

CURRICULUM VITAE OF ANIL MALHOTRA



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Professional Profile of Anil Malhotra

A. Brief Description & Contact Details:

Anil Malhotra is a Senior Advocate in India, having received his Bachelor of Science (1980) & Bachelor of Laws (Professional) (1983) Degrees from India. He obtained a Master of Laws (LL.M) from the University of London in 1985. He studied Comparative Family Law at the London School of Economics (LSE) and Law and Society in South Asia at the School of Oriental and African Studies (SOAS) at the University of London. He is an IAFL Fellow, and Secretary of the IAFL International Child Relocation Committee.

For 40 years, Anil has handled civil, constitutional, matrimonial, criminal and overseas litigation on behalf of non-resident Indians abroad, representing overseas clients in all Indian Courts including Supreme Court of India. He has regularly opined on matters of Indian law in cases in foreign jurisdictions and has conducted matters in Indian Courts regarding the interpretation and application of foreign Court Orders pertaining to divorce decrees, child abduction, custody, maintenance, adoption, surrogacy and property related issues of non-resident Indians.

He is being regularly instructed by Foreign Courts, Institutions abroad, Barristers, Solicitors and Litigants to give expert evidence on different aspects of Indian Family Law and has rendered about 150 expert reports to date in this regard. He has co-authored 10 books on various aspects of International Family Laws in India and Private International Law from 2005 to 2025.

Anil has conducted and argued about 1000 matters to date in different Superior Constitutional Courts in India, most of which are reported Judgments in law journals. He has rendered about 35 Amicus Curiae Assistances in Constitutional Courts in India on aspects of International Family Law and interpretation of statutes involving fundamental rights.

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Blog: <https://www.anilmalhotra.co.in/blog>

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AREAS OF SPECIALISED PRACTICE

Marriage, Divorce, Ancillary Reliefs, Domestic Violence, related issues.

Matters of Children: Welfare, Removal, Guardianship, Custody & Care.

Intercountry Adoptions by Hague Adoption Convention/Hindu Laws.

Maintenance, Alimony, Financial defrayals & Family Settlements.

Surrogacy issues prevalent in India under existing statutes/laws.

Citizenship, Passport, Dual Nationality (OCI) & Foreigner Registration.

Indian Laws of Domicile, Inheritance, Wills & Succession Issues.

Remedies for Foreign Nationals re: Foreign Judgments/Domestic Laws.

Conflict of Jurisdictions, Anti Suit Injunctions & Parallel Proceedings.

Implementation of Foreign Court Orders & Final Judgments/Decrees.

Validity of Decisions rendered by Foreign Courts under Foreign Laws.

Issues related to Double Taxation & Foreign Investment in India.

B. Educational Attainments:

Qualified Bachelor of Science (1980) and Bachelor of Laws (Professional) (1983) Degrees from the Panjab University, Chandigarh. Attained his Master of Laws (LL.M) Degree from the University of London, London in November 1985. Studied Comparative Family Law at

the London School of Economics (LSE) as well as Law and Society in South Asia at The School of Oriental and African Studies (SOAS), University of London, London.

C. Books Authored/Co-authored:

Has co-authored **book** titled **“Acting for Non-resident Indian Clients” (London 2005) {ISBN-085308-662-1}** published by Jordan Publishing Limited, Bristol, UK.

Has authored **book** titled **“India, NRIs and the Law” {ISBN-978-81-7534-796-0}** published by Universal Law Publishing Company Private Limited, New Delhi (2009).

Has co-authored **book** titled **“Indians, NRIs and the Law” {ISBN-978-93-5035-124-6}** published by Universal Law Publishing Company Private Limited, New Delhi (2011).

Has co-authored **book** titled **“Surrogacy in India – A Law in the making” {ISBN-978-93-5035-325-7}** published by Universal Law Publishing Company Private Limited, New Delhi (2013).

Co-authored **book** titled, **“International Indians and the Law” {ISBN-978-93-5035-511-4}** published by Universal Law Publishing Company Private Limited, New Delhi (2014).

Has co-authored **book** titled **“Surrogacy in India – A Law in the making, – Revisited”, {ISBN-978-93-5035-124-6}** published by Universal Law Publishing Company Private Limited, New Delhi (2015).

Has co-authored **book** titled **“India, Inter Country Parental Child Removal and the law” {ISBN-978-93-5035-789-7}** published by Universal Law Publishing Company Private Limited, New Delhi as an imprint of Lexis Nexis(2016)

Has co-authored **book** titled **“The Removed Child and The Law in India”, {ISBN-978-93-5321-776-1}** Published by Malhotra & Malhotra Associates, Chandigarh (2018).

Has co-authored **book** titled **“The Global Indians and The Law”, {ISBN-978-93-89176-54-4}** published by Oak Bridge Publishing Pvt Ltd, Gurugram (2020).

Has co-authored **book** titled **“Practitioner’s Guide to International Family Law: An Indian Perspective”, {ISBN-978-81-983488-4-5}** published by Oak Bridge Publishing Pvt Ltd, Gurugram (2025).

D. Court Representation:

From January 1986 to August 1987, trained at The Punjab and Haryana High Court, Chandigarh. Since September 1987 onwards till date, have been practicing independently and has his own independent Office Chambers in Chandigarh. He has represented private individual/Corporate Litigants, large number of Institutional Clients at the State & Central Government level, statutory bodies, Corporations, Companies, Boards, Universities, Corporate Houses, Firms, Hospitals, Multinational Institutions, Foreign Companies/Firms, Municipal Authorities and Local/Overseas Bodies at the Supreme Court, High Courts, Civil/Criminal Courts, Company Law Board, before Arbitrators, Consumer Courts, Commissions, Statutory Authorities, Regulatory Bodies, Central Administrative Tribunal, Debt Recovery Tribunal, Railway Claims Tribunal, Consumer Disputes Redressal Commissions, Competition Commission, Monopolies Restrictive Trade Practices Commission (MRTPC) & District Courts in different jurisdictions.

Has assisted the Punjab & Haryana High Court, Chandigarh and other High Courts as an *Amicus Curiae* in a large number of matters and has represented Punjab State Legal Services Authority as pro-bono Counsel in legal aid matters referred for appearance in Courts.

From November 1997 till November 2000 had worked as Additional Central Government Standing Counsel in the Punjab and Haryana High Court at Chandigarh for representing Central Government Departments. Represented Armed Forces and all Paramilitary Organizations besides Ministries of the Government of India in all types of litigation at the High Court level. Actively assisted in Organizing first ever Pension Adalat at the High Court for Ministry of Defense litigations. Worked as Standing Counsel for Post Graduate Institute for Medical Education and Research, Chandigarh for three years for conducting cases at the High Court, Supreme Court and Consumer Commissions. Worked as Additional Government Pleader on Civil side by Chandigarh Administration in 2003. Appointed as Counsel of Chandigarh Housing Board for the year 2003.

Well conversant with independently conducting Matrimonial, Child Custody, Family Laws and Civil, Service, Company, & allied litigation at District Court, High Court and Supreme Court level. Have represented substantial number of private clients for almost four decades by filing and defending independent petitions at High Court and other

forums in matters relating to constitutional, civil, company, criminal, consumer and family disputes-oriented litigation in Courts all over India.

E. Professional Work Description:

For about 40 years have had extensive exposure in handling civil, matrimonial, criminal and overseas litigation on behalf of non-resident Indians residing abroad. Have represented a large number of overseas clients in Indian courts and regularly opined on matters of Indian law in cases arising in related matters in foreign jurisdictions. Have conducted a vast variety of matters in Indian Courts pertaining to interpretation and application of foreign Court Orders regarding divorce decrees, child abduction, custody, maintenance, adoption, surrogacy and property related issues of non-resident Indians. Have interacted extensively with a worldwide Indian population settled overseas in advising them regularly on all issues of civil, matrimonial and criminal law in India.

Have contributed significantly to issues of Inter-Country Adoptions, Inter-Parental Child Removal, Relocation of Children, and Surrogacy by convening seminars, discussions and debates at the India International Centre, New Delhi and other law faculties in association with Law Commission of India and Late Mr. Soli Sorabjee, Senior Advocate and Former Attorney General for India.

Has to his credit a number of Amicus and Joint Expert appointments by Courts in India and by Courts abroad to opine on issues of Indian law. Have assisted the Punjab and Haryana High Court, Chandigarh as Amicus Curiae in matters of Child Custody, relocation of children, repatriation of victims of illegal immigration and cases relating to compensation of victims of crimes and accidents.

Had been engaged and appointed as Counsel in 2013 and 2015 for representing the Government of Punjab at the Punjab and Haryana High Court, Chandigarh, for appearing and defending the challenge to the vires and constitutional validity of the Punjab Prevention of Human Smuggling Act, 2012 and the amended version titled Punjab Travel Professionals Regulation Act, 2014.

He is assessed to Income Tax and has a Permanent Account Number with the Income Tax Department.

On 25 April 2017, co-opted by the Punjab and Haryana High Court, Chandigarh as a Member of the Committee, constituted by the

Ministry of Women and Child Development, Government of India to examine in detail the legal issues involved and give recommendations on resolving problems of parents and children involved in issues relating to inter parental / inter country child removal while examining the draft Protection of Children (Inter-Country Removal and Retention) Bill, 2016. Assisted in compiling a two-volume report of Justice Rajesh Bindal Committee dated 21 April, 2021 and proposing the Protection of Children (Inter-country Removal and Retention) Bill, 2018.

On 15 August 2024, appointed as Secretary of the International Child Relocation Committee of the International Academy of Family Lawyers for information and education of Fellows of the IAFL globally, to promote the application of the HCCH 2010 Washington Declaration and to consider and make recommendations about how relocation law and procedure can be improved.

Attended conference on International Family Relocation organized by The Embassy of Canada, The Hague Conference on Private International Law and The International Academy of Family Lawyers on The Washington Declaration on International Family Relocation: 15 Years Later, held on 2 to 4 April, 2025 at the Embassy of Canada, Washington DC, USA. Presented PowerPoint presentation and paper titled **“International Child Relocation Issues: An Indian Perspective,”** as Indian delegate and Secretary of International Relocation Committee of the IAFL.

F. International Memberships and Local Appointments:

Member of Law Asia, International Law Association, International Bar Association, Commonwealth Lawyers Association, and Indian Society of International Law, besides having been Country Representative (Family Law), Law Asia. His law firm, Malhotra & Malhotra Associates are empaneled Lawyers for several key embassies and High Commissions at New Delhi for advisory, opinion, reporting, consular and other legal work.

Has given opinion and evidence as an Expert Witness on Indian Law in Foreign Courts to give joint expert reports. Have rendered reports on child abduction and surrogacy issues to foreign missions at New Delhi. Have conducted workshops and seminars at Embassies in New Delhi on issues relating to Family Law issues, parental child removal, illegal immigration, human smuggling and the practice of surrogacy.

Was nominated as a life Member of Indian Society of International Law .Participated & contributed in International Conferences at ISIL.

On January 29, 2007 was elected to be nominated as a Fellow of The International Academy of Family Lawyers [IAFL], London.

In May 2010, the Executive Council of the International Law Association, London nominated him as the India Member of the International Family Law Committee of the International Law Association.

Was made the Indian family law Correspondent for the International Family Law journal published by Jordan Publishing Limited, Bristol, UK to which regular contributions are made in the area of Family Law.

Appointed Indian representative for Reunite Child Abduction Agency, UK.

Appointed as member NRI Nodal Cell of Union Territory, Chandigarh by the Chandigarh Administration to deal expeditiously with the various representations/ complaints received from NRIs pertaining to their various grievances/disputes

Was appointed as Member of the Punjab Governance Reforms Commission and Chairperson of Task Force on Policy Procedures, Resolution and Grievances of NRIs by the Government of Punjab on June 13, 2012 and had compiled and prepared five reports in the year 2012 described as hereunder:

- **First Report** - Reform of NRIs Marriage Laws, Creation of Family Courts in Punjab along with a draft of a Compulsory Punjab Registration of Marriages Bill.
- **Second Report** - Curbing of Working of Unregistered Recruiting Agents in Punjab.
- **Third Report**-Return of Irregular Migrants to Punjab from Foreign Jurisdictions
- **Fourth Report** - NRI's Property related problems – The Punjab Model.
- **Fifth Report** - Amendments proposed in The Punjab State Commission for Non-Resident Indians Act, 2011 (Punjab Act No.33 of 2011).

Assisted Government of Punjab in drafting of Punjab Compulsory Registration of Marriages Act, 2012 and Punjab Prevention of Human Smuggling Act, 2012. Rendered further assistance in preparation of Punjab Travel Professionals Regulation Amendment Act, 2014.

Appointed as Advisor, Non-resident Indian (NRI) Affairs to Government of Punjab in January 2014.

On April 25, 2017, co-opted by the Punjab and Haryana High Court, Chandigarh as a Member of the Committee, constituted by the Ministry of Women and Child Development, Government of India to examine in detail the legal issues involved and give recommendations on resolving problems of parents and children involved in issues relating to inter parental / inter country child removal while examining the draft Protection of Children (Inter-Country Removal and Retention) Bill, 2016.

Was appointed Secretary of International Child Relocation Committee of International Academy of Family Lawyer for 2024-2026.

G. Published Booklets, Papers Published, Book Chapters Authored, Articles Written & Other Publications:

As an author have to his credit substantial published work in international legal journals on issues relating to International Family Law, Inter-Parental Child Abduction, Child Custody & Relocation Surrogacy, Human Smuggling and other issues of Indian Matrimonial Law.

In June, 1985, Authored and wrote 80-page LLM Essay at the Law Department, School of Oriental and African Studies, University of London, on **“Locus Standi and Public Interest Litigation: A Study in the Indian Context”**, under the supervision of Prof.(Dr.) W.F.Menski.

Has co-authored Chapter on **“Some perspectives on Indian Family Law”** in the International Survey of Family Law, 2001 Edition, Published on behalf of the International Society of Family Law by Jordan Publishing Limited, Bristol, UK. Pages: 115-145, ISBN No. 0-85308-704-0. www.familylaw.co.uk/ebooks

Has co-authored Chapter on **“Analysis of the law of marriage from an International Perspective, under Hindu Law”** in the International Survey of Family Law, 2004 Edition, Published on behalf of the International Society of Family Law by Jordan Publishing Limited, Bristol, UK. Pages: 193-203, ISBN No. 0-85308-937-X. www.familylaw.co.uk/ebooks

Has co-authored Chapter on **“Divorce nullity and related matters under The Hindu Marriage Act, 1955”** in the International Survey of Family Law, 2005 Edition, Published on behalf of the International Society of Family Law by Jordan Publishing Limited, Bristol, UK. Pages: 275-314, ISBN No. 0-85308-983-3. www.familylaw.co.uk/ebooks

Co-Authored Paper **“International Parental Child Abduction Law in the Indian Jurisdiction: Case Law Analysis and Procedural Safeguards”**, published in The Judges Newsletter, Vol. X, Autumn 2005, A publication of the Hague Conference on Private International Law (<http://hcch.e-vision.nl>)

Co-Authored **“Enforcement of Foreign Judgments & Foreign Arbitral Awards in the Indian Civil Jurisdiction”**, published in Transnational Dispute Management Journal, Transnational-dispute-management.com, Vol. 3, Issue 4, July 2006, Pages: 2-17.

Co-Authored Chapter 11 titled **“Family Law and Religion – The Indian Experience,”** presented at The 12th National Family Law Conference, Perth, Australia in October, 2006 and published in Conference Handbook, Surfing the Seas of Family Law – Major Reform or a Little Housekeeping published by Law Council of Australia/Television Education Network Pty. Ltd, Australia ISBN: I 876267 72 0. www.familylawsection.org.au.

Co-Authored Conference Paper titled **“Conflicts of Jurisdiction Interparental in Interparental Child Custody Disputes – The Indian Experience,”** presented on December 2-3, 2006, in International Conference on Private International Law held at The Indian Society of International Law (ISIL) in collaboration with TMC Asser Institute and Hague Conference on Private International Law and published by ISIL as a conference papers book. www.isil-aca.org.

