

A Critical Study on Succession Rights Towards Disabled Children

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Abstract: *Inabilities can be physical in nature, intellectual, conduct, or even enthusiastic. This specific incapacities theme focus contains generally reference to physical and tangible types of inability, as different structures are satisfactorily canvassed in other point focuses. Every individual are brought into the world free and equivalent in nobility and rights. Individuals with handicaps everywhere throughout the world experience human rights infringement, shame and segregation. To have an incapacity implies that one has crucial trouble achieving things that others take for granted. There are numerous social factors that can influence whether people with inabilities are incorporated or prohibited from support on different exercises, which in tur can influence advancement or regard. Inability is consequently just not a medical issue. It is a mind boggling wonder, mirroring the collaboration between highlights of an individual's body and highlights of the general public where the person in question lives.*

Keywords: Succession, Disabled, Property, Parents, Inheritance

I. INTRODUCTION

This paper and introduction will look at parts of progression arranging utilizing a contextual investigation and the moderator's understanding, with the end goal of giving a down to earth system to a fruitful progression and domain arranging process including tips on the do's and don'ts of progression and bequest arranging in family cultivating organizations. These incorporate separate the progression and home plans. Individuals matter most; set the standard procedures and core values for basic leadership. Start with requirements and destinations. Time period is significant. for example do it early, take as much time as necessary and don't flatboat through. Take into account a parity of adaptability and conviction. Guarantee training on the future ramifications of the plans. Experience and comprehend the "What uncertainties"; all the D words : passing, separate, difference, inability. Formal understandings are crucial; deed of family game plans. Progression is a procedure or a voyage not a goal. **The main aim of the paper is to study the succession towards disabled children. The objective of the paper is to study the historical background. To study about the succession plan. To study about the rules and approach to succession.**

HISTORICAL BACKGROUND

EARLY 2000s

Family cultivating activity - Parents = fourth era of rancher on that homestead. 2 youngsters (5 years age distinction) - both have dealt with the ranch every once in a while in the wake of completing training. A respectably practical homestead - (adequately simply paying wages) with some off ranch resources and sensible value. One youngster has been full time on ranch for a long time and now viably running the homestead, other kid has been off homestead seeking after different professions and not looking like being a rancher. Guardians backing off and investing less energy in ranch. Youngsters wedded - up and coming age of kids (grandkids) beginning. Cultivating kid needs to realize what's on the horizon for himself and his family and began fomenting for progression to be talked about and for some sureness for the future characterized. All consent to a progression arranging session with an autonomous facilitator and the business' expert guides.



MID 2000s

SUCCESSION PLAN –2005

A progression meeting is held with a facilitator and the business bookkeeper is additionally present. At this gathering a general progression and domain plan is concocted and consented to.

MEETING MINUTES

The goal was for security for the guardians, a feasible homestead for the rancher and a reasonable and sensibly equivalent circulation of family resources. Ranch business would be taken over by cultivating youngster. The current non cultivating kid didn't accept they needed to cultivate – progression of the board done – simple. Cultivating youngster would need to mostly finance guardians' retirement (characterized sum) into the future and any future age care needs (not well characterized). Most of cultivating resource would be moved to rancher together with all obligation. An examination was required to check whether that should be possible financially. Some off ranch resources would be acquired for the guardians by obligation verified on the homestead. Guardians would hold off ranch resources for spot to live, security and halfway salary. Some ranch resources would almost certainly be held by parent until death for security also however are "reserved" for the rancher. Off ranch resources (with no obligation) are to go to the non-ranch kid – structure to help in the security of those advantages until move was to be researched. When considering unpaid wages to date and assessed future financing necessities for guardians in addition to the present estimation of net resources reserved for the two youngsters, legacy was "sensibly equivalent" and esteemed to be reasonable.

POST MEETING

Everybody chose the progression meeting was an incredible achievement and everybody was upbeat. The significant worry, from all the family and the experts engaged with the gathering was that the ranch might be reasonable with the new obligation loads following the previous decade of poor rural benefit. The rancher was, in any case, ready to "give it a go" and was glad that there was assurance of progression and bequest arranging process. The different family bunches kept on having awesome connections and everybody "continued ahead with life". Everybody was glad to have Christmas together and discussions were "cheerful and loose" – a decent proportion of achievement.

