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ADOPTION LAWS IN INDIA: A CRITICAL ANALYSIS THROUGH A SOCIOLOGICAL LENS

AMBILY P AND NIKHIL BALAN

Asst. Professor, School of Law, Christ University, Bangalore

Abstract:

“Adoption is not to be treated as an act by a State to force a child on unwilling parents. On the contrary it is a voluntary act on the part of eligible persons to provide comfort, love and security to the abandoned and homeless children. No religion, can deny family love to these children of God. Religions preach peace and brotherhood. How can there be brotherhood if you will not treat a section of your citizens as brothers. Children are the living embodiment of God. In them you find the manifestation of God in all its forms. In the smile of the child you see beauty of creation.”

KEY WORDS:

Laws , Sociological , Analysis , Adoption , Conceptual .

INTRODUCTION:

To love and be loved is every child's right and for the full and harmonious development of his personality, he needs love, care and protection, which is possible only if the child is brought up in a family. Without a family life, in the socioeconomic conditions that exists in India, it might lead the child to live a “life of a destitute, half clad and half hungry”. Millions of children in India are in need of care and protection. Child, being the supreme asset of the nation and their care and solicitude being our responsibility, lack of effective measures to rehabilitate children who are in need of care and protection is not only grossly violative of a child's right but as well as an inhibitor to the growth of the society. Adoption has been considered as the best means to rehabilitate an orphan, abandoned or surrendered child. Adoption as a legal institution has evolved from a practice to protect the interest of parents to being recognized as a practice to protect the best interest of the child. However, adoption in today's context raises several emotive issues because of its fundamental implications on the child, parents and family. Some of the basic issues relate to whether the law serves the best interests of the child, how adoption should take place and the role of state in regulating adoption.

Implications today are on State because State, by enacting effective child laws and policies, plays a “major role in shaping individual and social behavior of child and thus, are powerful determinants of children's growth trends”. Inversely, absence of effective adoption policies can impact the society in creation of adults with a damaged childhood experience where they are deprived of parenting, educational and other essential childhood requirements. The position as it exists today in India is a highly complex regulatory system comprising a myriad of central statutes, religious customs and international norms that controls the legal process of adoption. This complexity has brought with it numerous societal implications and legal procedural problems that the legislations are ill equipped to address. The paper presents a critical overview of the provisions relating to adoption in India from the sociological perspective against the backdrop of existing adoption laws in India and the impact of such provisions on the welfare of the child and

on the society. It also concentrates on the inadequacies of the adoption laws that exist today because of the complexity in the system which has inhibited the adoption process to a great extent.

II. CONCEPTUAL MEANING OF ADOPTION

The process of adoption involves total and irrevocable termination of rights of birth parents and imposes upon the adoptive parent's responsibilities equivalent to that of the natural parents of the child." Under the United Nations Convention on Rights of Child 1989, adoption has been recognized as one of the forms of alternative care for children who have been temporarily or permanently deprived of their family environment. It is understood as a process whereby rights of birth parents are terminated, uprooted and transplanted into the family of adoptive parents. The Juvenile Justice (Care and Protection) Act 2000 defines adoption under section 2 (aa) as:

"The process through which the adopted child is permanently separated from his biological parents and become the legitimate child of his adoptive parents with all the rights, privileges and responsibilities that are attached to the relationship".

The practice of adoption in ancient societies indicate that the object of adoption ranged in manifold from humanitarian motive of caring to bring up a child as well as out of a natural desire for a son as a care taker or out of societal and religious practices for an heir after death of the adoptee. However, the motivation for adoption has changed over time and today, with the intervention of United Nations and International law, adoption is practiced mainly to provide a home for a homeless child. Modern adoption statutes, as compared to previous laws, are enacted with the structural frame that balances interest of children, birthparents, adoptive parents, state and countries. These laws are based on the concept of "best interest of the child" and have witnessed formidable changes in the foundation of adoption laws based on the changing trend in the practice of adoption. Based on this premise, it is essential to analyse the development of law in India, as compared to the progress of the law, world over.