Co-Authored an Article titled **“Inter-Country Adoptions from India”** published in Commonwealth Law Bulletin Volume 33, No. 2, June 2007, on behalf of Commonwealth Secretariat by Routledge Taylor & Francis Group, ISSN 0305-0718(2007) 33:2;1-8. www.thecommonwealth.org

Has co-authored Chapter on **“Hindu Law and Uniform Civil Code–The Indian Experience”** in the International Survey of Family Law, 2007 Edition, Published on behalf of the International Society of

Family Law by Jordan Publishing Limited, Bristol, UK. Pages: 101-120, ISBN No. 978-1-84661-066-0. www.familylaw.co.uk/ebooks

Has co-authored Chapter on **“Inter-country Parental Child Removal and the Law”** in the International Survey of Family Law, 2008 Edition, Published on behalf of the International Society of Family Law by Jordan Publishing Limited, Bristol, UK. Pages: 139-163, ISBN No. 978-1-84661-116-2. www.familylaw.co.uk/ebooks

Has authored **booklet** on **“An Overview of Legal Issues”** published by the Government of Punjab for the Punjabi NRI Sammelan held on January 5, 2008.

Co-Authored a Chapter titled **“Family Law and Religion – The Indian Experience,”** published in India and International Law Volume 2, Pages 487 to 513, 2008, published by Koninklijke Brill N.V., Bimal N. Patel (ed.) & Printed in The Netherlands.

Co-authored a Chapter titled **“Supplemental recommendations to draft proposal “A need for a comprehensive legislation on the legal problems of non-residents Indians,”** Pages 504-509 in book titled Non Resident Indians and Private International Law (2008) published by Hope India Publications, Gurugram on behalf of Indian Society of International Law, New Delhi. ISBN 81-7871-104-4. www.isil-aca.org.

Has co-authored Chapter on **“Conflict of laws in Inter-country Adoptions: The Indian perspective with special reference to the position after India ratified The Hague Convention on Adoptions”** in the International Survey of Family Law, 2009 Edition, Published on behalf of the International Society of Family Law by Jordan Publishing Limited, Bristol, UK. Pages: 215-240, ISBN No. 978-1-84661-182-7. www.familylaw.co.uk/ebooks

Has co-authored Chapter on **“Alternative Dispute Resolution in Indian Family Law – Realities, Practicalities and Necessities”** in the International Survey of Family Law, 2010 Edition, Published on behalf of the International Society of Family Law by Jordan Publishing Limited, Bristol, UK. Pages: 189-215, ISBN No. 978-1-84661-232-9. www.familylaw.co.uk/ebooks

Has co-authored Chapter on **“Custom as an important source of Hindu Law: its usage in International Family Migration”** in the International Survey of Family Law, 2011 Edition, Published on behalf of the International Society of Family Law by Jordan Publishing Limited,

Bristol, UK. Pages: 221-246, ISBN No. 978-1-84661-284-8.
www.familylaw.co.uk/ebooks

The Corporate Immigration Review, 1st Edition, Editor Chris Magrath, Published by Law Business Research Limited U.K. 2011, ISBN 978-1-907606-14-4. Contributed and Co-Authored Chapter 10 on India, **"Immigration Law in India"**, Pages: 106-116.

Co-Authored an Article titled **"All Aboard for the Fertility Express"** published in Commonwealth Law Bulletin Volume 38, No. 1, March 2012, on behalf of Commonwealth Secretariat by Routledge Taylor & Francis Group, ISSN 0305-0718. www.thecommonwealth.org, <http://dx.doi.org/10.1080/03050718.2012.646733>.

Authored Article titled **"The Dark Side of the Moon – Human Rights, Illegal Immigrants and the Law"**, published in The Pravasi Today, Vol. 7, No. 02, April-June, 2012, Pages: 26-28.

Co-Authored a Chapter titled **"India – A Perspective, Indian child and family law,"** in book titled The Future of Child and Family Law - International Predictions, 2012, Edited by Elaine E. Sutherland published by Cambridge University Press, New York, ISBN 978-1-107-00680-5.

Has co-authored Chapter on **"Missing children in India: Suggestions, Remedies and Solutions"** in the International Survey of Family Law, 2012 Edition, Published on behalf of the International Society of Family Law by Jordan Publishing Limited, Bristol, UK. Pages: 123-150, ISBN No. 978-1-84661-331-9. www.familylaw.co.uk/ebooks

Has co-authored Chapter on **"Law and Surrogacy arrangements in India"** in the International Survey of Family Law, 2013 Edition, Published on behalf of the International Society of Family Law by Jordan Publishing Limited, Bristol, UK. Pages: 151-174, ISBN No. 978-1-84661-726-3. www.familylaw.co.uk/ebooks

Co-authored booklet titled, **"An Overview of Legal Issues-2013"** published by the Government of Punjab, which was released at the Non-Resident Punjabi Sammelan, Chandigarh held on January 3-5, 2013.

The Corporate Immigration Review, 3rd Edition, Editor Chris Magrath, Published by Law Business Research Limited U.K. 2013. Contributed & Co-Authored Chapter 14 on India, **"Immigration Framework in India"**.

Co-Authored an Article titled **“To Return or Not to Return: Hague Convention Vs. Non-Convention Countries”** published in Family Law Quarterly, Volume 48, No. 2, Summer 2014, by American Bar Association, Chicago, USA ISSN 0014-729X; USPS 185- 280.

Co-authored **booklet** titled, **“Promise to Performance – New Punjab NRI Laws, Commissions and Policies”** published by the Government of Punjab, which was released at the Non-Resident Punjabi Sammelan held on January 10-11, 2014.

The Corporate Immigration Review, 4th Edition, Editor Chris Magrath, Published by Law Business Research Limited U.K. 2014. Contributed and Co-Authored Chapter 20 on India, **“Indian Immigration and the Law”**.

Has co-authored Chapter on **“Surrogacy for single and unmarried foreign persons: A challenge under Indian Law”** in the International Survey of Family Law, 2014 Edition, Published on behalf of the International Society of Family Law by Jordan Publishing Limited, Bristol, UK. Pages: 165-179, ISBN No. 978-1-84661-991-5. www.familylaw.co.uk/ebooks

Co-Authored Article on **“Outdated Laws – A Dilemma for Non-Resident Indians”**, published in Magazine Yojana, December, 2014 Issue, ISSN-0971-8400, Pages: 21-24.

Has co-authored Chapter on **“Marriage and Divorce – Complete Constitutional Justice”** in the International Survey of Family Law, 2015 Edition, Published on behalf of the International Society of Family Law by Jordan Publishing Limited, Bristol, UK. Pages: 121-160, ISBN No. 978-1-78473-066-6. www.familylaw.co.uk/ebooks

Co-authored **booklet** titled, **“Punjab NRI Laws, Commissions and Policies”** published by the Department of NRI Affairs, Government of Punjab in 2015.

The Corporate Immigration Review, 5th Edition, Editor Chris Magrath, Published by Law Business Research Limited U.K. 2015, ISBN 978-1-909830-47-9. Contributed and Co-Authored Chapter 16 on India, **“Immigration structure in India”**, Pages: 178-192.

The Corporate Immigration Review, 6th Edition, Editor Chris Magrath, Published by Law Business Research Limited U.K. 2016. Contributed and Co-Authored Chapter 20 on India, **“Immigration arrangements in India”**.

Has co-authored Chapter on “Maintenance, Non-Resident Indians and the Law” in the International Survey of Family Law, 2016 Edition, Published on behalf of the International Society of Family Law by Jordan Publishing Limited, Bristol, UK. Pages: 213-254, ISBN No. 978-1-78473-217-2. www.familylaw.co.uk/ebooks

Has co-authored Chapter on “**To Return or Not to Return: Hague Convention v Non-Convention Countries**” in the International Survey of Family Law, 2017 Edition, Published on behalf of the International Society of Family Law by Jordan Publishing Limited, Bristol, UK. Pages: 129-143, ISBN No. 978-1-7847-3275-2. www.familylaw.co.uk/ebooks

The Corporate Immigration Review, 7th Edition, Editor Chris Magrath, Published by Law Business Research Limited U.K. 2017, ISBN 978-1-910813-61-4. Contributed and Co-Authored Chapter 11 on India, “**Changes in Immigration structure in India**”, Pages: 122-138.

The Corporate Immigration Review, 10th Edition, Editor Chris Magrath, Published by Law Business Research Limited U.K. 2020, ISBN 978-1-83862-443-9. Contributed and Co-Authored Chapter 9 on India, “**Changing Immigration Law in India**”, Pages: 112-134.

The Corporate Immigration Review, 11th Edition, Editor Chris Magrath, Published by Law Business Research Limited U.K. 2021. Contributed and Co-Authored Chapter 8 on India, “**Immigration set-up and the Law in India**”.

The Corporate Immigration Review, 12th Edition, Editor Chris Magrath, Published by Law Business Research Limited U.K. 2022. Contributed and Co-Authored Chapter 7 on India, “**Immigration set-up and the Law in India**”.

The Corporate Immigration Review, 13th Edition, Editor Chris Magrath, Published by Law Business Research Limited U.K. 2023. Contributed and Co-Authored Chapter 6 on India, “**Immigration set-up and the Law in India**”.

Co-Authored Article on “**Alternative dispute resolution in Indian Family Law**” in International Family Law Journal, 2021, Issue 3, Pages: 178-180, [2021] IFL 178-180, Published by Lexis Nexis, U.K., ISSN 1369-5762.

In Research Handbook on International Child Abduction, The 1980 Hague Convention, Edited by Marilyn Freeman & Nicola Taylor, Published by Edward Elgar Publishing Ltd., U.K. 2023, contributed and co-authored chapter on “**International Child Abduction in India: Non Hague Convention Countries**” in Part-VI, Chapter 18 of the book.

In book titled Reimagining the International Legal Order, Edited by Vesselin Popovski & Ankit Malhotra, and published by Routledge, Taylor & Francis Group, NY 2023, contributed and co-authored chapter on **“Family Law: British and Indian Perspective”** in Part-IV, Chapter 22 of the book.

Have authored article titled **“An Inequitable Surrogacy Law,”** published in The Opinion 2022 First Edition published by Punjab & Haryana High Court Bar Association Chandigarh.

Have authored article titled **“The Removed Child and the Law in India,”** published in The Opinion 2022 Second Edition published by Punjab & Haryana High Court Bar Association Chandigarh.

Have authored article titled **“Contemporary Role of International conventions as Sources of Private International Law: An Indian Perspective,”** published in The Counsel Q1 2023 published by Punjab & Haryana Bar Council Law Journal Chandigarh.

Have authored article titled **“Balancing Acts: Navigating International Custody Disputes in Indian Courts – Insights from the Bombay Judgement and Comparative Legal Perspectives,”** published in The Counsel Q4 2024 published by Punjab & Haryana Bar Council Law Journal Chandigarh.

Have authored article titled **“Cleaning Cobwebs from a Preventive Drug Trafficking Law,”** published in The Counsel Q5 2024 published by Punjab & Haryana Bar Council Law Journal Chandigarh.

Have written regular newspaper articles on family law and allied issues with about 1500 published articles to his credit in national Indian newspapers. Have participated in over 100 TV discussions on propositions related to International Family Law, Human Smuggling, Surrogacy, NRI problems and Family Law related subjects.

H. Academic Appointments:

Was appointed and retained as **Part-time Lecturer, Faculty of Laws, Panjab University, Chandigarh** for 6 years continuously from 1986 to 1992 for teaching **Professional Subjects to Final Year LLB Students** at the Department of Laws, Panjab University, Chandigarh.

Appointed as a **Resource Person for lecturing at National Judicial Academy (NJA), India, Bhopal and Chandigarh Judicial Academy (CJA), Chandigarh** for delivering lectures in training programs for Judicial Officers and lecturing at NJA/CJA from **2013 onwards and continuously till date.**

Appointed as **Adjunct Faculty, Jindal Global Law School of O.P. Jindal Global University, Sonipat, Haryana**, from February 1 to May 2019.

Appointed as **Distinguished Visiting Expert for Family Law, Private International Law, Transnational Law and Comparative Law by Symbiosis International (Deemed University)** for Symbiosis Law Schools at Pune, Nagpur, Hyderabad and Noida from **2019-2025 onwards and continuously till date**.

Appointed as **Visiting Professor in March 2021 of Raffles University, Neemrana, Alwar, Rajasthan** for delivering lectures on Private International Law.

Appointed **Honorary Professor at National University of Advanced Legal Studies (NUALS), Kochi** on May, 11, 2020 till date for lecturing designing curriculum and allied academic activities at NUALS.

I. Professional Teaching Experience:

Lectured as a Resource Person in the National Conference of Judges of the District Judiciary and Family Courts on adjudication of Issues relating to Women and Children, held at the National Judicial Academy, Bhopal from September 6 to 8, 2013. Made presentations in Sessions on **“Issues relating to Women and Children: International Law and its Impact on India”, “NRI Marriage: Implications in Litigation relating to Women and Children”, “Adoption and Surrogacy – Concerns and Judicial Responses”**

Lectured as a Resource Person in the National Conference of Judges of the District Judiciary on adjudication of Issues relating to Women and Children, held at the National Judicial Academy, Bhopal from November 22 to 24, 2013. Made presentations in Sessions on **“Issues relating to Women and Children: Child Abuse: Issue and Challenges, Custody of Child in NRI Cases, Adjudicating cases relating to Women and Children: Issues and Challenges, Protecting Rights of Women: International Initiative and National Perspective, Protection Rights of Women in Matrimonial Cases**.

Lectured as a Resource Person in the Refresher-cum-Orientation Course for Judges of Subordinate Courts of Punjab, Haryana & Chandigarh, held at Chandigarh Judicial Academy, Chandigarh on March 15, 2014. Made presentations on **“NRI Divorce Decrees and their**

recognition in Indian Courts” and on “India Inter-parental Child Removal and the Law”.

Lectured as a Resource Person in the National Conference of Presiding Officers of Family Courts, held at the National Judicial Academy, Bhopal from April 11-13, 2014. Made presentations in Sessions on **“NRI Marriages & Divorce”, “Re-thinking Role of Lawyers in Family Courts” and “Matters relating to Custody and Guardianship: Issue and Challenges”.**

Lectured as a Resource Person in the National Conference of Presiding Officers of Family Courts, held at the National Judicial Academy, Bhopal from July 25-27, 2014 to make presentations in Sessions on **“Judging Family Disputes: Issues & Concerns”, “Effective Use of ADR methods in resolving Family Disputes: Role of Family Courts”, “NRI Marriages and Divorce-Family Courts” and “Rethinking Role of Lawyers in Family Courts”.**

Lectured as a Resource Person in the National Conference of Presiding Officers of District Judiciary, held at the National Judicial Academy, Bhopal from September 12-14, 2014 on **“Adjudication to issues relating to Women and Children”** to make presentations in Sessions on **“Adoptions and Guardianship of Children Role of Judiciary”, “Crime against Children: Human Rights Perspective”, “Surrogacy as an Emerging Concern : Judicial response” and “Juvenile Justice System in India : Achievements and shortfalls”.**

Lectured as a Resource Person in the National Judicial Academy Regional Judicial Conference (North Zone) on **“Strengthening Justice Delivery Systems: Tools and Techniques (P-871)**, organized by Punjab and Haryana High Court, Chandigarh Judicial Academy and National Judicial Academy, India, held at Chandigarh Judicial Academy, Chandigarh from November 28-30, 2014. Made presentation on **“Transforming our Justice Delivery System: From Legalistic to Justice Orientation”.**

Lectured to First Year Students of Rajiv Gandhi National University of Law, Patiala on July 18, 2015 on **“The Legal Profession: From the Roof Top to the Sky – What Lies Ahead”.**

Lectured to Faculty and Students of Army Institute of Mohali on September 03, 2015 on **“India, Intercountry Parental Child Removal and Developments in Law”.**

Taught Elective course on **“Inter-Country, Inter-Parental Child Removal Law Issues in India”** at NALSAR University of Law, Hyderabad from August 12 to 15, 2016 to five-year B.A. LL.B. course students.