SUCCESSION PROCESS

There are various components that are essential to improve the probability of an effective progression process. These are Separate the progression and domain plans. Individuals matter most. Set the guidelines and core values for basic leadership. Start with necessities and targets. Time period is significant (for example do it early, take as much time as is needed – don't scow through). Take into account an equalization of adaptability and sureness. Guarantee instruction about future ramifications. Experience and comprehend the "What uncertainties" – All the D words – demise, separation, difference and incapacity. Formal understandings are fundamental – deed of family game plans. Progression is a procedure and a voyage not a goal.

RULES AND APPROACH TO SUCCESSION

First guardians need to set up what I call the 'rules of the game'. Basically this is the manner by which choices will be made. This can fluctuate from the guardians choosing directly through, to the guardians giving over the choice to the youngsters with certain rules. Interestingly, the 'rules of the game' are clear. I see such a large number of circumstances where it is inferred that this will be a gathering procedure and everybody will have a state in the choices, just to have Dad or Mum veto that choice. On the off chance that Mum and Dad will have a veto, express that in advance.



II. REVIEW OF LITERATURE

This paper and presentation will examine aspects of succession planning using a case study and the presenter's experience, with a view to providing a practical framework for a successful succession and estate planning process including tips on the do's and don'ts of succession and estate planning in family farming businesses. Succession and estate planning in any business is a complex process that requires good communication, planning and ideally a long lead in time to maximise the chance of a successful transition. A family farming business adds to this complexity due to the following reasons The emotional nature of family connections and the associated difficulty in having conversations about these difficult subjects; often only some of the next generation will be involved in the future running of the business and other children are not. These individual family members are generally at different ages and life stages. Research indicates that the level of communication on succession and estate planning within small businesses is pretty poor. While the research statistics on succession in farming business is now pretty old and therefore its relevance could be questioned, it does, however, give some historical perspective and some guidance to what professionals, active in providing successional advice, see. Family farming operation - Parents = 4th generation of farmer on that farm. 2 children (5 years age difference) - both have worked on the farm from time to time after finishing education. A moderately viable farm – (effectively just paying wages) with some off farm assets and reasonable equity. One child has been full time on farm for five years and now effectively running the farm, other child has been off farm pursuing other careers and not looking like being a farmer. Parents slowing down and spending less time on farm. The objective was for security for the parents, a viable farm for the farmer and a fair and reasonably equal distribution of family assets. Farm business would be taken over by farming child. The current non farming child didn't believe they wanted to farm – succession of management done – easy. Farming child would need to partially fund parents' retirement (defined amount) into the future and any future age care needs (ill-defined). The majority of farming asset would be transferred to farmer together with all debt. An investigation was required to see if that could be done economically. Everyone decided the succession meeting was a great success and everyone was happy. The major concern, from all the family and the professionals involved in the meeting was that the farm may be viable with the new debt loads following the past decade of poor agricultural profitability. The farmer was, however, willing to “give it a go” and was happy that there was certainty of succession and estate planning process.

III. MATERIALS AND METHODS

This paper used both primary and secondary information which are collected from the general public through the simple random sampling method. The research paper is done in both doctrinal and non-doctrinal method. The questions related to the was also taken into account. The survey was limited to 1399 samples because of the time constraint. The primary sources of information are taken from the books and statutes and secondary sources of information are taken from the articles of the journals, working papers, thesis and presentation papers. The dependent variable is succession law is applicable to minor disabled children and disabled people are eligible to receive property from their parents. The independent variable is gender. The analysis of the survey is done by using chi-square.

IV. DISCUSSION AND ANALYSIS

TABLE 1: Gender

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Female	583	40.2	41.7	41.7
	Male	759	52.4	54.3	95.9
	Prefer not say	57	3.9	4.1	100.0
	Total	1399	96.5	100.0	
Missing	System	50	3.5		
Total		1449	100.0		



From the above table it is clear that the Gender group of Female are with frequency 583 out of 1399 and percent 40.2 out of 100 and valid percent 41.7 out of 100 and cumulative percent 41.7. The Gender group of Male are with frequency 759 out of 1399 and percent 52.4 out of 100 and valid percent 54.3 out of 100 and cumulative percent 95.9. The Prefer not to say are with frequency 57 out of 1399 and percent 3.9 out of 100 and valid percent 4.1 out of 100 and cumulative percent 100.0.