III. LEGAL FRAMEWORK IN INDIA GOVERNING ADOPTION

It would seem today that religion plays a comparative minor role in adoption practices, nevertheless, the role of religion in family law in general and adoption in particular reveals a "complex nexus between the societal, familial and individual interests". It is highly paradoxical to see that India gives due importance to the personal laws of the citizens and that all matters pertaining to family life comes under the realm of personal laws dependent on religion. Adoption is included as a factor of personal laws and the adoption practice has deep roots in the religious conception of adoption laws. To formalize certain adoption by persons belonging to religious communities in which adoption is not recognised, adoption was placed within the ambit of guardianship laws as well.

a. GUARDIAN AND WARDS ACT, 1890

No personal laws, with the exception of Hindus and Khojas recognize a complete adoption. The Guardians and Wards Act 1890 was passed to honor all adoption in India. Under this Act, the adoptive parents become the legal guardians of the children they adopt. Legal adoption is not possible under the 1890 Act and it only enables a decree of guardianship to be awarded, which expires on attainment of majority age by the child. Persons belonging to religion such as Islam, Christianity, Parsis and Jews desirous of adoption resort to "Guardianship" under this Act. The child becomes a ward and on attainment of majority age, they lose the guardian – ward status and assume independent identities. While the customary practices of adoption among Hindus were largely codified, others had to resort to the Guardians and Wards Act of 1890 and could do so only as a guardian, not as a parent.

b. THE HINDU ADOPTION AND MAINTENANCE ACT, 1956

Traditional Hindu law is the only law which identified adoption in its fullest sense of taking a son as a substitute for a natural one and has recognized adoption to be primarily a religious act intended to confer spiritual benefit on the adopter. Historically, adoption in Hindu mythology can be traced back to secure performance of funeral rights and to carry on the family kinship. The mythological design was to have a son, even by adoption, to perform funeral rites, for the purpose of attainment of moksha or eternal bliss and to continue the generation. The traditional uncodified Hindu law only recognized adoption of son as there was always a peculiar religious significance attached to the son. However, with the passing of the Hindu Adoption and Maintenance Act (HAMA) in the year 1956, the sacramental aspect attached to and

recognized under the classical Hindu law was amended to a certain extent especially by featuring adoption of a female child.

The term Hindu, under this Act, has been given a very wide meaning thus placing a large section of people under its ambit and includes all persons who are Hindus by religion or birth, persons who are Buddhists, Sikhs and Jains by religion or birth and persons who are not Muslims, Christians, Jews or Parsi and who do not have any particular faith to follow. Thus, hereafter in the article, the term "Hindu" is used in this secular and wider understanding rather than understanding it though a creedal definition.

c. JUVENILE JUSTICE (CARE AND PROTECTION) ACT, 2000

Partly in response to the changing environment and scenario in India relating to adoption, and the ratification of the UN Convention on Rights of Child, the Juvenile Justice Act included adoption within its ambit. The Act was enacted to consolidate and amend the law relating to juveniles in conflict with law and children in need of care and protection. The Act do not deal with adoption as its primary objective but has referred to adoption as one among the several means to rehabilitate the children who are abandoned, abused and who are in need of care and protection, irrespective of their religion. It contemplates adoption through child centric means and has not based its premises on religion centric means, and thus is a reflection of India's drift from "child to childless parents" to "home to homeless children". It is an important process in the rehabilitation of children and therefore, the enactment could very well be considered in a limited sense as a laudable attempt taken up by the legislators after having failed twice through the Adoption of Children's Bill 1972 and Adoption of Children's Bill 1980, which did not bear fruit, to have a secular law on adoption.

IV. ADOPTION PRACTICES: THE UNITED NATIONS CONVENTION ON RIGHTS OF CHILD AND THE DEVELOPMENT OF LAW IN FOREIGN JURISDICTIONS

Welfare of child in adoption is a recent development as history shows that most of the nations came out with comprehensive legislations of adoption as a result of the First World War, influenza epidemics and Second World War when several of children were deprived and were permanently separated from their parents. To initiate a process of placing these children, several countries passed adoption laws. England and Wales was prominent in passing the Adoption of Children Act in the year 1926. Until 1926, adoption was not recognized as importance was given to blood ties. Adoption mostly occurred for various purposes initially, which included religious purposes or serve the needs of the adoptive parents. Today, following the United Nations Convention on Rights of Child, "the principle of safeguarding the best interest of child has been firmly established as the paramount consideration in all decisions relating to child adoption." Family has been recognized by United Nations, as the "most appropriate setting for raising children deprived of the care of their birth parents". Several countries which ratified the Convention modified their legislations thereby recognizing adoption with paramount consideration to the best interest of the child and some of them have ratified treaties and agreements relating to adoption to bring transparency in the inter adoption country process and also to ensure that child rights are safeguarded. USA and UK through their respective statutes are encouraging adoption by "providing incentives and increased financial support to the adoptive parents". The Adoption and Children Act 2002 of UK made child's welfare the paramount consideration in any decision relating to adoption and established adoption register to facilitate the matching of children waiting in care with potential adoptive families. Similarly, other countries as well began to promote adoption as a means to meet the needs of children living in care.