Lectured as a Resource Person in the Orientation-cum-Sensitization Program on Adoption under the Juvenile justice (Care and Protection of Children) Act, 2015 for Faculty Members of State Judicial Academies and other Judges, held at the National Judicial Academy, Bhopal from April 8 - 9, 2017. Made presentations in Sessions on **“Inter-Country Adoptions: Laws & Regulations”**, and **“Court Procedure & Contents of the Adoption Order (Inter-country)”**.

Lectured as a Resource Person at the Program for 33 District Court Judges from Sri Lanka at the Chandigarh Judicial Academy, Chandigarh on August 22, 2017 and made presentation on **“Cross Border Parental Child Abduction – Neighbors Sharing Experiences”**.

Lectured as a Resource Person at the Program for 33 District Court Judges from Sri Lanka at the Chandigarh Judicial Academy, Chandigarh on December 09, 2017 and made presentation on **“Protection of Child Rights : Procedure while Dealing with Children in Conflict with Law ”**.

Appointed as Distinguished Visiting Expert for Family Law, Private International Law, Transnational Law and Comparative Law by **Symbiosis International (Deemed University)** for Symbiosis Law Schools at Pune, Hyderabad ,Noida from February 2018 to February 2019.

Lectured at Bharati Vidyapeeth Deemed University, New Law College, Pune, on 17 and 18 March 2018 in Two Days Training Program on **Private International Law. Delivered interactive lectures on Inter Country, Inter Parental Child Removal Law and on Surrogacy and Foreigners in India** followed by panel discussions.

As Distinguished Visiting Expert, Private International Law and Family Law, lectured at Symbiosis Law School, Pune, Symbiosis International University on 16 March 2018 on **current position of Surrogacy Laws in India in the perspective of Surrogacy Regulation Bill, 2016**.

Lectured as a Resource Person at the Training Program for Public Prosecutors from the State of Punjab at the Chandigarh Judicial Academy, Chandigarh on 12 May 2018 and made presentation on **“Child in Conflict with Law-Legal Rights and Protections”**.

Lectured as a Resource Person at the Program for Additional District Court Judges from the States of Punjab and Haryana at the Chandigarh Judicial Academy, Chandigarh on 19 May 2018 to sensitize them on prevalent Laws of Inter / Intra Country Adoptions of Children in force and made presentation on **“Law of Adoption in India-Implications”**.

Invited to Lecture as a Resource Person in a Training Program for Public Prosecutors from the State of Punjab at the Chandigarh Judicial Academy, Chandigarh for a session on **“Child in Conflict with Law – Legal Rights and Protections”** on 21 July 2018.

Lectured as a Resource Person at the Fifth Academic Program for 35 High Court and Senior District Judges from Sri Lanka with the presence of Hon’ble Mr. Justice Priyasath Dep, PC, Chief Justice of Sri Lanka, at the Chandigarh Judicial Academy, Chandigarh on 13 August 2018 and made presentation on **“Inter-parental Child Removal, Domestic Violence and Voice of the Child.”**

Lectured as a Resource Person at the Sixth Academic Program for 35 District Court Judges from Sri Lanka, at the Chandigarh Judicial Academy, Chandigarh on 16 August 2018 and made presentation on **“Inter-parental Child Removal, Domestic Violence and Voice of the Child.”**

Lectured as a Resource Person at the Sixth Academic Program for 35 District Court Judges from Sri Lanka, at the Chandigarh Judicial Academy, Chandigarh on 19 August 2018 and made presentation on **“Protection of Child Rights Procedure while dealing with Child in Conflict with Law.”**

As a Distinguished Visiting Faculty, lectured at Symbiosis Law School, Symbiosis International University, Pune, to five year law course students on 8 September 2018 on the topics **“Requisites of Cross Cultural Lawyering”**, **“Social Justice Lawyering ”** and **“Pro bono Lawyering”** in three different sessions.

Lectured as a Resource Person in a Training Program for Public Prosecutors from the State of Punjab at the Chandigarh Judicial Academy, Chandigarh for a session on **“Child in Conflict with Law – Legal Rights and Protections”** on 29 September 2018.

Lectured as a Resource Person in the Refresher Course for Family Court Judges held at the National Judicial Academy, Bhopal from 12 to 16 October 2018 and addressed Family Court Judges on;

- i. Maintenance Proceedings: Radical Approach of Family Courts (Session 8)
- ii. Child Custody & Guardianship: Issues & Challenges (Session 10)
- iii. Family Courts: Challenges and Constraints (Session 13)

Lectured as a Resource Person at Rajiv Gandhi National Law University (RGNLU), Patiala, on **"Surrogacy at Crossroads: Its Economics & Future"** on 30 October, 2018 to Faculty and Students.

Lectured as a Resource Person in a Training Program for Public Prosecutors from the State of Punjab at the Chandigarh Judicial Academy, Chandigarh for a session on **"Child in Conflict with Law – Legal Rights and Protections"** on 1 December 2018.

Lectured as a Resource Person in a Training Program for Public Prosecutors from the State of Punjab at the Chandigarh Judicial Academy, Chandigarh for a session on **"Child in Conflict with Law – Legal Rights and Protections"** on 19 January 2019.

Appointed as Adjunct Faculty, to lecture on **International Family Law** at Jindal Global Law School of O.P. Jindal Global University, Sonapat Haryana from 1 February 2019 to 31 May 2019.

Lectured as a Resource Person in a Training Program for Public Prosecutors from the State of Punjab at the Chandigarh Judicial Academy, Chandigarh for a session on **"Child in Conflict with Law – Legal Rights and Protections"** on 27 April 2019.

Invited to Lecture as a Resource Person in a Training Program for Public Prosecutors from the States of Punjab and Chandigarh at the Chandigarh Judicial Academy, Chandigarh for a session on **"Child in Conflict with Law – Legal Rights and Protections"** on 25 May 2019.

Invited to Lecture as a Resource Person in a Training Program for Public Prosecutors from the States of Punjab and Chandigarh at the Chandigarh Judicial Academy, Chandigarh for a session on **"Child in Conflict with Law – Legal Rights and Protections"** on 13 July 2019.

Invited to Lecture as a Resource Person in the Seventh Academic Program from August 14 to 18, 2019 for High Court and District Court Judges from Sri Lanka at the Chandigarh Judicial Academy, Chandigarh for a session on **"Victim Protection with Special Reference to Children and Women"** on 17 August 2019.

Invited to lecture to five-year law course students at ILS Law College, Pune on 01 October 2019 on the topic **"Surrogacy – The abolition of Choice"** and issues arising out of Inter Country Adoptions.

As a Distinguished Visiting Faculty, lectured at Symbiosis Law School, Symbiosis International University, Pune, to five-year law course students on 02 October 2019 on the topics **"Live in relationships – Live and let Live in"** and **"Inter country Parental Child Removal: Private International Law Issues in Marriage & Divorce in Indian cases."**

Invited to Lecture as a Resource Person in a Training Program for Public Prosecutors from the States of Punjab and Chandigarh at the Chandigarh Judicial Academy, Chandigarh for a session on **“Child in Conflict with Law – Legal Rights and Protections”** on 12 October 2019.

Invited to Lecture as a Resource Person in a Refresher-cum-Orientation Course to sensitize Civil Judges-cum-Judicial Magistrates of the States of Punjab and Haryana at the Chandigarh Judicial Academy, Chandigarh for a session on **“Children in Conflict with Law – Legal Rights and Protections under the Juvenile Justice (Care and Protection of Children) Act 2015,”** on 9 November 2019.

Invited to Lecture as a Resource Person in a Training Program for Public Prosecutors from the States of Haryana at the Chandigarh Judicial Academy, Chandigarh for a session on **“Child in Conflict with Law – Legal Rights and Protections”** on 21 November 2019.

Invited by National Judicial Academy, Bhopal for structuring and being a resource person to guide participant Judges for an **“Orientation Program on Cases Concerning Persons Residing Abroad,”** on 23-24 November 2019 for sessions on

- i. "Overseas Indians: Issues and Challenges in Marriages, Nationality and Citizenship,"
- ii. "Inter Parental Child Removal: Custody and Guardianship Issues,"
- iii. "Issues Relating to Divorce, Maintenance, Alimony and Settlement of Property,"
- iv. "Matrimonial Offences under Indian Penal Code and Protection of Women from Domestic Violence Act, 2005: Jurisdiction and Enforcement Issues,"
- v. "Inter Country Adoptions under the Juvenile Justice Act, 2015 and Adoptions under the Hindu Adoption and Maintenance Act, 1956."

Invited to Lecture as a Resource Person in a Training Program for Public Prosecutors from the States of Haryana at the Chandigarh Judicial Academy, Chandigarh for a session on **“Child in Conflict with Law – Legal Rights and Protections”** on 18 January 2020.

Invited to Lecture as a Resource Person in a Training Program for Civil Judges cum Judicial Magistrates from the States of Haryana at the Chandigarh Judicial Academy, Chandigarh for a session on **“Child in Conflict with Law – Legal Rights and Protections”** on 25 January 2020.

Invited to Lecture as a Resource Person in a Training Program for Public Prosecutors from the States of Haryana at the Chandigarh Judicial Academy, Chandigarh for a session on **“Child in Conflict with Law – Legal Rights and Protection”** on 22 February 2020.

Lectured on **"The Rights Of The Child In International Parental Child Removal Conflict,"** for students and faculty of Jindal Global University, Sonipat on May 16, 2020.

Lectured on **"Contemporary Issues In Private International Law With Special Reference To The Outbreak Of Covid-19"** for National University of Advanced Legal Studies (NUALS) Kochi on July 4, 2020.

Lectured on **"International Family Law In Virtual World"** for Amity Law School, Amity University, Kolkata on July 10, 2020.

As Resource Person Lectured online on September 11, 2020 on **"All Aboard Surrogacy Express,"** held under the AEGIS of Human Resource Development Centre, Jamia Millia Islamia University, New Delhi, Refresher Course on Human Rights and Social Inclusion, for all India faculty members of Colleges and Universities, held from September 7 to September 19, 2020.

For Centre for the Study of United Nations & Jindal Society of International Law Lecture Series, on February 4, 2021, lectured online in inaugural session on **"Global Family Law – International Perspectives"** and spoke on **"Global International Family Law In India – A Dilemma"**.

Addressed Online Lecture on **"Securing The Services Of Experts Under Family Courts Act, 1984"** And **"Trial Of Matters Where Parties Are Living In Different Jurisdictions Particularly Where One Of The Parties Is Residing In A Foreign Country"** on February 27, 2021 for an online training program for Principal / Additional Judges of Family Courts in the State of Uttar Pradesh, conducting by Judicial Training and Research Institute, U.P.

Taught Private International Law and Family Disputes to Master of Law Students at Symbiosis International (Deemed University), Pune from March to May 2021.

Lectured on **"Global Skills and Legal Practice,"** online to the pupils of Bachelor of Laws Degree Course at Symbiosis International University at Pune on November 27, 2021.

Addressed Online Workshop on **"The Family Courts Act, 1984"** on February 19-20, 2022 for an online training program for Principal/Additional Judges of Family Courts and District/Additional District Judges in the States of Punjab, Haryana & U.T. Chandigarh, conducting by Chandigarh Judicial Academy. Lectured on **"Foreign Decrees and Jurisdiction of Foreign Courts in Family Matters"** in the session on Role of Judges in Divorce Proceedings. Lectured on **"Jurisdiction, Shared/Joint Custody, Modification of custody orders, Visitation rights, Guardianship and When respondent given custody chooses to be ex-parte"** in the session on Determination of Best Interests of Child in Family Disputes.

Lectured as a Resource Person at the Program for 50 Judicial Officers from Bangladesh at the Chandigarh Judicial Academy, Chandigarh from 17 to 23 September, 2022 and made presentation on

“Protection of Child Rights : Procedure while Dealing with Children in Conflict with Law ”.

Addressed members of Rotary Club, Chandigarh on the subject of **“Corbusier’s Wonderland – Chandigarh: Past, Present & Future”** on January 16, 2023.

For Vidhi Centre for Legal Policy, addressed Session on Regulation of Parents Child Relations at Seminar on Model Family Code for India held at India International Centre, New Delhi on 4 August 2023.

Delivered International Family Law lectures on emerging issues in Family Law i.e. Domestic Violence Laws: Essentials and Comparative Perspectives, Live-in Relationships and its Judicial Evolution at Symbiosis Law School, Pune from 1-4 September 2023.

Lectured as a Resource Person at the Program for 100 Judicial Officers from Bangladesh at the Chandigarh Judicial Academy, Chandigarh from 15 to 19 September, 2023 and made presentation on **“Protection of Child Rights: Procedure while Dealing with Juveniles in Conflict with Law & Re-habilitation of Children”** on 18 September, 2023.

Lectured as a Family Law Expert Practitioner at Rajiv Gandhi National University of Law, Patiala on 14 August 2025 on **“Inter Country Parental Child Removal & the Law: The Indian Perspective.”**

Lectured online on 3 October 2025 on **“Child Custody and Guardianship Orders.”** in online National Capacity Building Programme on Family Laws organised by Sambhav Initiative & Pro Bono India.

Delivered International Family Law lectures on **“Hindu Law Application to Overseas citizens and Withering Indian Marriages Structure.”** at Symbiosis Law School, Pune from 6-7 October 2025.

J. Webinar Participations:

Conducted Webinar for Journey Beyond Law-CLC-1, Chandigarh. Spoke, elaborated and discussed issues relating to **“Inter-Parental Child Removal - Rights and Remedies”** on April 19, 2020.

Conducted Law Webinar organised by Guru Nanak Dev University, Amritsar and lectured as keynote speaker on **“Child Custody: Socio-Legal Issues- The Future,”** on April 24, 2020. Concluding observations were given by Justice A.K. Sikri, Former Judge, Supreme Court.

As Author, Legal Commentator & Analyst, addressed Webinar for Lawyers from State of Maharashtra on **“Parentage, Child Custody, Gender & Equality – Socio-Legal Perspectives,”** on April 27, 2020.

Addressed JGLS Webinar on **“The Rights of the Child in International Parental Child Removal Conflict,”** for students and faculty of Jindal Global University, Sonipat on May 16, 2020.

Addressed Bar Council of Punjab and Haryana Virtual Dialogue Session with HMJ Hima Kohli and HMJ Alistair MacDonald on **“Family Law: Issues and the way ahead in Covid-19 times,”** on June 6, 2020.

Addressed “Beyond CLC” Webinar on **“The Vulnerability of Children and Law”** with Ms. Justice Roshan Dalvi and Ms. Justice Shalini Phansalkar Joshi and spoke on Child support & custody on June 27, 2020.

Addressed International Webinar on **“Contemporary Issues in Private International Law with Special Reference to the Outbreak of Covid-19”** for National University of Advanced Legal Studies (NUALS) Kochi on July 4, 2020.

Addressed Webinar on **“International Family Law in Virtual World”** for Amity Law School, Amity University, Kolkata on July 10, 2020.

Virtual Book launch of **“The Global Indians and The Law,”** hosted by Bar Council of Punjab and Haryana and released by Hon’ble Ms. Justice Indu Malhotra, Hon’ble Mr. Justice A.K. Sikri and Mr. Soli J. Sorabjee on August 29, 2020.

As Resource Person Addressed Webinar on September 11, 2020 on **“All Aboard Surrogacy Express,”** held under the AEGIS of Human Resource Development Centre, Jamia Millia Islamia University, New Delhi, Refresher Course on Human Rights and Social Inclusion, for all India faculty members of Colleges and Universities, held from September 7 to September 19, 2020.

Virtual Book launch and discussion on **“The Global Indians and The Law,”** hosted by Symbiosis Law School, Pune. Panelists Hon’ble Justice Dr. S. Murlidhar, Dr. Shashikala Gurpur, Mr. Narinder Singh and Ms. Reshma Sambare on October 3, 2020.

For M/s Shyam Padman Associates 169th “Legal Empowerment through interaction-Lecture Series” (LETILS-169), addressed webinar on **“Inter Parental Child Removal – An Evolving Jurisprudence,”** held on January 16, 2021.

