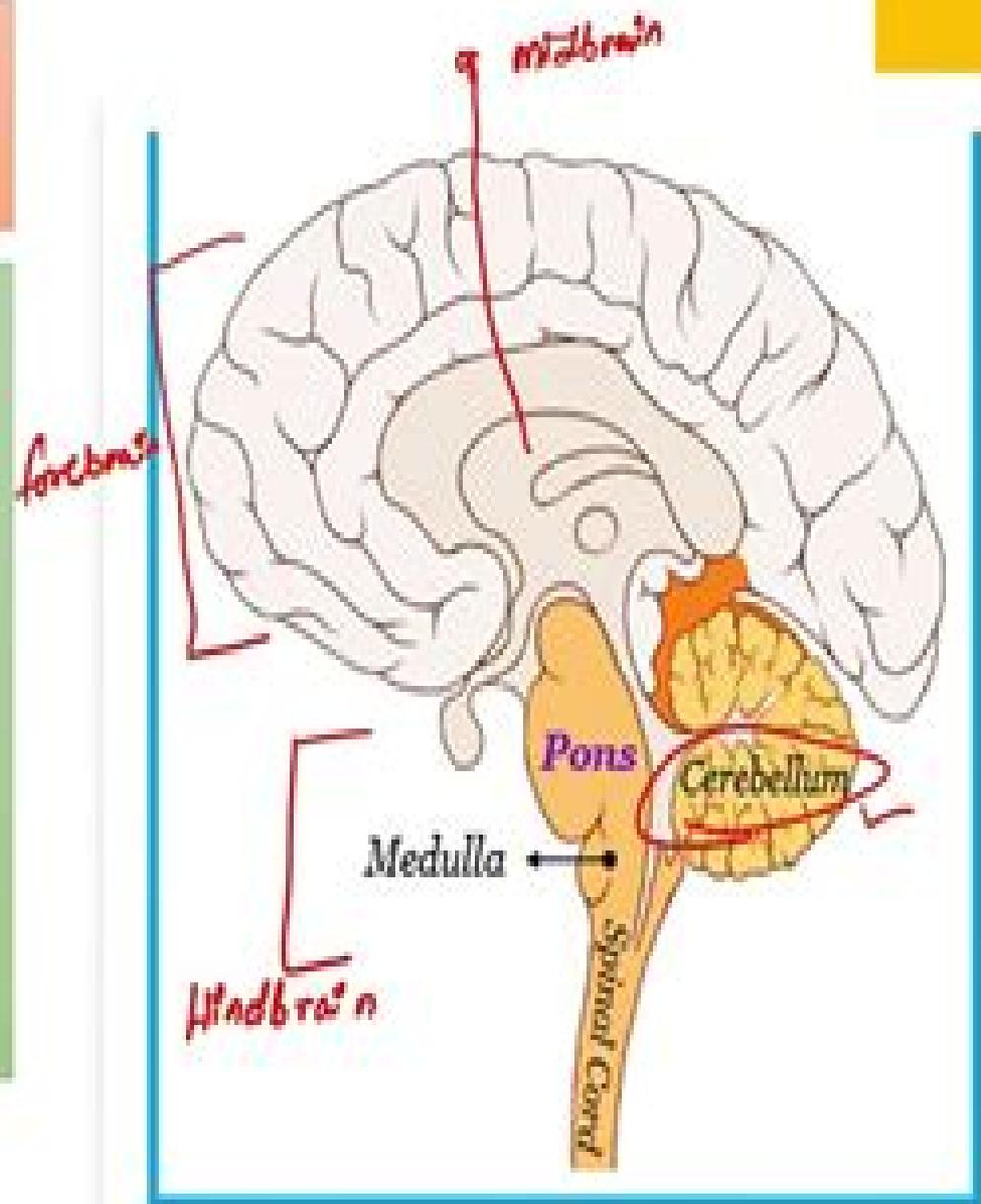


Q.3 Which part of the brain maintains posture and equilibrium of the body?

Ans.

- Cerebellum helps in maintaining posture and balance of the body. It also enables us to make precise and accurate movements.
- The cerebellum coordinate smooth body movements such as walking, dancing, riding a bicycle and picking up a pencil, etc.



The Maintains

Good Roads Institute, Chapel Hill, N.C.