India had ratified the United Nations Convention on Rights of Child on 11th December, 1992. Based on ratification of the UNCRC, Ministry of Women and Child Development (MWCD) has the obligation to submit a country report every five years to the UN Committee on the CRC, on the progress and initiatives undertaken by the Government of India in securing children's rights and the issues and challenges faced. Based on India's Initial, First and Second Report, the Committee majorly recommended to review the legislative framework of adoption and raised concerns at the absence of uniform adoption law in India, with emphasis on possibility for children of all religions to be adopted, in accordance with the strict regulations in article 21 of the Convention". India's intended object of uniform civil code has most often failed as a result of truffle with the personal laws and interest of parties that are sought to be protected by the State and hence, the way seems far ahead to come out with a statute that could recognize interest of child over the interest of personal law followers.

V. ISSUES AND CHALLENGES

A number of issues have arose today before the Courts in India and as raised by several social

activist and policy circles which include the conceptual analysis of child adoption in the light of “best interest” of child; interpretation of HAMA vis-à-vis JJ Act, need for a uniform law and protection of child rights. This section briefly discusses some of the core issues that confront the practice today.

a. Personal laws versus secular laws: Balancing the laws is the need of the Hour

The Constitutional mandate under Article 39 (f), The Welfare Policy for Children and India's ratification of the UN Convention on Rights of Child, reflect the great anxiety of the constitution makers and policy framers to protect and safeguard the interest and welfare of children in the country. However, the lack of desire to move out of the clutches of personal laws and to come out with a uniform law, is clearly being reflected with Bills on adoption that remain pending in the Parliament. It is submitted that the Indian law has endorsed more a “religious and mythological sanctity of adoption and while achieving the mythological objective”, the law cannot conveniently attain the welfare of the children who are in destitute. It is a travesty of justice that the State which has guaranteed its citizens protection against discrimination based on religion withholds protection and security in this respect particularly to the helpless minor.

b. Relook into HAMA after the coming of JJ Act

The HAMA today is placed on a wrong footing by making practice of adoption a private act, which has within it the greater possibility of a scandal as well as harm to the child and his interests. While the world focus has shifted to best interest of the child, religious interest which India protects today, should not be a bar in India's pursuance to protect the child from being adopted and hence the requirement today is that the existing law needs to be remodeled, if not repealed. Moreover, the recent decision by the Bombay High Court in analyzing the provisions of conflict in JJ Act and HAMA highlights that the JJ Act provisions have impliedly repealed number of provisions under the HAMA and some of its provisions are practically of no use in the changed scenario.

c. Structural deformity in the JJ Act

Though the JJ Act is a progressive legislation in taking care of the needs of child, it has not adequately addressed the wholesome issues that arise in child development and growth in a family environment. Even after its enactment, the persons belonging to minority religion do not find it easy to follow the procedure as their rights essentially are not protected expressly and furthermore, the JJ Act is a law which is narrower in its application as it is confined only to a child who is delinquent and in need of care and protection. The law has not stretched its hands to provide protection to those children who are maltreated by the parents or family members. It is seen that such case of children are kept outside the purview of Indian statutes. State's in such case have a proactive role to play in deciding whether it is safe to leave the child in the home and to rehabilitate with the family or whether in the best interest of child, it is necessary to place the child temporarily under state's custody or foster homes. The state duty would further extend to see the return of the child to the birth parents or to permanently place him in the juvenile homes, wherein they can be adopted. When parental maltreatment threatens the well being of the child, the state's interest in preserving and strengthening families can conflict with the interest in protecting children and providing them with the opportunity to develop in a healthy way.

d. Right to Adopt – a Fundamental Right

According to Paras Diwan, adoption was “essentially a fiction of law” which was marshalled for furtherance of individual interest of a childless person and which later fell in the realm of private law. However, reality has been that time and again, the Courts have established that the roots of the concept of adoption and the rights of child emanating out of it are uncomplicated and identifiable as being cradled within the three words in Article 21 of the Constitution and not anywhere in the largely uncoded or codified personal laws.