For Centre for the Study of United Nations & Jindal Society of International Law Lecture Series, on February 4, 2021, addressed online inaugural session on **“Global Family Law – International Perspectives”** and spoke on **“Global International Family Law in India – A Dilemma”**.

For Ayushman Initiative addressed webinar on **“Parental Alienation, Law Commission Report and their Correlation to Child Issues,”** on February 19, 2021.

For M/s Shyam Padman Associates 180th “Legal Empowerment through interaction-Lecture Series” (LETILS-180), addressed webinar on **“Live & Let Live in Harmony – Inter-Faith Marriages,”** on February 20, 2021.

Addressed Online Lecture on **“Securing the Services of Experts under Family Courts Act, 1984”** and **“Trial of matters where parties are Living in Different Jurisdictions particularly where one of the parties is residing in a Foreign Country”** on February 27, 2021 for an online training program

for Principal / Additional Judges of Family Courts in the State of Uttar Pradesh, conducting by Judicial Training and Research Institute, U.P.

For M/s Shyam Padman Associates 188th “Legal Empowerment through interaction-Lecture Series” (LETILS-188), addressed webinar on **“Child is the Father of Man– Confronting Child Custody Conflicts,”** on March 20, 2021.

For M/s Shyam Padman Associates 193rd “Legal Empowerment through interaction-Lecture Series” (LETILS-193), addressed webinar on **“All Aboard for the Fertility Express-Surrogacy and The Law,”** on April 4, 2021.

For M/s Shyam Padman Associates 195rd “Legal Empowerment through interaction-Lecture Series” (LETILS-195), discussion and book review of **“Global Indians and The Law.”** Panelists Hon'ble Mr. Justice A Muhamed Mustaque, Judge, High Court of Kerala, Prof (Dr) Balram K Gupta, and Ms. Mrunalini Deshmukh, on April 11, 2021.

Delivered lecture series on **“Private International Law and Family Disputes”** to Master of Law Students at Symbiosis International (Deemed University), Pune from March to May 2021.

For Maharashtra National Law University, Mumbai, in association with Family Court Bar Association, Mumbai, addressed webinar on **“Alienation & Shared Parenting – Issues, Challenges & Solutions,”** on May 21, 2021.

For M/s Shyam Padman Associates 206th “Legal Empowerment through interaction-Lecture Series” (LETILS-206), addressed webinar on **“Loving Children Yet to Meet- Dos and Don'ts of Adoptions,”** on May 23, 2021.

Child Law National online Moot Court Competition 2021, on June 17 and 18, 2021. Hosted by Army Institute of Law (AIL) and Malhotra and Malhotra Associates. Discussed, deliberated and judged competition on **“India, Inter Parental Child Removal Issues”** in mock courts.

For Sai University, Chennai, addressed webinar on **“International Child Custody Litigation- A Quagmire,”** on July 16, 2021.

For M/s Shyam Padman Associates 232th “Legal Empowerment through interaction-Lecture Series” (LETILS-232), addressed webinar on **“Putting the Cart before the Horse – A Flawed amendment of Adoption Laws,”** on August 7, 2021.

For M/s Shyam Padman Associates 238th “Legal Empowerment through interaction-Lecture Series” (LETILS-232), addressed webinar on **“Anti-Injunction Suits- A Critique with Special Emphasis on Family Courts Act,”** on September 5, 2021, presided by Hon’ble Mr. Justice A. Mohamed Mustaque, Judge High Court of Kerala.

Book Launch and Panel Discussion webinar of **“The Global Indians and The Law,”** hosted by OP Jindal Global University, Jindal Global Law School on September 10, 2021.

For M/s Shyam Padman Associates 239th “Legal Empowerment through interaction-Lecture Series” (LETILS-232), addressed webinar on **“Child Adoptions- A Zig-Zag Trajectory,”** on September 11, 2021, presided by Hon’ble Mr. Justice C. S. Dias, Judge High Court of Kerala.

“Parenting 4.0 – Has Indian Family Court System failed our Children?”. Virtual panel discussion hosted by Bamboo Tree Children’s Foundation and Child Rights Foundation on October 2, 2021.

Lectured on **“Global Skills and Legal Practice,”** online to the pupils of Bachelor of Laws Degree Course at Symbiosis International University at Pune on November 27, 2021.

For M/s Shyam Padman Associates 264th “Legal Empowerment through interaction-Lecture Series” (LETILS-264), addressed webinar on **“Giving Birth to Surrogate & Adoption Laws - Critical Analysis of the Recent Developments,”** on January 16, 2022.

For M/s Shyam Padman Associates 266th “Legal Empowerment through interaction-Lecture Series” (LETILS-266), addressed webinar on **“Shared Parenting - Need for formulating Practice Guidelines,”** on January 29, 2022 – Chaired by Hon’ble Mr. Justice Vijender Jain, Former Chief Justice Punjab and Haryana High Court, Chandigarh.

For M/s Shyam Padman Associates 270th “Legal Empowerment through interaction-Lecture Series” (LETILS-270), addressed webinar on **“Dynamics & Dimensions of Human Smuggling: Dark side of the Moon,”** on February 27, 2022 – Introductory remarks by Padama Shri Mr. Ramesh Inder Singh, I.A.S., Former Chief Secretary and Chief Information Commissioner, State of Punjab.

For Yagna Legal, Advocates & Legal Consultants, Andhra Pradesh and Telangana State, addressed live webinar on **“Child Custody - Laws in India,”** on February 27, 2022.

Delivered Symbiosis Guest Lecture on **“Parenting, Guardianship and Child custody,”** and **“Child custody laws in India,”** online to the pupils of Bachelor of Arts and Bachelor of Laws Degree Course at Symbiosis International University at Pune on March 5, 2022.

Spoke at Extraordinary Lecture on **“Remembering the Titan, Late Mr. Soli J. Sorabjee,”** addressed by Hon’ble Mr. Justice A.K. Sikri and organized by Centre for the Study of United Nations and Jindal Society of International Law, Jindal Global University on March 9, 2022.

For Jindal Global Law School, Jindal Society of International Law, Centre for study of United Nation, Jindal Global University, delivered online lecture on **“Inter-Parental Child Removal: Global Perspectives,”** along with Ms. Onyoja Momoh, Barrister, U.K.; Prof. Marilyn Freeman, U.K.; Mr. Jeremy D. Morley, U.S. Solicitor and Ms. Maja Groff, International Lawyer, Hague; on March 15, 2022.

Delivered Symbiosis Guest Lecture on **“International & Inter-country Adoption Laws,”** online to the pupils of Bachelor of Arts, Bachelor of Laws and Master of Laws Degree Course at Symbiosis International University at Pune on March 19, 2022.

For Lex Consilium Foundation, delivered lecture on **“Nurturing Smart Teachers – International Family Law (Part-1),”** on April 25, 2022.

For Lex Consilium Foundation, delivered lecture on **“Nurturing Smart Teachers – International Family Law (Part-2),”** on April 29, 2022.

For M/s Shyam Padman Associates 279th “Legal Empowerment through interaction-Lecture Series” (LETILS-279), addressed webinar on **“Hindu Marriages: Made in Heaven, Solemnised in India & Divorced Abroad,”** on October 22, 2022.

For M/s Shyam Padman Associates 282nd “Legal Empowerment through interaction-Lecture Series” (LETILS-282), addressed webinar on **“Legalese vs Plain English in judicial proceedings,”** on February 25, 2023.

For M/s Shyam Padman Associates 284th “Legal Empowerment through interaction-Lecture Series” (LETILS-284), addressed webinar on **“Voice of Child vs Parental Rights: Judgement Reserved”** on March 18, 2023.

For Ayushman initiative for Child Rights organization, addressed online webinar on **“Analysis of the Calcutta High Court Order on wish of the Child”** on March 19, 2023.

For Masterclass at School of Oriental & African Studies, University of London, participated in Group Discussion for a Fireside Talk on **“Importance of International Law Praxis- The Challenges Faced in its Implementation, and Ways to Strengthen it”**, held on March 24, 2023 at London.

At Indian Society of International Law, participated in 9th International Conference on International Law & The Changing Global Order, held at New Delhi, on March 2-4, 2023, and delivered address on **“India’s State Practice in Cross-Country Inter-Parental Child Removal”** in the session on **“India’s State Practice in Public & Private International Law”**.

Participated in Group Discussion on the occasion of launch of ABAL-India Desk and spoke on **“Shaping the Future of International Law”** organised by Across Border Alliance of Lawyers on June 13, 2023 at National Liberal Club, London.

Delivered lecture at Army Institute of Law, Mohali on **“Law, Lawyers and International Family Law”** on July 25, 2023.

Delivered lectures at Symbiosis Law School, Pune, on occasion of Symbiosis Pune International Family Law lecture series. Lectured on **“International Law and Global Skills”**, **“Emerging Issues in Family Laws”**, **“Domestic Violence Laws: Essentials and Comparative Perspectives”**, **“Live-in Relationships and its Judicial Evolution”** from September 1-4, 2023 at Pune.

Delivered online lecture for Maharashtra National Law University, Mumbai on **“Hindu Marriages: Made in Heaven, Solemnised on Earth and Dissolved Abroad: A Quandary”** on September 9, 2023.

Participated in online international panel group discussion, coordinated by Ankit Malhotra for Jindal Society of International Law, on **“Inter Parental Child Removal - Global Perspectives”** on October 23, 2023.

Participated in online workshop on **“Justice to Juvenile – A Legal Insight”** and delivered lecture on **“Irreversible Hindu Adoption: Legality & Challenges posed by CARA Adoption Regulations, 2022”** organised by Maharashtra National Law University, Mumbai on January 13, 2024.

Addressed online Webinar on **“Statutory Guardians for Persons with Disabilities – Anomalies in Law – A Paradox”** on May 11, 2024 for Mumbai and other Bar Associations.

Addressed online Webinar on **“International Hindu Adoptions in a Quandary”** on June 29, 2024 for Mumbai and other Bar Associations.

Conducted and participated in virtual panel book discussion and online release of book titled **“Practitioner’s Guide to International Family Law: An Indian Perspective,”** conducted by the Bar Council of Punjab & Haryana’s Vidhi Talks Initiative on June 9, 2025.

M/s Shyam Padman Associates 290th “Legal Empowerment through interaction-Lecture Series” (LETILS-290), conducted online book release of **“Practitioner’s Guide to International Family Law: An Indian Perspective,”** and panel discussion on **“Global International Citizens & Indian Laws: A Quagmire,”** on August 9, 2025.

Addressed online Webinar on **“Interplay of Hindu Adoption Law and Adoption Regulations of CARA,”** on August 24, 2025, hosted by Beyond Law CLC (Part 42).

Symbiosis Law School, Pune, conducted virtual book launch of **“Practitioner’s Guide to International Family Law: An Indian Perspective.”** Participated in group online panel discussion on **“Emerging Challenges in International Family Disputes Resolution,”** on September 20, 2025.

Delivered four online lectures in September 2025 in podcast address for Nurturing Smart Teacher Series, an Initiative by Lex Consilium Foundation, headed by Major General Nilendra Kumar. The four separate sessions were on lectures on **“International Family Law: Maintenance, Alimony and Division of Assets”;** **“International Family Law: Marriage Disputes, Joint Custody and the Girl Child”;** **“International Family Law: Citizenship and Dual Nationality”;** **“International Family Law: Grant of Maintenance and Enforcement of Foreign Court Orders on Alimony.”**

K. International Conference Participations:

Participated and Presented a paper on **“Enforcement of Foreign Judgments and Foreign Arbitral Awards in The Indian Civil Jurisdiction** at the Civil And Syariah Family Law Potential Conflicts Session of the XIX Biennial Law Asia Conference, March 20–24, 2005, at the Gold Coast Queensland, Australia.

Participated and Presented a paper on **“International Parental Child Abduction Law in The Indian Jurisdiction: Case Law Analysis and Procedural Safeguards,”** at 50th Anniversary conference of the Commonwealth Lawyers Association held at London from September 11-15, 2005.

Participated and Presented a paper on the **“Enforcement of Foreign Judgments and Foreign Arbitral Awards in the Indian Civil Jurisdiction,”** at 72nd Biennial Conference of the International Law Association at Toronto, Canada from June 4-8, 2006.

Participated and Presented Paper on **“Family Law and Religion -The Indian Experience”** in the session on Cultural and Indigenous Issues in Family Law at the Australian National Family Law Conference held on October 24, 2006 at Perth in Australia.

Participated and Presented a paper titled **“Conflict of Jurisdictions in Inter-parental Child Custody Disputes - The Indian Position,”** in the session on Family Abduction of Children to Asian Countries at the 20th Biennial Law Asia Conference, held from June 5 to 8, 2007 at the Hong Kong Convention and Exhibition Centre, Hong Kong.

Participated and Presented a paper titled **“Migration: The Indian Experience and Managed Migration Experiments,”** at the Wilton Park Conference WP 890, on **“Migration towards a Comprehensive Approach”**, held at San Lorenzo Ee El Escorial, Spain, from October 8-10, 2007, in Session 5 Titled Can Migration be Managed: What can be learnt from the Experiences of Sending and Receiving Countries.

Participated on invitation of the International Law Association as a Speaker at the 73rd ILA Biennial Conference held at Rio De Janeiro, Brazil to speak at the session on Rights of Children on August 18, 2008, and made a presentation titled **“India, Inter Country Parental Child Removal and the Law.”**

From December 4 to 6, 2008, on invitation from the British High Commission, New Delhi was invited to speak, participate and attend The 941st Wilton Park Conference on **“The Future of Migration”** held at Wilton Park, Winston House, Steyning, West Sussex, UK and made a presentation on **“Illegal Immigration from India.”** This meet was held in cooperation with the Institute for Public Policy Research, the Foreign and Commonwealth Office and the UK Border Agency,

Participated and Presented Paper titled **“Challenges in Inter-Country Child Removal and The Indian Law”** at the 11th Annual Family Law Conference held on March 12 and 13, 2009 in Cape Town organized by The Miller Du Toit Cloete Inc and The Law Faculty of The University of the Western Cape.

Was invited to speak on **“Inter-Parental Child Removal Issues”** at the 11th Annual Family Law Conference at Cape Town, South Africa on March 12-13, 2009. Attended and made a presentation on **“Indian, Inter-parental Child Conflicts & the law.”**

Was invited to speak on **“Inter-Parental Child Removal Issues”** at the 16th Commonwealth Law Conference 2009 at Hong Kong on April 5-9, 2009. Attended and made a presentation on Inter-Parental Child Abduction law in India.

Participated and Presented Paper titled, **“All Aboard for The Fertility Express’** in the Conference wrap up Session titled, **“The Family Law Forum,”** at the Third Law Asia Children and The Law Conference 2009 held at Singapore from May 21-23, 2009.

Participated and Chaired Session titled, **“Relocating the Child: Parental Movement and International Adoptions,”** at the Third Law Asia Children and The Law Conference 2009 held at Singapore from May 21-23, 2009.

Participated and Presented Paper titled **“To Return or Not To Return: Hague Convention vs. Non-Convention Countries,”** in the Session titled, **“Implementation of The Hague Convention: Practical Issues and Lessons Learnt,”** at the Third Law Asia Children and The Law Conference 2009 held at Singapore from May 21-23, 2009.

Was the only legal practitioner amongst Judges who had been invited to speak at the International Family Justice Judicial Conference for the Common Law & Commonwealth Jurisdictions held at Windsor, UK from August 4-7, 2009. Participated with a presentation on **Cross border Child Removal Conflicts in India.**

Was invited to speak on **“Indian Civil Aspects of International Child Abduction Bill 2007 and the Indian Perspective on International Child Abduction”** at the Conference on International Child Abduction, Relocation and Forced Marriage held from June 30 to July 2, 2010 at the London Metropolitan University, London. Participated and made presentation on **International Perspective of child abduction law in India.**

Was invited as a Panelist in the 74th Biennial Conference of the International Law Association held in the Hague, Netherlands from August 15 to 19, 2010 to speak in the session on **“Out of Concern for the Child: Transnational Co-operation in Cases of Child Protection, Maintenance and Abduction.”**

Invited and presented a paper on Surrogacy Titled **“All Aboard for The Fertility Express”** at the 14th Annual Family Law Conference 2011, Cape town, South Africa, organized By Miller Du Toit Cloete Inc And The University Of The Western Cape on March 17 and 18, 2011.