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The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 , **The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 - An Analysis** Dr. E. Ajitha, 2025-05-16

The demographic trends of the Indian population have necessitated concerted action by the legislature and the executive on the policy front to be prepared as a nation to manage the consequences of a growing aged population. The situation of increasing aged population is increasingly a grave concern to the administration as lifestyle and family dynamics change. Till a couple of decades back the joint family system was a safety net that provided security and care to the elderly. But in recent decades with the breakdown of the joint family system the elderly are left without support. Therefore the responsibility of the state towards the elderly population is heightened. To address this concern of ensuring the physical, psychological and medical needs of senior citizens the first elder law of India, The Maintenance and Welfare of Parents and Senior Citizens Act 2007 was enacted. The objective of the Act is to ensure the maintenance and welfare needs of the senior citizens and parents are provided for by the family. This book analyses the Act in totality and also throws light on the international initiatives which facilitated the national policy in this regard. It also looks at the personal laws with regard to maintenance and welfare of parents and senior citizens. The lacuna in the Act are also highlighted. The Maintenance and Welfare of Parents and Senior Citizens Amendment Bill 2019 was introduced in the parliament in 2019 but it is still pending. The Bill attempts to address some of the issues in the Act of 2007. The Bill expands the concept of children to include stepchildren, adoptive children, children in law and legal guardians of minor children. According to the Act of 2007 children may be ordered by Maintenance Tribunals to pay their parents a maximum of Rs 10,000 in maintenance each month. This upper limit on the maintenance cost is eliminated by the Bill. The Act allows older persons to challenge the Maintenance Tribunal's rulings. The Bill permits family members and children to appeal Tribunal rulings as well. According to the Bill the Tribunal may issue a warrant to collect the unpaid sum if the children or family members disregard maintenance orders. If the fine is not paid there is the potential for a one month jail sentence or until the money is paid. The Bill outlines regulations for both private senior care facilities and organizations that offer in-home care services. The ceiling on maintenance fee is eliminated under the Bill. When determining the amount of maintenance the Tribunals must take into account i) the parent's or senior citizen's level of living and income and ii) the children's. For abandonment of senior citizen or parent the punishment is enhanced. Punishable with imprisonment between three and six months or a fine of up to Rs 10,000 or both. Even as the amendment Bill is yet to come into force the tribunals and courts have been trying cases pertaining to the Act of 2007 albeit without much clarity in certain sections. Section 16 is one such section where different high courts have taken different views. Whereas the Bombay High Court following the Paramjit Saroya case AIR 2014 PUNJAB AND HARYANA 121 has allowed appeal by children permissible under section 16 in *Ridhi and Another v Prathiba and Others* 2024 SCC Online Bombay 1690 recently the Division Bench Karnataka High Court in *K Lokesh*

v The Bangalore District Maintenance M Tamil Selvan and Another v District Collector and others 2024 SCC Online Mad 7377 But in Urmila Dixit v Sunil Sharan Dixit Civil Appeal No 10927 of 2024 the Supreme Court reversed its order in Sudesh Chikara s case and has held that tribunals are empowered to not only render the transfer deed void but also to order the possession back to the parents even if the stipulation under Section 23 is not fulfilled in order to reinstate the rights of the parents and senior citizens The Court further stated that the Act is a beneficial legislation meant to lend a helping hand to elders who are left alone due to withering of joint family system and that its provisions should be interpreted liberally and not in the strict sense to protect their rights The Supreme court has in the case of Dr Ashwani Kumar versus Union of India and Others PIL No 193 2016 2019 2 SCC 636 pointing at the poor implementation of the Elder Act emphasized the importance of execution of the Act effectively in order to guarantee that older citizens statutory and fundamental rights such as the right to shelter healthcare and dignity are fulfilled The Supreme Court underlined the necessity of ongoing and recurring oversight to guarantee the successful execution of the Elder Act 2007 and support the advancement of senior persons well being Therefore it is imperative that the amendment Bill that has been pending for years is updated to meet the evolving social dynamics and enacted to ensure objective of the elder care law is attained in letter and spirit

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Table of Contents The Maintains

1. Understanding the eBook The Maintains
 - The Rise of Digital Reading The Maintains
 - Advantages of eBooks Over Traditional Books
2. Identifying The Maintains
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an The Maintains
 - User-Friendly Interface
4. Exploring eBook Recommendations from The Maintains
 - Personalized Recommendations
 - The Maintains User Reviews and Ratings
 - The Maintains and Bestseller Lists
5. Accessing The Maintains Free and Paid eBooks
 - The Maintains Public Domain eBooks
 - The Maintains eBook Subscription Services
 - The Maintains Budget-Friendly Options

6. Navigating The Maintains eBook Formats
 - ePub, PDF, MOBI, and More
 - The Maintains Compatibility with Devices
 - The Maintains Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of The Maintains
 - Highlighting and Note-Taking The Maintains
 - Interactive Elements The Maintains
8. Staying Engaged with The Maintains
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers The Maintains
9. Balancing eBooks and Physical Books The Maintains
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection The Maintains
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine The Maintains
 - Setting Reading Goals The Maintains
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of The Maintains
 - Fact-Checking eBook Content of The Maintains
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements

- Interactive and Gamified eBooks

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