The Bombay High Court in the case of Manuel Theodore and the High Court of Kerala in its breakthrough judgment in the case of Philips Alfred Malsvin v. V J Gonsalves, recognized the concept of adoption among Christians and held that in the absence of legislation, the Christian parents had a right to adopt a destitute and orphaned child under Article 21 of the Constitution of India. The Court has even gone ahead to state that as far as adoptive parents are concerned, even if the customs would not allow such adoption, the right to adopt would naturally flow from Article 14 of the Constitution as they cannot be discriminated under the guise of personal laws. If the right to adopt is said to flow from Article 21 and 14,

then it implies that every person in India, irrespective of their religion, can adopt. This only furthers a strong case for the enactment of the uniform and secular law on adoption, applicable to the whole of India. The Court held that simply because there is no legislation, it cannot be said that adoption is invalid under the law. Moreover, the Karnataka High Court and Rajasthan High Court as well, through its recent judgments affirmed that adoption is not prohibited amongst Indian Christians and that the canon law permits it. The Supreme Court has also been instrumental and mandated that “every effort must be made first to see if the child can be rehabilitated by adoption within the country and if that is not possible, then only adoption by foreign parents” and the first alternative should therefore always be to find adoptive parents for the child within the country.

e. Absence of a Secular and Uniform Law on Adoption

While most Courts have recognized the right of Christians to adopt, in the absence of a valid statute, there definitely is a need for consistency and clarity in terms of the law applicable all over India. There are deterring judgments as well such as that of *Ajit Datt v. Mrs. Ethel Walters*, where the Court held that Indian Christians cannot adopt due to non prevalence of any such custom and absence of a specific statute to that effect. Such deterrence has affected adoption practice to a great extent. The interest of the child should not be held between the pending litigation files in the Court room and hence an immediate, effective and a speedy law is required to be passed for an effective adoption mechanism among Christians. It is time that the legislators step in and bring into force a legislation that will codify and unify the law governing adoptions amongst Indian Christians.

Judiciary's active role in identifying child rights as to emanating from Article 21 and not from religious texts must be highly appreciated, however, it must also be realized that the Courts have raised its concern and limitations in modifying the personal laws stating that personal laws do not fall within the ambit of PART III of the Constitution and hence its constitutionality cannot be tested. The principle under the personal laws are not subject to the test of fundamental rights as has been held by the Supreme Court in a plethora of cases. The Courts have always expressed the earnest desire in bringing out substantive changes in the law, but its arms are clipped by itself by applying the doctrine of judicial restraint as in case of personal law matters it refrains itself from any kind of indulgence and hence have left it to the Parliament on the ground that it revolves round the domain of legislative policy and its competence. Moreover, it is not quite possible for the Courts in India, to dispose of matters dealing with child rights as has been the case with several litigations pending in the trial courts and appellate courts. A Public Interest Litigation filed by Shabnam Hashmi seeking for a new law on adoption based on secular principles has been in the Supreme Court for nearly 7 years now and has not progressed further. This shows the lackadaisical stand of the judiciary as well in considering the litigations on child matters and ensuring better child protection.

f. Shift from Personal Law to “Best Interest” laws.

The practice of adoption among various communities in India reveals that our society's focus has shifted from being religion centric adoption to child centric adoption and thus, concentrates on the fundamental right to raise children as against any other restrictions placed against it, as also evidenced from the Court rulings. This, in today's context, very well conflicts with state's interest in protecting the child based on the personal laws. The pressing need from the United Nations for legislation on adoption irrespective of religion also has set the ground in India ready for the enactment of a legislation which could address these issues in a harmonious way. All these rightly call for legislation irrespective of the religion that can settle out the uncertainties leading to procedural darkness. Despite the prevalence of personal laws to govern the marriage, the Special Marriage Act, a civil marriage law is still in place. A law needs to be framed in the lines of judiciary's recognition of adoption as arising from the fundamental rights.