Participated at the Symposium on **“International Family Law Inc International Parental Child Removal”** conducted by Head of International Family Justice for England and Wales in association with the British High Commission, New Delhi at India International Centre, New Delhi on May 13, 2013. Made presentation on the **Position of Indian Law on Intern Parental Child Removal.**

Participated in The 2nd International Family Law and Practice Conference 2013 on **“Parentage, Equality and Gender”** held by The Centre for Family Law and Practice, London Metropolitan University, London from July 3 to 5, 2013. Made presentations titled **“Surrogacy: Imported from India, Need for a Regulatory Law”** and **“Abduction – To Return or not to Return”**.

Participated and made presentation on **“India Inter-parental Child Removal and the Law”** at the International Academy of Family Lawyers Conference-cum-Educational Program from 16 to 18, September 2016 at New Delhi.

Invited to speak at a seminar on **“Cross Border Removal of Children from Lawful Custody”** held on 05 June 2017 at Leeds, Yorkshire, England, under the aegis of All India Lawyers Sports Association (AILSAs) and supported by Punjab State Commission for NRIs, NRI Affairs Department, Government of Punjab, Chandigarh. Attended and made presentation on **India, Inter-Country Parental Child Removal & the Law**.

Invited to Experts’ Meeting on Issues of Domestic/ Family Violence and the 1980 Hague Child Abduction Convention, 12 June, 2017, at The University of Westminster, London, to present the Indian viewpoint. Made presentation on **Cross Border Removal of Children from Lawful Custody**.

Invited and participated in International Academy of Family Lawyers Conference at The H. Dubai, Dubai (UAE) on 13 & 14 November 2018, and made presentation on **Child Custody Laws in India**.

Invited to speak at International conference on Gender, Inclusivity and Protecting the 21st Century Family being held on 3 to 5 July 2019, at London, organized by The International Centre for Family Law, Policy and Practice in association with The University of Westminster, London. Participated and presented a paper on the **“Rights of the Removed Child”** on 5 July 2019.

Invited and participated in ILA 80th Biennial Conference from June 19-24, 2022 at Lisbon, Portugal. Delivered joint presentation with Ankit Malhotra on June 22, 2022, in the session on “The Contemporary Role of International Conventions as Sources of Private International Law” and spoke on **“Contemporary Role of International Conventions as Sources of Private International Law – An Indian Perspective”**.

Invited to speak in the session on **“Enforcement of Children Orders in India”** at International Family Law Conference organized by Expatriate Law from 26 to 29 April, 2023 at Abu Dhabi. Participated and

presented a paper on **“Contemporary role of International Conventions as sources of Private International Law – An Indian Perspective”**

Invited to speak and attended conference on International Family Relocation organized by The Embassy of Canada, The Hague Conference on Private International Law and The International Academy of Family Lawyers on The Washington Declaration on International Family Relocation: 15 Years Later, held on 2 to 4 April, 2025 at the Embassy of Canada, Washington DC, USA. Presented PowerPoint presentation and paper titled **“International Child Relocation Issues: An Indian Perspective,”** as Indian delegate and Secretary of International Relocation Committee of the IAFL.

Invited to speak International Webinar Conference on Cross-Border Protection of Children under the 1996 Hague Child Protection Convention: Practical Perspectives from Contracting States, organized by University of Aberdeen, Pravos and The Royal Society of Edinburgh on 30 June – 1 July 2025 and made presentation titled **“International Child Relocation Issues of a Non-Contracting State: An Indian Perspective,”** as Indian delegate in bonus session titled **“Perspectives from Non-Contracting States,”** on 1 July, 2025.

L. Domestic Conference Participations:

Presented a paper on **“International Parental Child Abduction Law in the Indian Jurisdiction: Caselaw Analysis and Procedural Safeguards,”** at the private international law session of the Second International Conference organised by the Indian Society of International Law at New Delhi from November 14-17, 2004.

As a Panelist made presentations and organised Seminar on **“India’s Role in Combating Inter-Country Parental Child Removal”** at India International Centre, New Delhi on December 9, 2005.

Conducted a seminar at India International Centre, Lodhi Road, New Delhi on **Conflict of Jurisdictions in Inter-parental Child Custody Disputes** on May 5, 2006. Made a presentation on India’s Role in Combating Inter-country Parental Child Removal in the international perspective.

Presented paper titled **‘Conflicts of Jurisdiction in Interparental Child Custody Disputes – The Indian Experience’** at the Indian Society of International Law’s International Conference on Private International Law held on December 2-3, 2006 at New Delhi.

Organised in association with Department of Laws, Panjab University, Chandigarh, a Seminar on **“NRIs Abandoned Brides – A Challenge to Meet”** held at the Panjab University, Chandigarh, on

February 13, 2007. Prepared and compiled a Report of the Seminar on the deliberations and conclusions drawn up in the Seminar on problems and legal issues arising out of abandoned brides in the Indian jurisdiction which was forwarded to National Commission for Women, New Delhi.

As knowledge partner with British High Commission, New Delhi, organized seminar on **"Migration – Myths and Realities,"** on March 23, 2007 at Chandigarh and coordinated a Panel discussion on Illegal Immigration from India.

Presented paper titled **"Rewriting Medical Jurisprudence – DNA Profiling Comes of Age"** at a Seminar on Expert Witnesses and their Training held at Law Bhawan, Chandigarh on March 31, 2007.

As knowledge partner with Embassy of Italy, New Delhi and VFS Global Services Pvt. Ltd., organized seminar on **"Destination Italy – The Right Way,"** on August 11, 2007 at Chandigarh and coordinated a Panel discussion on Managed Migration and legal channels of Immigration from India.

Presented papers titled **"Breakdown Abroad, Divorce In India, Why Not ?,"** and **"Adoption, Parentage And Surrogacy – A Maze or a Dilemma?,"** at the one day national seminar on "Family Law: Problems And Perspectives," organised by the Rajiv Gandhi National University Of Law, at Patiala, Punjab on September 8, 2007.

Presented a paper titled **"Foreign Investments and International Law – Some Legal Perspectives,"** at a seminar titled "International Law on Foreign Investment," organised by the International Law Association, Regional Branch, India and its Chandigarh chapter in association with Confederation of Indian Industry, held on September 26, 2007.

Moderated a panel discussion on **Legal Perspectives for Non-resident Indians** held at the Punjabi NRI Sammelan, Chandigarh on January 5, 2008. Deliberated on **Family Law, Property Law, Immigration related Issues and NRI problems of repatriation of funds besides fast track resolution of criminal cases of NRIs.**

Presented a Paper in the State Level Seminar sponsored by Dean, College Development Council, Panjab University titled **"Women Shackled in NRI Weddings,"** on February 23, 2008 at Guru Gobind Singh College for Women, Sector 26, Chandigarh.

"Human Rights: Limitations and Judicial Review– The Indian Perspective," paper presented at the National Seminar on Globalization, Development and Human Rights: Issues and Challenges on March 11, 2008 at Department of Sociology, Panjab University, Chandigarh.

As knowledge partner with British High Commission, New Delhi, organized second seminar on **"Managed Migration – Myths and Realities...One year on,"** on March 28, 2008 at Chandigarh and coordinated a Panel discussion on issues relating to effects of curbing Illegal Immigration from India.

Organised a seminar with Law Commission of India at the Army Institute of Law at Mohali on October 18, 2008 and delivered a lecture on

India, Inter-Country Parental Child Removal and the Law, in a session chaired by The Chairman, Law Commission of India.

Organised a seminar at the India International Centre, New Delhi on February 13, 2009 on **“Surrogacy – Bane or Boon”**. Made a presentation on the legal perspectives on Surrogacy existing in 2009 and as under the proposed law on surrogacy besides anomalies /lacunas under the proposed Bill on surrogacy.

In association with the Faculty of Laws, Panjab University, Chandigarh, organised a panel discussion titled, **“Surrogacy: Bane or Boon”** on March 4, 2009. Moderated a panel discussion on the Assisted Reproductive Technology (Regulation) Bill and Rules 2008 in a session presided over by the Chairman, Law Commission of India.

Invited to speak on NRI issues and problems in the field of Private International Law at the Army Institute of Law, Mohali (Punjab). The Ambassador of Italy, New Delhi delivered a talk on Public International Law on September 9, 2009. Made presentation on **“Law for Non-Resident Indian Families, a Dilemma”**

Was invited by the Government of India to make a special presentation on Property Problems of Non-Resident Indians at a special seminar held at New Delhi on January 7, 2010. Participated in deliberations and gave concluding notes on **issues arising out of property disputes and legal propositions in India.**

Participated in the 17th Commonwealth Law Conference held from February 5-9, 2011 at Hyderabad by making interventions in sessions on **Honor Crimes, Forced Marriages and Inter-Country Parental Child Removal issues prevailing in India.**

Presented paper on **“NRI Marriages-Problems and Possible Solutions: The Punjab Perspective”** at The National Commission for Women Seminar held on February 15, 2011.

Organised a book discussion on **“Indians, NRIs and the Law”** at the Institute for Development and Communication, Chandigarh, on November 19, 2011 chaired by Prof Sir Peter Gregson, Vice-Chancellor and President, Queens University, Belfast and co-chaired by Lord Diljit Rana, MBE, Member Parliament, UK.

Participated in a National Conference on ‘Human Rights & Social Inclusion; Contemporary Concerns’ Organised by The Department of Political Science, held at Jamia Millia Islamia University, New Delhi on November 23-24, 2011. Presented a paper on **“Human Rights: Limitations and Judicial Review- The Indian Perspective”** and deliberated in Sessions on Human Rights and the Law.

Invited and made a Case Presentation on successful return of irregular migrants from Iraq at the National Consultation European Union Workshop, New Delhi on **Facilitating safe and Legal Migration and Preventing Irregular Migration** on September 6-7, 2012 at Hotel Claridges, New Delhi.

Organised Symposium **“International Family Law Inc. - International Parental Child Removal”** as knowledge partners with the British High Commission, New Delhi at The India International Centre, New Delhi on May 13, 2013. Moderated a panel discussion by international experts and made a presentation on The position of India on Inter-Parental Child Removal Law.

Invited to Fourth Biennial Conferences of the Asian Society of International Law, **“Asia & International Law in the Twenty-First Century: New Horizons”** held at India Habitat Centre, New Delhi on November 14 to 16, 2013. Presented paper titled **“Surrogacy Law arrangements in India”** in the session on Conflict of Law relating to marriage, Adoption, Surrogacy & custody of children held on November 15, 2013 at the conference.

Chaired a Session on the theme of Domestic Violence and Female Feticide at a National Seminar on **“A World in Transition – New Challenges for Women Empowerment”** held at Rajiv Gandhi National University of Law, Patiala in collaboration with Indian Council for Social Science Research, North West Regional Centre, Panjab University, Chandigarh on February 22, 2014. Made observations as Chair on pressing issues of female feticide and violence at home.

Chaired a session on **“The New Dimensions of Human Rights Violations in Contemporary Times: Challenges & Solutions”** at the Army Institute of Law, National Seminar 2014, held on September 19-20, 2014 at Army Institute of Law, Mohali. Made concluding observations on emerging dimensions of Human Rights

Moderated a discussion on inter-country parental child removal issues held on October 16, 2014 at the India International Centre, New Delhi for raising questions, inviting responses and coordinating a panel discussion on **inter-parental inter-country child removal issues**.

Invited as a Speaker to World Congress on International Law organised by The Indian Society of International Law on Contemporary Issues of International Law from January 9 to 11, 2015 Participated with a power point presentation on, **“Transforming Our Justice Delivery System : From Legalistic To Justice Orientation In Private International Law”** held on January 11, 2015 at India Habitat Centre, New Delhi.

Invited as a Speaker to Workshop on Transnational Abandonment in NRI Marriages organized at Indian Council of Social Science Research (ICSSR) Regional Centre, Panjab University, Chandigarh on January 14, 2015. Made a presentation on, **“Legal Aspects in Transnational Marriages”** in the session on Narratives of Law.

Invited as a Resource Person to the International Conference on Private International Law, held by Indian Law Society, at ILS Law College Campus, Law College Road, Pune – 411004, Maharashtra from February 20 - 22, 2015. Made a presentation on **“Inter-country Adoptions and Inter-Parental Child Custody: a Practitioner’s Perspective”** in Session III: Private International Law concerning children held on February 21, 2015.

Moderated a discussion on **“Inter-country Parental Child Removal Issues – The way ahead”** held on November 6, 2015 at the India International Centre, New Delhi for raising questions, inviting responses and coordinating a panel discussion on inter-parental, inter-country child removal issues.

Chaired a National Seminar on **“Access to Justice in India”** at the Army Institute of Law, Mohali, Punjab on November 7, 2015 for adjudging papers submitted and presentations made by participants.

Invited by The Bombay St. Xavier’s College Society, Mumbai and delivered **TEDx Talk on Economics and Future of Surrogacy in India** at TED independently organised event held at The St. Xavier’s College, Mumbai, on 07 February 2016.

Invited by Rotary Club Midtown, Chandigarh to address Rotary Club members on **Surrogacy at Crossroads in India** at Hotel President, Chandigarh on 04 March 2016.

Invited for National Seminar on Science of Surrogacy and Prospect of Proposed Law in India (Sponsored by Indian Council of Social Science Research (ICSSR), New Delhi) on 19-20 March 2016, Organised by Indian Society of International Law (ISIL) to make presentation on **Suggestive Cross Border Perspectives & Safeguards for Proposed Surrogacy Law in Indian Session II: Medical Aspects of Surrogacy Arrangement & Social, Economical & Ethical Concerns** on 19 March, 2016.

Addressed Diplomats and foreign officials as a Key Speaker a seminar on Legal Aspects Regarding Consular & Migration Issues at the Embassy of France, New Delhi on 15 April 2016. Made presentations on **issues related to NRI Marriage and Divorces, Inter-Parental and Inter-Country Child Removal Issues and Punjab Travel Professionals Regulation Act, 2012.**

Invited by Centre for International Legal Studies, Jindal Global Law School, OP Jindal University, Sonapat for Guest Lecture and panel discussion on **Surrogacy at Crossroads, Constitutional Perspectives: Its Economics & Future** at Jindal Global Law School, Sonapat on 30 April, 2016.

Participated in All India Seminar of Indian Branch, International Law Association held on 2 July 2016 at India Habitat Centre, New Delhi, made presentation on **“India, Inter Parental Child Removal and the Law”** in first working session on ‘Principles of the Engagements of Domestic Courts with International Law’. Presented article on **“Surrogacy for Single & Unmarried Foreign Persons – A Challenge under India Law”** for second working session on ‘Recognition/Non-Recognition in International Law’.

Invited on August 23, 2016, to New Delhi by Mr Richard R. Verma, Ambassador of The United States of America, for discussion with Ms. Michelle Thoren Bond, Assistant Secretary for Consular Affairs, USA, and other US officials, on **issues relating to the proposed accession by**

India to The Hague Convention on the Civil Aspects of International Child Abduction, 1980.

Invited by National Commission for Women, Ministry of Women & Child Development, Government of India, for consultation and discussion on draft of the **“The International Child Removal and Retention Bill”**, on August 30, 2016, at India International Centre, New Delhi.

Invited to address on issues on **‘Inter-Country Parental Child Abduction’** at seminar on **“South Asian Diaspora and Emerging Legal Challenges”** organised by Faculty of Legal Studies, South Asian University, New Delhi on September 20, 2016.

Invited to speak as resource person at Gujarat National Law University Centre for Private International Law in a Training Program Series on **“Babies Crossing Borders – Surrogacy, Law and Practice,”** at Gujarat Law University, Gandhinagar, Gujarat, from September 30 to October 1, 2016.

Invited to speak at a Forum on **India, Inter-Country Child Adoption –Cara’s Latest Guidelines and Relevant Issues Of Child-Related Laws In India** Forum Organised by the Austrian Embassy, New Delhi On 4 October 2016.

