

## ABSTRACT

### ADOPTION LAWS IN INDIA: A CRITICAL ANALYSIS

**\*\*HIMANI PATEL<sup>1</sup> & DHWIJA SHAH<sup>2</sup>**

Even though adoption is an age old practice, adoption laws have come into existence only very recently, with England passing the first laws in the year 1926. Adoption laws are the legal framework which was established so as to protect the rights of the adopted child. As we know in India, adoption falls under the ambit of personal laws, and due to the incidence of diverse religions practiced in our country, mainly two different laws operate. Muslims, Christians, Parsis and Jews are governed by the Guardians and Wards Act, 1890, as formal adoption is not allowed in these religions. Hindus, Sikhs, Buddhists and Jains on the other hand follow the Hindu Adoption and Maintenance Act, 1956. This paper focuses on the various adoption laws in India and emphasizes on the need for the alterations in adoption laws in India pointing the loopholes in the same, instead of discriminating on the grounds of religion. This paper also leads attention to the thought-“Adoption has the dimension of connection not only to your own tribe, but beyond, widening the scope of what constitutes love, ties and family, though it is a larger embrace.” Thus this paper deals with all the aspects of adoption laws in India in total and tries to throw the light on nondiscussed areas of adoption with the help of landmark judgements, law commission reports and CARA(Central Adoption Resource Authority) Guidelines and need of Uniform Civil Code(herein after referred to as UCC) as well.

---

<sup>1</sup> 2<sup>nd</sup> year B.A.LLB. student of Symbiosis Law School, Hyderabad

<sup>2</sup> 1<sup>st</sup> year BBA.LLB student of Symbiosis Law School, Hyderabad