VI. CONCLUSION

With change in the object of adoption, the adoption laws also need to change. It is undeniable that adoption existed in ancient societies and customs for religious purposes and as a norm to benefit the parents and to serve their needs. With time and societal changes, the object has moved to promoting welfare of the child by creating foster homes and institutions to take care of the child. It is quite essential to protect the youth from abandonment and abuse. Today, deinstitutionalization of child is considered as the policy as family is attached to the child as basic requirement. However, the State has abdicated its commitment made to the child, under the U.N. Convention on the Rights of the Child, by not making appropriate provisions for full adoption of the child, irrespective of his religion. The law must be committed to bring about a radical

shift in the way adoption policy is looked at from the personal law perspective. Justice Rebello's interpretation in *Manuel Theodore* that the right of the child to be adopted and consequently to have a home, a name and a nationality has to be considered as part of his right to life, will have far reaching implications if applied in letter and spirit and would definitely have its reflections in ramifying the whole law relating to adoption in India.

¹In the Matter of *Manuel Theodore v. Unknown* 2000 (2) Bom CR 244

²*Laxmi Kant Pandey v. Union of India* AIR 1986 SC 272

³National Policy Welfare for Children, accessible from www.wcd.nic.in/cwnew.htm

⁴http://www.un.org/esa/population/publications/adoption2010/child_adoption.pdf

⁵Jeffrey J. Haugaard & Rosemary J. Avery, "Termination of Parental Rights to Free Children for Adoption, onlicts between Parents, Children and the State", *Children, Social Science and the Law*, Edited by Bette L. Bottoms, Cambridge University Press, 2002 at p. 146

⁶<http://www.law2.byu.edu/isfl/saltlakeconference/papers/isflpdfs/Chukwu.pdf> Adoption of Children in Nigeria under the Child's Right Act 2003, By Larry O.C. Chukwu

⁷See Article 20 (1) and 20 (2)

⁸The definition was added by 2006 Amendment Act to the Juvenile Justice Act, 2000.

⁹Refer to Prof. Kusum, *Family Law Lectures, Family Law I*, Lexis Nexis Butterworths, Nagpur; Paras Diwan, *Law of Adoption Minority Guardianship & Custody*, Fourth Edition, Universal Publishing Co 2010.; Mulla on Hindu Law, Volume I, 20th Edition, LexisNexis Butterworths, Nagpur; Also see *Bal Gangadhar Tilak v. Shrinivas Pandit* 42 IA 135, p. 154, the Privy Council observed that adoption among Hindus is necessary not only for the continuation of the childless father's name, but also as a religious means to make those obligations and sacrifices which would permit the soul of the deceased passing from Hades to Paradise; *Amarendra Mansingh v. Sanatan Singh* 60 IA 242, The Council observed: "the foundation of Brahminical doctrine of adoption is the duty which every Hindu owes to his ancestors to provide for the continuance of the line and the solemnization of the necessary rites.

¹⁰Refer to the UN Convention on Rights of the Child, Section 3; Adoption and Children Act 2002, U.K.

¹¹Classical Religious Perspectives on Adoption Law, Daniel Pollack & Ors.

¹²AIR 1998 Bom 228, 1998 (2) Bom CR 9, (1998) 1 Bom LR 30

¹³Eliezer D. Jaffe, *Inter Country Adoption : Law and Perspective of "Sending" Countries*, Martinuss Nijhoff Publishers, 1995

¹⁴Refer to Hindu Adoption and Maintenance Act, 1956

¹⁵Refer to

<http://www.childlineindia.org.in/CP-CR-Downloads/UNCRC%20India%20Initial%20report.pdf>, Consideration of reports submitted by State Parties Under Article 44 of the Convention of Rights of Child. Para 144.

¹⁶Prof. Kusum, *Family Law Lectures, Family Law I*, Lexis Nexis Butterworths, Nagpur; p. 314.

¹⁷*Hem Singh v. Harnam Singh* AIR 1954 SC 581, reference to *Brijendra Singh v. State Of M.P. & Anr*

¹⁸A 'Dattak Homam' made the relationship lawful and gave complete rights of name and inheritance to the son. For more, refer to Paras Diwan, *Law of Adoption Minority Guardianship & Custody*, Fourth Edition, Universal Publishing Co., 2010

¹⁹Carol Sanger, *Columbia Law review*, Vol. 96, No. 2 Mar, 1996, pp. 375- 517, at p. 441. Also reference made to See Jamil S. Zainaldin, *The Emergence of a Modern American Family Law: Child Custody, Adoption, and the Courts, 1796-1851*, 73 *Nw. U. L. Rev.* 1038, 1041-42 (1979).,

²⁰Paras Diwan, *Law on Adoption*

²¹Among the Hindus, a peculiar religious significance has attached to the son, through Brahminical influence, although in its origin the custom of adoption was perhaps purely secular. The texts of the Hindus are themselves instinct with this doctrine of religious significance. The foundation of the Brahminical doctrine of adoption is the duty which every Hindu owes to his ancestors to provide for the continuance of the line and the solemnization of the necessary rites. Refer to *Amarendra Man Singh Bhramarbar v. Sanatan Singh* (AIR 1933 PC 155). The Privy Council in that case regarded the religious motive as dominant and the secular motive as only secondary. There was always a natural desire for a son as an object of affection, a protector in old age and at last as an heir.