Delivered Lecture and conducted inter active session on **“Need for India to sign the Hague Convention on Child Abduction** at Army Institute of Law, Mohali, Punjab on September 14, 2017 for 5 year Law Degree Program Students and teaching faculty.

Organized and Moderated a discussion on **“Reconciling Domestic Violence and Cross Border Removal of Children”** on October 24, 2017 at the India International Centre, New Delhi for raising questions, inviting responses and coordinating a panel discussion on inter-parental, inter-country child removal issues and reconciling of domestic violence problems.

Delivered lecture on **“Alternative Dispute Resolution in Indian Family Law – Realities, Practicalities and Necessities”** at Rajiv Gandhi National Law University, Punjab on November 26, 2017 in a program on Alternative Dispute Resolution in India and USA : Challenges and Possibilities organised as an event of Global Initiative of Academic Networks supported by Ministry of Human Resource Development, Government of India.

Invited to make presentation on **Adoption under Hindu Adoption and Maintenance Act, 1956 and Juvenile Justice (Care and Protection of Children) Act, 2015** at The Fourth Regional Conference on Sensitization of Family Court Matters organised by High Court of

Judicature at Madras and Tamil Nadu State Judicial Academy, Chennai on February 3, 2018 at Le Royal Meridien Hotel, Chennai.

Participated as a Resource Person in a Two-day National Conference on **Towards Peace, Harmony and Happiness: Transition to Transformation** from November 23-24, 2018 organised by Pranab Mukherjee Foundation, New Delhi and Centre for Research in Rural and Industrial Development (CRRID), Chandigarh at India International Centre (IIC), New Delhi for interaction in sessions on **Political Transformation, Role of Religion in Transformation, Economic Transformation and Socio-cultural Transformation**.

Participated as a Speaker in Virtual 9th International Annual Research Conference SYMROLIC -2021 on **Rule of Law in Context: Indian and Global Perspectives**, organised by Symbiosis International (Deemed University), Pune. Spoke on **Global Family Law in Post Covid Times - A Dilemma in the session on Law and Human Behavior** on March 12, 2021.

Participated as a Speaker in 9th International Conference of Indian Society of International Law (ISIL) on International Law and the changing Global Order held on March 2 to 5, 2023. Spoke on **“India’s State Practice in Cross Country Inter-parental Child Removal,”** on March, 2, 2023 at ISIL New Delhi.

Participated as a Speaker in 10th International Conference of Indian Society of International Law (ISIL) on International Law Themes held on October 25 to 27, 2024. Spoke on **“Contemporary Role of International Conventions as Sources of Private International Law – An Indian Perspective,”** on October, 25, 2024 at ISIL New Delhi.



Anil Malhotra

List of Expert Reports and Professional Opinions

2006

1. Expert Report on Indian Family Law in India in and about the matter of Jaspreet Obrai and Jaswinder Oberai. Switzerland, 2006.
2. Expert Report on Inter Parental Child Abduction on the instructions received from Mr. Yogish Kode. United States of America, 2006.

3. Expert Report on Intern Parental Child Abduction prepared on the instructions received from Mr. S.V. Vaghela. United Kingdom / New Zealand, 2006.

2007

1. Draft Opinion on Pious Obligation of Son Under Hindu Law. In re X & Y, 2007.
2. Professional Opinion on Options of Muslim Divorce in the matter as instructed by the Family Law Department M/s Irwin Mitchell, Solicitors, Holborn. United Kingdom, 2009.
3. Expert Report on the mechanisms for securing the return of the minor child from India who is habitually resident in England in the Proceedings Instituted in the High Court of Justice London as instructed by Ms.Amandeep Gill of Davenport Lyons, Solicitors. United Kingdom, 2007
4. Professional Opinion on Validity of Guardianship Proceedings in India in 1997 and the consequent adoption in year 2002 in the Netherlands and India on instructions by Mr. Poulus and Mrs. Van Den Hurk, of the Netherlands, 2007.
5. Expert Report on Parents Right to Maintenance from Married Daughters. In re Z, 2007

2008

1. Joint Expert Report on Orders by the High Court of Justice, Family Division, London, between Pawandeep Singh Anand and Manmeet Kaur Anand on issues raised in matters relating to Indian law. United Kingdom, 2008.
2. Expert Opinion upon instructions from Mr. Lalit Narayan, to opine upon an Indian

Indian Family Law and on the issue of dissolution of marriage and all other ancillary issues arising thereto between the parties. India, 2008.

3. Expert Opinion on Indian Family Law with regard to the matrimonial proposition of divorce and related issues of property settlement arising between her and her husband in the matter of Mrs.Arunima Ghosh. Australia / United Kingdom, 2008.
4. Expert Report on the applicability of the Hindu Marriage Act on instructions received from Ms.Gurmeet Kaur from M/s Harjeet Singh & Co.,Solicitors, Singapore representing the wife i.e. Ms.Rohini Arora. Singpaore, 2008.
5. Expert report on U.S. divorce validity and annulment of marriage on instructions from Mr. Vivek Banerji. United Kingdom, 2008.
6. Expert opinion on Indian Immigration Law for Indian work Visa for requirements of Employment in India by Foreign Nationals as instructed byMs. Natalie Wagner DeLaurentis, Legal Department Coordinator, General Atlantic. United States of America, 2008.
7. Expert report to opine on the validity /invalidity of a customary adoption in terms of an adoption deed in 2008, on instructions received from Kathryn E. Reeves, Attorney at Law, Azulayseiden Law Group. United States of America, 2008.
8. Expert Report upon Surrogacy Arrangements and consequential rights of parties arising from such agreements in India as instructed by the Australian High Commission, New Delhi. India, 2008.
9. Expert Opinion report to opine upon the fact whether he is eligible or qualifies to be a citizen of India in terms of The Citizenship Act, 1955 as instructed by Mr. Paul Singh Oberoi. Uganda / United Kingdom, 2008.
10. Expert opinion on Family Law upon instructions from Mr. Trigunsen R. Padi, New Jersey, USA –to opine on the validity and enforceability

in India of the final judgment of divorce passed by the Superior Court of New Jersey, Chancery Division, Family Part, Middlesex County, USA, whereby the marriage between parties has been dissolved by a final Judgment of divorce. United States of America, 2008.

2009

1. Expert report on the instructions received from M/s Dawson Cornwell and M/s Kingsley Napley, in the matter of Protection of Women from Domestic Violence Act, 2005, The Indian Penal Code, 1860, The Code of Criminal Procedure, 1973 and The Family Courts Act, 1984. United Kingdom, 2009.
2. Expert report to on the validity of the adoption deed executed under the provisions of the Hindu Adoptions and Maintenance Act, 1956 between parties as adoptive parents and the natural parents of the minor as instructed by Harjinder Gill Esq of Gills Solicitors, Equity Chambers, Southall, Middlesex. United Kingdom, 2009.
3. Expert report on Indian family law in the matter of applicability of the Hindu Marriage Act, 1955 as instructed by Mr. Bharat Raghunathan. United States of America, 2009.
4. Legal opinion on the validity of the adoption under the provisions of the Hindu Adoptions and Maintenance Act, 1956 as instructed by Allen E. Kaye, Attorney at law, New York. United States of America, 2009.
5. Written Opinion and responses to questions raised by Mr. Deshmukh in England, on maintenance and alimony issues in divorce proceedings in India under the Hindu Marriage Act, 1955 / Special Marriage Act, 1954 by spouse living in India. United Kingdom, 2009.
6. Expert report to opine on the validity of the adoption deed executed under the provisions of the Hindu Adoptions and Maintenance Act, 1956 as instructed by Helen L. Jugovic, Attorney At Law from McKinney & Justice. United States of America, 2009.

7. Legal opinion on a Surrogacy agreement executed in India, as instructed by Ms. Jennifer Leone Johnston, New South Wales. Australia, 2009.

2010

1. Professional opinion on the validity of the adoption deed, executed under the provisions of the Hindu Adoptions and Maintenance Act, 1956 in and about the matter of Gurpreet Singh Sidhu, on behalf of the Embassy of Austria, New Delhi. India, 2010.
2. Expert report/ opinion on the legal position regarding the Indian law of Wills and Succession in the matter of the estate of Mrs. Shyam Kumarie Singh as instructed by Mr. Andrew Parry of M/s Hunters, Solicitors, Lincoln's Inn, London. United Kingdom, 2010.
3. Expert opinions on Indian family law and on divorce proceedings, ancillary relief, division of property and child custody issues in India / United States of America as instructed by Mr. Inderpreet S. Wadhwa. United States of America, 2010.
4. Single joint expert report on the joint instructions received from Rebekah Gershuny of Collins Solicitors, Watford, England and Robin Heer of HeerManak Solicitors, Coventry, England in proceedings instituted in the Family Division of the High Court of London in child custody, conditional visit to India and mirror orders provisions. United Kingdom, 2010.

2011

1. Legal Opinion on void marriage under the provisions of the Hindu Marriage Act, 1955, in and about the matter of investigation report of Kamal Kumar, furnished to the Embassy of Federal Republic of Germany, New Delhi. India, 2011.

2. Expert Opinion on Child Custody issues in India instructed by Stephen J. Cullen, Miles & Stockbridge, U.S.A on Hindu/Indian Family Law relating to the issue, that in a judicial determination of child custody there is a presumption or definitive preference for a biological parent over third parties. United States of America, 2011.
3. Single joint expert report on Indian law regarding the financial remedies available to a Hindu wife in relation to her Hindu marriage and divorce proceedings initiated under the provisions of the Hindu Marriage Act, 1955, in India, as instructed by M/s. Dawson Cornwell, Solicitors, London in respect of proceedings at the High Court of Justice, Family Division, London. United Kingdom, 2011.
4. Expert Opinion on legal custody and citizenship issues arising in India in respect of a child born to Muslim parents in New Jersey, as Instructed by Mr. Amjad Vohra, Noida, India. United States of America, 2011.
5. Legal opinion on applicability on Goan law regarding divorce and financial matters. Instructed by Sital Amin of Irwin Mitchell, Solicitors, based in Viaduct, London. United Kingdom, 2011.
6. Legal opinion on the available to immediate aggrieved family members, upon death of a British national in India. Instructed by Mrs. Tejinder Soor Hudson, England. United Kingdom, 2011.
7. Legal opinion on the validity of the adoption deed, executed under the provisions of the Hindu adoptions and Maintenance Act, 1956, on queries raised by the Canadian High Commission, New Delhi as instructed by Miss Kuldeep Kaur Johal. Canada, 2011.
8. Legal Opinion on the validity of Hindu marriage solemnised and registered under provisions of the Hindu Marriage Act, 1955, as instructed by Allen E. Kaye, Attorney at Law, New York. United States of America, 2011.

9. Legal opinion on Indian Matrimonial Law relating to Alimony, maintenance and division of matrimonial assets as instructed by M/s Brookman, Solicitors, England. United Kingdom, 2011.
10. Expert report on the legal position with regard to the present position of Surrogacy law in India and related immigration/citizenship issues, on instructions received from Gamble and Ghevaert, LLP, Solicitors based in Poole, England. United Kingdom, 2011.
11. Expert Report on the extra territorial applicability of the Hindu Marriage Act and available grounds for divorce in USA as instructed by Ms. Simran Chopra. United States of America, 2011.
12. Legal opinion relating to potential legal avenues for tracing of assets in the Indian jurisdiction of the divorced husband of Dr. Janapati, in India as instructed by Rachel Edwards Barrott, Principal Solicitor, Resolution Solicitor Family Mediator, the National Family Law Practice, England. United Kingdom, 2011.
13. Queries and Legal Opinion with regard to maintenance claim and divorce proceedings under Hindu Law in India as raised by Ms. Lisette Dupre of Dawson Cornwell Solicitors, London. United Kingdom, 2011.

2012

1. Expert report on family settlements executed in family run companies in India and in the event of family disputes in the Indian jurisdiction. Based on instructions received from Ms. Elizabeth Hicks of Irwin Mitchell, Solicitors, acting on behalf of the applicant wife in the High Court of London. United Kingdom, 2012.
2. Single Joint expert report on applicability of prevalent Indian Law specifically with regard to international enforcement of child custody orders made in the United Kingdom, legal remedies available for inter parental and inter country child removal and forum under the relevant

legislation for custody proceedings i.e. the provisions of Guardian And Wards Act, 1890 duly supplemented by the provisions of the Hindu Minority and Guardianship act, 1956. Re matter in the principal registry of the Family Division of the High Court of London. Based on instructions received from Ms.Reena Ghai, Solicitor, Middlesex. United Kingdom, 2012.

3. Expert written report on India inter-parental child removal and the law on the instructions of Ms. Heidi K. Hansen permanently resident in USA on the current status and position of custody law as well as suggest all possible remedies available upon inter-parental child abduction to India with regard to her son's proposed visit to India. United States of America, 2012.
4. Legal opinion regarding levy of alleged excess customs duty on Genee Solutions India Private Limited, Gurgaon by the customs authorities in New Delhi and Chennai under the provisions of the Customs Act, 1962. India. 2012.
5. Written Opinion on Law of Marriage and Divorce in India and Italy, Provisions of Prevention of Women from Domestic Violence Act, 2005 and matrimonial offences under Indian Penal Code, 1860, upon reference by Elena Capriati, from Capriati Carbone and Partners and instructions given Mr. Hansdeep Khaira from Rome. Italy, 2012.
6. Expert report on applicability of prevalent Indian law specifically with regard to the provisions of Guardian and Wards Act, 1890 and the provisions of the Hindu Minority and Guardianship Act, 1956, instructions received from Ms. Lysandra Dwyer, Legal Assistant - Social Care & Education, for and on behalf of the Legal Practice, Legal & Governance Services Department, Harrow Council, Harrow. United Kingdom, 2012.
7. Expert written report on India inter-parental child removal and the law on instructions of Mr. Karan Bajwa upon reference from Hittrich Zukerman, Barristers and Solicitors, Surrey, British Columbia, relating

to Indian child removal and custody law pertaining to the Canadian children resident in India. Canada, 2012

2013

1. Expert legal on Passport Renewal of Child in a broken marriage. Opinion sought by Mr. Srikan Devara, Hyderabad. India, 2013.
2. Expert opinion on divorce procedure and financial settlement on divorce under Family Law in India in respect of Italian and Indian spouses. Instructed by M/s Irwin Mitchell, Solicitors, London. United Kingdom, 2013.
3. Expert Opinion on Interparental child removal issues in India upon instructions from Dr. Madhusudan Mangesh Dalvi, Kent, England in respect of proceedings pending before the Principal Judge, Family Court, Mumbai at Bandra and High Court of Justice, Family Division, Royal Courts of Justice, London. United Kingdom, 2013.
4. Expert Report/opinion on the applicability of prevalent Indian law regard to international enforcement of child custody orders in Canada, and legal remedies available in the Indian jurisdiction for inter parental and inter country child removal/abduction and forum under the relevant legislation for custody proceedings i.e. the provisions of Guardian and Wards Act, 1890 duly supplemented by the provisions of the Hindu Minority and Guardianship Act, 1956 in the matter of Amit Varma v. Himika Varma instituted in the Court of Queen's Bench of Alberta. Report furnished on initial request of Max Blitt, Barrister at Law, acting on behalf of Mrs. Himika Varma, Canada, 2013.
5. Law and surrogacy arrangements in India. Instructed by, Ms Anthony Collins, Solicitors, Birmingham pursuant to a petition by surrogate parents in UK and the Order of HHJ Plunkett Sitting in the High Court in Birmingham. United Kingdom, 2013.