HYPOTHESIS

NULL HYPOTHESIS

There is no significant in the relation between independent variable gender and dependent variable succession law is applicable to minor disabled children.

ALTERNATIVE HYPOTHESIS

There is significant in the relation between independent variable gender and dependent variable succession law is applicable to minor disabled children.

TABLE 2

3. Gender * 15. Whether succession law is applicable to minor disabled children?

Crosstab

Count

		15. Whether succession law is applicable to minor disabled children?		Total
		Yes	No	
3. Gender	Female	325	258	583
	Male	361	398	759
	Prefer not say	47	10	57
Total		733	666	1399

From the above table it is understood that among 583 Female responses, 325 people answered “YES” that the succession law is applicable to minor disabled children and 258 people answered “NO” that the succession law is applicable to minor disabled children. From 759 Male responses 361 people answered “YES” that the succession law is applicable to minor disabled children and 398 people answered “NO” that the succession law is applicable to minor disabled children. From 57 prefer not to say responses, 47 people answered “YES” that the succession law is applicable to minor disabled children and 10 people answered “NO” that the succession law is applicable to minor disabled children. From the total sample 1399, 757 people answered “YES” that the succession law is applicable to minor disabled children and 642 people answered “NO” that the succession law is applicable to minor disabled children.

TABLE 3

Chi-Square Tests

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	30.382 ^a	2	.000
Likelihood Ratio	32.388	2	.000
Linear-by-Linear Association	.052	1	.819
N of Valid Cases	1399		

a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 27.14.



From the above table it is clear that the chi square test value is less than 0.05. Hence the **ALTERNATIVE HYPOTHESIS** is accepted and the Null hypothesis is rejected.

NULL HYPOTHESIS

There is no significant in the relation between independent variable gender and dependent variable disabled person are eligible to receive property from their parents .

ALTERNATIVE HYPOTHESIS

There is significant in the relation between independent variable gender and dependent variable disabled person are eligible to receive property from their parents .

TABLE 4

3. Gender * 16. Whether disabled person are eligible to receive property from their parents?

Crosstab
Count

		16. Whether disabled person are eligible to receive property from their parents?		Total
		Yes	No	
3. Gender	Female	302	281	583
	Male	429	330	759
	Prefer not say	25	32	57
Total		756	643	1399

From the above table it is understood that among 583 Female responses, 325 people answered “YES” that the disabled person are eligible to receive property from their parents and 258 people answered “NO” that the disabled person are eligible to receive property from their parents. From 759 Male responses 361 people answered “YES” that the disabled person are eligible to receive property from their parents and 398 people answered “NO” that the disabled person are eligible to receive property from their parents. From 57 prefer not to say responses, 47 people answered “YES” that the disabled person are eligible to receive property from their parents and 10 people answered “NO” that the disabled person are eligible to receive property from their parents. From the total sample 1399, 757 people answered “YES” that the disabled person are eligible to receive property from their parents and 642 people answered “NO” that the disabled person are eligible to receive property from their parents.

TABLE 5

Chi-Square Tests

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	5.437 ^a	2	.066
Likelihood Ratio	5.431	2	.066
Linear-by-Linear Association	.477	1	.490
N of Valid Cases	1399		

a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 26.20.

From the above table it is clear that the chi square test value is greater than 0.05. Hence the **NULL HYPOTHESIS** is accepted and the Alternative hypothesis is rejected.



V. CONCLUSION

Handicap alludes to the impediment or confinements of movement brought about by the manner in which society is sorted out which takes next to zero record if individuals who have physical, tactile or mental weaknesses. Handicap is a sad part of human life which can impact the regular method professionally as well as misery segment quality and power. The Government needs to dispatch increasingly standardized savings plans for crippled segments and produce greater business open doors for them. A few plans and advantages meeting on the impaired people has come up as help and has effectively served to give equivalent chances to the crippled area.

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