²²Refer to Mayne, *Hindu Law and Usage*, 4th Edn., 5. Mayne said, "The assumption that Hindu law was applicable only to those who believed in the Hindu religion in the strictest sense has no basis, in fact, apart from the fact the Hindu religion, has, in practice, shown much more accommodation and elasticity than it

does in theory, communities so widely separated in religion as Hindus, Jains and Buddhists have followed substantially the broad features of Hindu law as laid down in Smritis.”

²³Section 1 of the HAMA

²⁴Paras Diwan, Law of Adoption Minority Guardianship & Custody, Fourth Edition, Universal Publishing Co., 2010.

²⁵Preamble to the Legislation., The Preamble to the Act makes reference to several constitutional provisions which have a bearing on the welfare of children and to the obligation assumed by India as a responsible member of the international community. Parliament enacted the Juvenile Justice (Care and Protection of Children) Act, 2000 to effectuate constitutional provisions and fulfill India's international obligations. Also refer to Migration Review Tribunal, Australia, MRT Research response accessed from <http://www.mrt-rrt.gov.au/CMSPages/GetFile.aspx?guid=800220ff-17a2-4ba8-a766-deaa04ba9943>

²⁶<http://www.legalserviceindia.com/article/1327-Adoption-under-Juvenile-Justice-Act.html>

²⁷The Act was amended in 2006 in order to effectuate the beneficial objects of the legislation and in order to remove the anomalies which had arisen in the implementation of the Act

²⁸Supra n.4

²⁹Ibid.

³⁰http://www.un.org/esa/population/publications/adoption2010/child_adoption.pdf

³¹Korea provided for tax incentives to adoptive parents, In Russia, the Family Code of 1995 recognised adoption as the best form of care for children deprived of a family. Latvia amended its legislation to incorporate provisions relating to adoption.

³²Refer to Articles 21 and 25 of the Convention

³³<http://www.childlineindia.org.in/CP-CR-Downloads/UNComission%20reply%20to%20periodic%20report.pdf>

³⁴Article 39 (f) of the Constitution of India reads thus: State shall direct its policy towards securing that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

³⁵Supriya Kulkarni v. Union of India AIR 1998 Bom 228: 1998 (2) Bom CR 9

³⁶Arun Dohle, Inside Story of an Adoption Scandal, Cumberland Law Review, (Vol. 39:1, 132, 2008), accessible at www.jjtrenka.files.wordpress.com/2009/01/adoptiondohlecumbfinal.pdf

³⁷Vinay Pathak and his wife v. Unknown, accessed from

<http://bombayhighcourt.nic.in/data/judgements/2009/OSIAP19909.pdf>

³⁸Paras Diwan, Law of Adoption Minority Guardianship & Custody, Fourth Edition, Universal Publishing Co., 2010.

³⁹Ibid

⁴⁰2000 (2) BomCR 244, II (2000) DMC 292

⁴¹AIR 1999 Ker 187

⁴²AIR 2007 Kant 121

⁴³RLW 2008(4)Raj3409

⁴⁴ibid

⁴⁵2000 (4) AWC 3270

⁴⁶<http://perspectivesonlaw.blogspot.in/2009/10/can-indian-christians-adopt.html>

⁴⁷Krishna Singh v. Mathura Ahir. AIR 1980 SC 707

⁴⁸Refer to Supriya Kulkarni v. Union of India AIR 1998 Bom 228

⁴⁹http://articles.economicstimes.indiatimes.com/2005-09-27/news/27483643_1_hindu-adoption-gawa-guardians-and-wards-act

⁵⁰Supra n. 30

⁵¹Supra n. 3

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258/34 Raviwar Peth Solapur-413005,Maharashtra
Contact-9595359435
E-Mail-ayisrj@yahoo.in/ayisrj2011@gmail.com
Website : www.isrj.net