6. Expert written report on custody law and all possible remedies available upon inter-parental child removal to India with regard to her daughter. Based on instructions of mother Rambha Indra kumar permanently resident in Ontario. Canada, 2013.
7. Expert legal opinion on enforcement of foreign matrimonial judgments in the Indian civil jurisdiction, and issues relating to seeking of maintenance claims by a wife of a Jewish origin, resident outside the territories of India against her German husband, planning to relocate for work purposes to India on instructions by X. (2013)
8. Expert written report on position of Indian law on interparental child removal issues. Based on questions of Jeffery Greene, United States of America, 2013.
9. Legal opinion on law and surrogacy arrangements in India on instructions by Z, 2013.
10. Legal opinion on the legal position with regard to enforcement of pre-nuptial agreements in the Indian context, instructed by Bernice Loo and Jacqueline Chua of Allen & Gledhill, LLP, Singapore, 2013
11. Expert Report on guardianship proceedings for a British child to be relocated to India, based on instructions from The Director of Legal and Democratic Services, Borough of Ealing, Ealing House, London. United Kingdom, 2013.
12. Expert report on validity of guardianship proceedings in India based on instructions of Mrs Pameel Crowther-Newman Senior Solicitor, Social Services Legal Team Legal & Democratic Services London Borough of Brent Legal Services Department, as per directions of District Judge MacGregor, London. United Kingdom, 2013.
13. Professional opinion by way of affidavit on the validity of the adoption deed executed under the provisions of the Hindu Adoptions and

Maintenance Act, 1956, on instructions by Mr Anand Keswani in the matter of Olga Hiralal Keswani (deceased) in the High Court Of Justice Chancery Division, London in the matter of the Inheritance (Family Provision & Dependents) Act 1975. United Kingdom, 2013.

2014

1. Expert report on India, Inter-Parental Child Removal and The Law on instructions received from the Law Office of Attorney Philip J. Byers, 40 Bayfield Drive, North Andover, Massachusetts. United States of America, 2014.
2. Expert report on Indian family law, on the issue of Jurisdiction under the provisions of the Hindu Marriage Act, 1955, instructions received from Ms. Elizabeth Hicks, Senior partner, Irwin Mitchell, Solicitors at London. United Kingdom, 2014.
3. Single Joint expert report on financial remedies available to a spouse in Bangalore under Indian law with particular reference to capital assets, periodical payments and pension sharing considering factor. Instruction received jointly from M/s Betteridges Solicitors, Hertfordshire and M/s Archers Law, LLP, Solicitors Stockton. United Kingdom, 2014.
4. Expert report on India, Inter parental child removal & the law, instructions received from M/s Jung & Co., Solicitors, Middlesex In the matter of Ms Shikha Arora and Mr. Neshad Sharma in the Reading County Court before District Judge Wakem. United Kingdom, 2014.
5. Legal opinion on procedure and legal requirements for a person applying to register as an Overseas citizen of India (OCI) under Section 7A of the Indian Citizenship Act, 1955 and the Citizenship

rules, 2009 from Ms. Mia Burton General Counsel, Michael & Susan Dell Foundation. United States of America, 2014.

6. Opinion on Law of Succession and Inheritance and issuance of Probate of a Will under the provisions of the Indian Succession Act, 1925, In the matter of Jayanta Kumar Guha upon instructions of the client in London. United Kingdom, 2014.
7. Expert report on validity of Guardianship proceedings in India instructed by **Sarah Hutton, Solicitor** (Social Care & Health) Legal Services, South Tyneside Council, Town Hall & Civic Offices, Tyne and Wear. In The Matter Of South Tyneside Metropolitan Borough Council In Placement Order Proceedings Currently Ongoing Before His Honour Judge Simon Wood/Mr Justice Moylan In Sunderland County Court Sitting In Newcastle Upon Tyne. United Kingdom, 2014.
8. Legal Opinion under the provisions of The Citizenship Act, 1955 In The Matter of. Deepan Budlakoti, Presently Resident in Canada. Instructed by the Canadian High Commission, New Delhi to provide a legal opinion on the potential citizenship rights of a person of Indian origin as per Indian citizenship laws, who is not found to be a Canadian citizen. High Commission of Canada, New Delhi, 2014.

2015

1. Two Expert written reports on the law in relation to the Inter-Parental Custody of children and child abduction safeguards in India on instructions received jointly from M/s. Clinton Solicitors and M/s Bindmans LLP, Solicitors, London. In the Matter of Shishir Rupesh Mehta and Simone Baur In the High Court of Justice Family Division, London. United Kingdom, 2015.
2. Expert report on validity of guardianship proceedings in India as instructed by Ms. Fiona Gingell, Supervisory Solicitor, Legal Services, Leicester City Council of 16 New Walk, Leicester, in the

matter of Leicester City Council and ongoing court proceedings in respect of the children at the High Court. United Kingdom, 2015.

3. Expert report on Indian law of marriage and divorce, relating to validity of a Hindu ceremonial marriage. Instructions received Ms. Grace M. Doherty Divorce and Family Law Associate Attorney at M/s. Beerman Law, Chicago, United States of America, 2015.
4. Expert Opinion on the validity of a partial incomplete marriage ceremony performed by a Hindu priest under the provisions of the Hindu Marriage Act, 1955. Instructed by Mr. Adam Blick for and on behalf of Blick & Co., London. United Kingdom, 2015.
5. Legal Opinion on Inter-Country adoption from India on the process of determination and finding that an Indian child is “eligible” for inter-country adoption in the best interest of the child and the proposition which relates to whether “contact” with the proposed child to be adopted is legally permissible for the prospective adoptive parents. Instructions by Mr. Dan Berger, USA and Mr. Prabhakar / Ms.Vij, India, 2015.
6. Expert Opinion on the validity of a Sikh marriage, under Indian Family Law, as instructed by Ms. Helen Greenfield for and on behalf of Family Law in Partnership Limited, 1 Neal Street, Convent Garden, London. United Kingdom, 2015.
7. Expert report on Indian Law of Marriage and Divorce in the matter of Param Deep Brar and Gurpreet Singh Brar in the Supreme Court of British Columbia, on instructions received from Lindsay Kenney LLP Professional Law Corporation, British Columbia , Langley. Canada, 2015. Provided expert report on Indian law of marriage and divorce in Brar Vs. Brar 2016 BCSC 678, (78 R.F.L.) (7th) 174, Supreme Court of British Columbia.

8. Professional Opinion on Indian guardianship / custody laws. Instructed by M/s. Boshouwers Schellekens, Advocaten En Mediators, Overtoom. Amsterdam, 2015.
9. Expert report on validity of Guardianship proceedings in India as instructed by Ms. Fiona Gingell, Supervisory Solicitor, Legal Services, Leicester, in the matter of Leicester city Council and ongoing court proceedings in respect of the children. United Kingdom, 2015.

2016

1. Expert report on Indian Law on Succession re: Indian property of Lord R and Late U . New Delhi. India, 2016.
2. Expert report on Indian family law issues on validity of Hindu Marriage In the matter of Vikas Bhatnagar and Sachi Dube On the orders by the District Judge at the Family Court at Stoke on Trent. United Kingdom, 2016.
3. Expert report on Indian Inheritance Law on joint instructions were received from M/s Mills Chody and M/s. Ved & Co. Solicitors In the matter of Hetal Mehta vs Mahesh Kumar in the Family Court at Willesden County Court, in terms of the Orders of the Family Court at Willesden. United Kingdom, 2016.
4. Legal Opinion on validity of divorce in British Columbia, on the issue whether marriage between parties solemnized in India and residing in Abbotsford, BC, Canada, can be dissolved in British Columbia (BC). Canada, 2016.
5. Expert Written Opinion on The Law in Relation to the Custody of Children and Child Abduction in India, Suggested safeguards for return of children from India In the matter of Naveen Ohri and Saima Ohri & re: Mannat Ohri In the Family Court of District Judge sitting at Halifax, on instructions from a parent. United Kingdom, 2016.

2017

1. Expert Report on Indian family law Anandi & Anandi – Family Law Matter. Instructions received from M/s Shepherds The Family Law & Mediation Specialists and M/s Sarah Bevan Family Law Specialists. Australia, 2017.
2. Expert report on child custody issues modification of custody, visitation and related relief, pending in the Circuit Court for modification Montgomery County, Maryland, Family Law Division in Case No. 145704-FL, Venkat Chetan Reddy Majjiga Vs. Shwetha Reddy. Instructions received from the Law Firm of Miles and Stockbridge, Washington. United States of America, 2017.
3. Legal expert report on The Law In Relation To The Custody Of Children And Child Abduction In India. In the matter of Khushi Sachdeva in the Family Court at Croydon. Instructions received from M/s. Hodge Jones & Allen LLP, London. United Kingdom, 2017.
4. Expert report and legal advice on custody, guardianship and citizenship issues in India, in the matter of LCC v Sandhu. Family court at Leicester instructed by Ms. Fiona Gingell, Solicitor, Legal Services, Leicester city Council, Leicester, United Kingdom, 2017.
5. Legal opinion and Expert report re: perspectives of parallel divorce, property, maintenance, and custody proceedings in India and Ontario, on instructions received from Jonathan Martin Associate Miller Thomson LLP Regina, Saskatchewan Canada , 2017.
6. Expert Legal Opinions on issues related to child custody laws in India, as instructed by Mr. Balaji Sambandam, Canberra, Australia, 2017.

2018

1. Legal expert report on The Law In Relation To The Custody Of Children And Child Abduction In India before the West London Family Court in the matter of a Child. Instructions received from Moss Beachley Mullem and Coleman, London. United Kingdom, 2018.

2. Single joint expert report in the High Court of Justice Family Division, London, based on instructions received from Ms. Carmel Brown of Irwin Mitchell LLP, 40 Holborn Viaduct, London on enforceability of British Court children custody orders in India and safeguards suggested. United Kingdom, 2018.
3. Expert Opinion on the validity and enforceability of the British court orders/judgment on the matrimonial proceedings before Central Family Court, instituted in the UK. Instructing solicitors, Allwyn Sanger Solicitors. Berkshire. United Kingdom, 2018.
4. Legal expert report on Family Law matters in India and Hague Convention on the Civil Aspects of International Child Abduction in the Federal Circuit Court of Australia re child custody issues in India. Instructions received from Watts McCray Lawyers, Watts McCray (NSW) PTY LTD, Sydney. Australia, 2018.
5. Expert report and legal advice in the matter of law applicable for adoption, guardianship, citizenship and nationality in India in relation to care proceedings concerning three children in the UK as directed by the Royal Courts of Justice, London. Instructed by Ms. Clare Colvin, Solicitor at HB Public Law, Harrow Council, Civic Centre, Station Road, Harrow. United Kingdom, 2018.
6. Updated Expert report on India, Inter-parental child removal & the law, instructions jointly received from The Chancery Partnership, Solicitors and M/s Lyons Davidson, Solicitors, London In the matter of Ms Shikha Arora and Mr. Neshad Sharma. United Kingdom, 2018.

2019

1. Expert opinion on Hindu Marriage and Divorce Law. Instructed by the International Family Law Group, LLP England. United Kingdom, 2019.

2. Professional Opinion in the Superior Court of the State of California, on Hindu marriage and divorce law and Indian law regarding enforcement of Foreign Judgment/decrees; Position in Indian law for registration of Stipulation and Order between parties and registration of foreign judgments passed by foreign Courts. Position of Indian law for joint petition for divorce by mutual consent between parties under Section 13-B of the Hindu Marriage Act, 1955, as instructed by Mr.Vinay Chaudhri. India, 2019.
3. Legal Opinion on compliance of necessary formalities under Indian law relating to the law of Wills under the applicable law i.e. under the provisions of the Hindu Succession Act, 1956 and the Indian Succession Act, 1925. Instructed by Mr. Piers Master of Charles Russell Speechlys LLP, London. United Kingdom, 2019.
4. Single joint expert report on child custody, guardianship and enforcement of English Court Child Custody orders in India in the matter of a child before the Family Division of the High Court of Justice at London. Instructed jointly by Vardags, Solicitors, Payne Hicks beach, Solicitors and on behalf of Cafcass Legal, Solicitors, London. United Kingdom, 2019.
5. Expert report on the Law in relation to the custody of a child and Child Abduction in India. In and about the matter of Jyoti Lakhtakia vs Vineet Mehra at the Superior Court of Justice, Toronto, Ontario. Originally instructed by Bales Beall LLP, Toronto. Canada, 2019. In Jyoti Lakhatia Vs Vineet Mehra 2022 ONSC number, Court File No. FS -15-20362 , before The Supreme Court of Justice, Ontario, Canada, accepted as a duly qualified competent Indian expert to provide expert evidence on Indian law in Canada. The Judgment in the case was released by Justice Pinto on January 7, 2022.
6. Expert report Indian visas under Indian Immigration Law in respect of foreign nationals and children born abroad to an Indian national parent in the matter of Mr. Hardeep Singh, Article 8 Application

ECHR. Instructed by McGlashan Mackay Solicitors, Glasgow, Scotland, 2019.

7. Expert report on validity of a Hindu marriage and consequences of Registration under Hindu Law in the matter of Promeet Mansata Vs. Alyssia Sharma pending in the Superior Court for the State of California, County of Santa Clara, Family Law Division. Instructed by Magdalena Law Group, Family Law Attorneys, San Jose, CA, USA, 2019.
8. Expert opinion on Hindu Marriage, Divorce, Child Custody and Settlement of Matrimonial Property in India. Sought by Mr. Rakesh K. Dhawan in respect of Marriage in South Dakota USA and Indore (MP), India for solutions of division of matrimonial and joint corporate assets in USA and in India besides child custody, alimony and property division of assets in USA and in India.
9. Expert opinion on permanent Domicile in India of Person Resident Abroad in respect of movable and immovable properties in UK and India of Mr. Ghayasuddin Saiyad of Glasgow, in respect of applicability of succession, inheritance and taxation issues.

2020

1. Expert opinion and report on the General Process and Laws Governing the Division of Matrimonial Assets on the breakdown of a marriage, as applied by a Family Court in India. Position of Indian Law on recognition of Orders made by a Family Court in Australia and status regarding enforcement of Orders made in Australia transferring properties in India. Position of Law on Anti Injunction Suits on divorce actions, property disputes and child parenting issues arising in Australia. Procedure followed in Family Courts in divorce proceedings in India and basis of division of matrimonial assets in issues of divorce, settlement of matrimonial property and ancillary issues. Instructed by M/s Nolan Lawyers Pty. Ltd. Sydney, Australia. In the matter of Kerkar and Kalamkar.

2. Expert report on Inter-country adoptions, applicability of the provisions of the Hindu Adoption and Maintenance Act, 1956 and non applicability of the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 as also the Adoption Regulation 2017. Report rendered as Amicus Curiae in the High Court of Punjab and Haryana at Chandigarh as Court appointed counsel in the matter of Civil Writ Petition No. 10555 of 2019 Jasmine Kaur Vs. Union of India and Others.
3. Expert report on Essential Requirements under Hindu Law of a valid adoption under Hindu Adoption and Maintenance Act, 1956, its consequences thereto and maintainability of a Habeas Corpus petition in child custody matters by a natural guardian, besides a supplementary report on an "International Adoption." Reports rendered as Amicus Curiae in the High Court of Punjab and Haryana at Chandigarh as Court appointed counsel in the matter of Criminal Writ Petition No. 820 of 2020, Richa Gupta Vs. Union of India & Others.
4. Expert report on Inter-Parental Child Custody Issues and position of Foreign Court Orders in India. Report rendered as Amicus Curiae in the High Court of Punjab and Haryana at Chandigarh as Court appointed counsel in the matter of Criminal Writ Petition No. 3440 of 2020, Kiran V. Bhaskar Vs. State of Haryana and Others.
5. Expert Report and Supplementary Report regarding Adoption and Immigration Laws in India, IN Re: Care Proceedings in respect of Emma Tsephel, in the East London Family Court, Case No. ZE20C00353, on instructions of Waltham Forest Town Hill Legal Services, Walthamstow, U.K.

2021

1. Clarifying legal advice regarding Adoption and Immigration Laws in India, IN Re: Care Proceedings in respect of Emma Tsephel, on

Consent Order passed by East London Family Court, in Case No. ZE20C00353, granting permission on behalf of the mother and the guardian to instruct the International expert.

2. Expert testimony on India Inter-Parental Child Removal and The Law in India, in Re: Zeshaan Khan, Case No. 62-FA-20-1081, on instructions of M/s Arnold Rodman & O'keefe PA, Bloomington, Minnesota, USA. Appeared as Expert witness on international family law and family law in India before District Court, Family Court Division, State of Minnesota, County of Ramsey, USA for cross examination on October 13, 2021.

2022

1. Professional Opinion & Expert Report on Hindu Marriage and Divorce Law, in the matter of Abhishek Singh Chauhan Vs. Aarti Rana, in case No. 2022-007276-DM, on instructions of Counsel for Respondent-Wife, before Judicial District, Judicial Circuit, County of Macomb, State of Michigan, USA.
2. Expert Report on Recognition of Foreign Court custody orders and return of children to Australia in the matter of Barna & Chandrasekaran – Family Law Proceedings No. PAC6919/2021 in The Federal Circuit and Family Court Of Australia (Division 2) under the Family Law Act, 1975. Report prepared on instructions of M/s Watts McCray (NSW) Pty Ltd., NSW, Australia.
3. Expert Report on Guardianship and Adoption in the matter of Isaac Ashish Devaraj (DOB: 13/03/2015) and Eva Mala Devaraj (DOB: 07/12/2007) in Case No. FD22P00448 pending in the Family Division of Royal Court of Justice, London. Report prepared on instructions of Hope Holm Family Law, London.
4. Expert Report on Hindu Marriage, Divorce, Child Custody and Guardianship in India in the matter of Sucheta & Anubhav Virmani pending in the Superior Court of Washington for King County, USA and in the Family Court at Bandra, Mumbai, India.

2023

1. Expert legal opinion on Indian Family Law for the Mother i.e. Aishvarya Krishnan Geary on questions raised by Coleman Street Chamber LLC, Singapore.
2. Single Expert Report on Child Custody and Guardianship in India in the matter of Mr. Nagwani Child Proceedings on the instructions of Ms. Parissa Henney, ODT Solicitor, Southgate, Chichester, UK.
3. Supplemental Expert Report on Child Custody and Guardianship in India in the matter of Ms. Kareena Nagwani Child Proceedings in the Family Court at East London on the instructions of Ms. Georgia Smith, Milner Elledge Solicitors, UK.
4. Expert Report on U.K. Child Return Proceedings on the instructions of Ms. Prity Patel, Principal Lawyer Children & Advocacy Team, Legal Services, West Sussex County Council.
5. Expert Report in terms of the UK Court Order dated April 4, 2023 on Indian family and immigration law to provide an opinion on whether and if so how, a child retained in India contrary to an order of a UK Court, could be returned to the UK by the Mother.
6. Expert report on the issues of **jurisdiction and scope of interference in writ jurisdiction addressed to the welfare of an autistic child located outside India**. Report rendered as **Amicus Curiae in the High Court of Kerala at Ernakulam** as Court appointed counsel in the matter of **WP(Crl.) NO. 1206 of 2022(S), WP(C) No. 42320 of 2022, titled as Rani George Vs. Union of India & Others**.
7. Expert Report on **Recognition and Enforceability of Orders made in the Family Court of England and Wales in India** on the instructions of Solicitor, Legal & Assurance Services, Sandwell MBC, Oldbury Council House, Freeth Street, Oldbury.

8. Expert Report on **Immigration Issues, Child Arrangements Order/ Special Guardianship Order made in UK for implementation of guardianship proceedings in India under Guardian & Wards Act, 1890**. Report prepared on instructions of Ms. Neville Horley, Local Hove, UK.
9. Expert Report on **safeguards for ensuring return of children to USA** before the General Court of Justice, District Court Division, State of North Carolina, County of Mecklenberg, USA, **IN RE: THE MATTER OF FM AND M XEC**

2024

1. Expert Report on **Immigration Issues, Child Arrangements Order/ Special Guardianship Order made in UK for implementation of Guardianship proceedings in India under Guardian & Wards Act, 1890** and adoptions under the Hindu Adoptions and Maintenance Act, 1956. Report prepared on instructions of Ms. Nicola Whitehead, Locum Childcare Solicitor, Warwickshire Legal Services on behalf of Leicester City Council.
2. Expert Report on the instructions of Ms. Daniela von Flüe, Rechtsanwältin und Notarin, LL.M., Partnerin, Ige artis zug, Rechtsanwälte und Notare, Bahnhofstrasse 10, Postfach, CH-6302 Zug / Switzerland, in the matter of legal validity of an Inter-country Adoptions solemnised and registered in India in 2010 under The Hindu Adoption and Maintenance Act, 1956, and the non-application of the Juvenile Justice (Care and Protection of Children) Act, 2000, as also of the Juvenile Justice (Care and Protection of Children) Act, 2015 to The Hindu Religious Adoption of parties & child in question.
3. Expert report/legal opinion on Indian Family Law issues on instructions received from Hugill & IP, Solicitors, Hong Kong, for a matter in District Court of Hong Kong, Special Administrative Region.
4. Expert Report on Service of US Court Summons in India, on the instructions received from Ms. Husna Alikhan, Attorney, Ms. Alikhan Law, Las Vegas, Nevada, USA, for a matter in the Eighth Judicial District Court, Family Division, Clark County, Nevada.

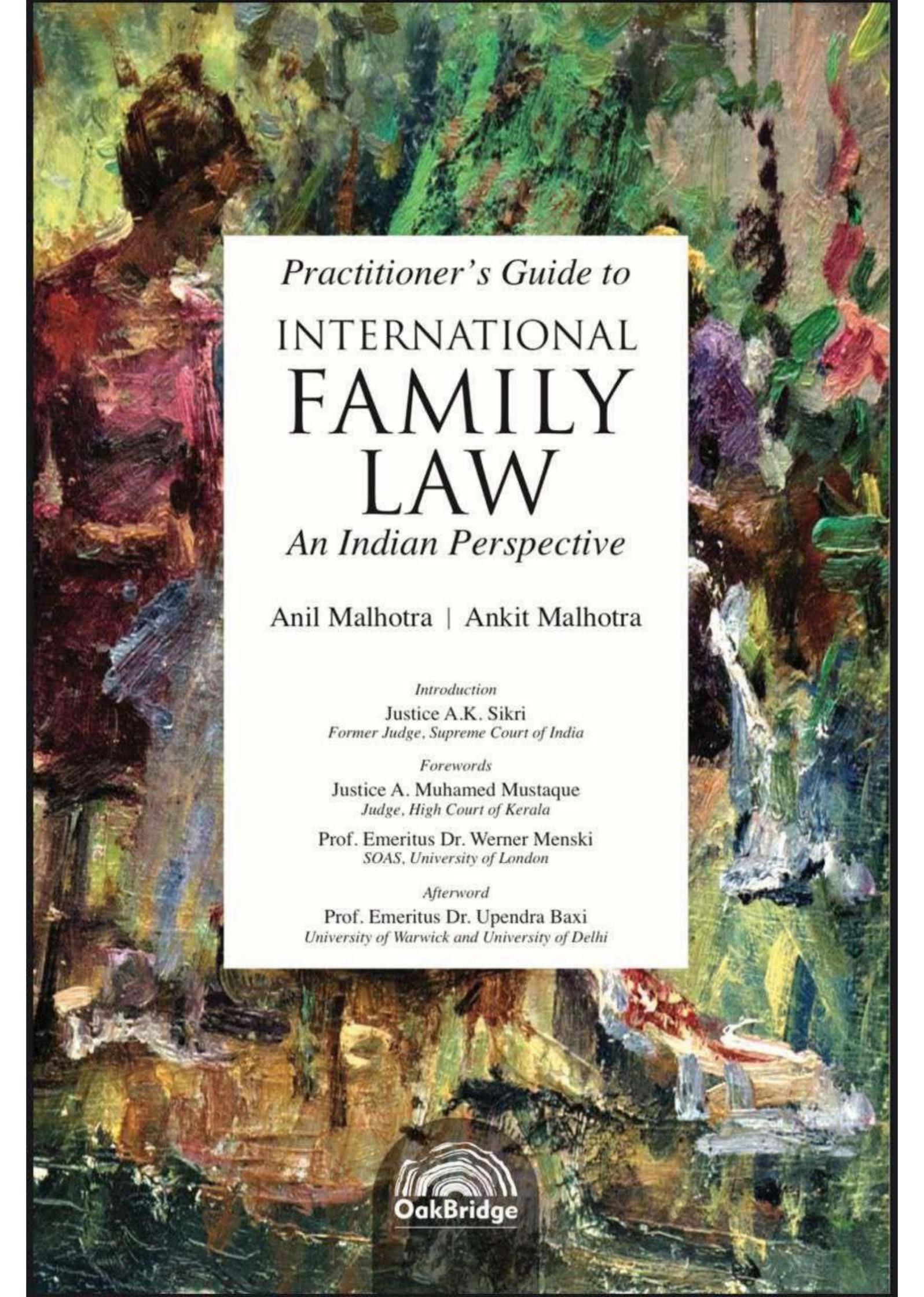
5. Expert Report on Jurisdiction of Child Custody for a matter in the Federal Circuit and Family Court of Australia – Division 1, Newcastle.
6. Single Joint Expert Report on Claims to Indian Property Law in Financial Remedy Proceedings in The Leeds Family Court, U.K.

2025

1. Expert report on instructions dated January 12, 2025, of Mr. Manohar Hargun Godhwani, on Jurisdiction of Indian Family Court and Division of Matrimonial property situated in different jurisdictions worldwide and entitlement of spouses on division, disposal and settlement in divorce proceedings under Hindu Marriage Act & Family Courts Act.
2. Expert Report/ professional legal opinion dated 31 March 2025 on issues arising in marriage, divorce, custody & maintenance under Indian law on instructions of Dr. Annette Spycher, attorney at law, Kellerhals Carrard, Bern Kig, Switzerland.
3. Expert Report/ Professional Legal Opinion dated 4 June 2025 in the Matter of Interpretation of Marriage Certificate and ceremonies of Hindu Marriage of Hans Wolfgang Ten Dam and Urmimala Deb residents of Goa/New Delhi.
4. Short Expert Report/ Professional Legal Opinion dated 29 July 2025 on the legal situation in Switzerland and India on account of a decree by Swiss Courts regarding divorce, custody, visitation, maintenance of a child residing in Switzerland. Short condensed report prepared on the instructions of Dr. Annette Spycher and Ms. Sabine Wyss, Attorneys at Law, Kellerhals Carrard, Bern KIG.
5. Expert Report/ Professional Legal Opinion dated 21 August 2025 on Maintainability and Jurisdiction of Divorce Proceedings in Hindu Marriages & Implications in Foreign Jurisdictions of Netherlands and Singapore. Report prepared on instructions of Mr. Vijay Rajendran.
6. Deed of Consent Agreement dated 15 September 2025 on finality of issues of maintenance, alimony, property settlement, child custody and other claims arising out of marriage settled between the parties in Australia and their conclusive binding effect in India. Report prepared on the instructions of Mr. Ryan McGreal, Special Counsel, Broun Abrahams Burreket, Lawyers Pty Limited, Sydney, Australia.
7. Expert Report/ Professional Legal Opinion dated 19 September 2025 on Maintainability and Jurisdiction of Divorce Proceedings in Hindu Marriages on Grounds of Irretrievable Breakdown of Marriage &

Implications of such Foreign Divorce Judgements in India. Report prepared on instructions of Ms. Somya Goel.

8. Deed of Consent Agreement dated 25 September 2025 on Child Custody, Guardianship, Visitation Rights, Access and Finalisation of these arrangements in India based on Consent Agreement between Parties in UK. Report prepared on the instructions of Mr. Balaji Prabhakaran.
9. Expert Report/ Professional Legal Opinion dated 13 October 2025 on the Prospects of reacquiring Indian citizenship for Mr. Singh under Indian Citizenship Act, 1955 on instructions of Emma Lidén, Attorney at Law, Peter & Moreau, Geneve, Switzerland.



Practitioner's Guide to
INTERNATIONAL
FAMILY
LAW
An Indian Perspective

Anil Malhotra | Ankit Malhotra

Introduction

Justice A.K. Sikri

Former Judge, Supreme Court of India

Forewords

Justice A. Muhamed Mustaque

Judge, High Court of Kerala

Prof. Emeritus Dr. Werner Menski

SOAS, University of London

Afterword

Prof. Emeritus Dr. Upendra Baxi

University of Warwick and University of Delhi



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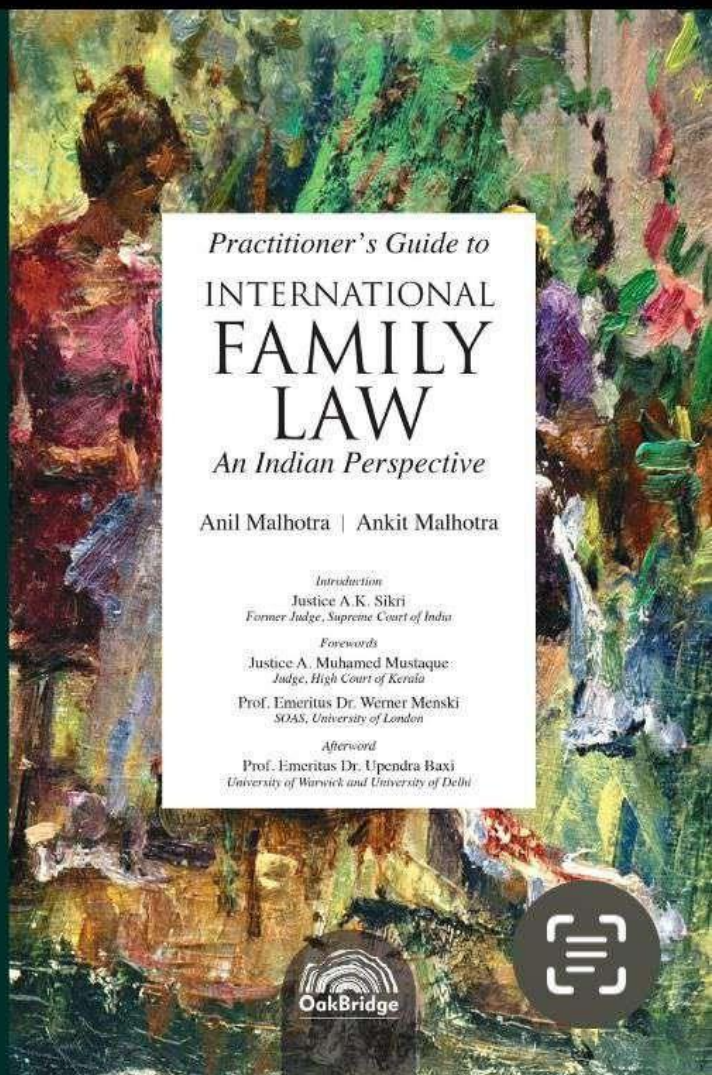


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Afterword

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Practitioner's Guide to **International Family Law** *An Indian Perspective*



Advocate
Anil Malhotra



Advocate
Ankit Malhotra

Practitioner's Guide to International Family Law: An Indian Perspective is an authoritative and comprehensive resource that bridges the complexities of Indian family laws with the evolving challenges of international family law. Designed for practitioners, judges, academics, and students, the book addresses key issues such as cross-border marriage, divorce, child custody, maintenance, adoption, and the enforcement of foreign judgments and arbitral awards. It explores the interplay between Indian personal laws—covering Hindu, Muslim, Christian, Parsi, and secular legal frameworks like the Special Marriage Act—and international legal instruments, including the Hague Conventions and other bilateral treaties governing family law matters.

The book provides in-depth guidance on jurisdictional dilemmas, forum shopping, conflict of laws, and the recognition of foreign decrees under Indian law, highlighting critical provisions and contemporary case law. The book highlights significant judicial interpretations and landmark decisions, ensuring readers remain updated with the latest legal developments. Special emphasis is placed on procedural consistency, including uniform citations and updated provisions from the new legal codes such as the Bharatiya Nyaya Sanhita (BNS) and Bharatiya Sakshya Adhiniyam (BSA). By bridging domestic family law with international instruments, treaties, and comparative case studies, the guide provides solutions to complex cross-border family disputes, in context of issues of jurisdiction, forum shopping, and recognition of foreign judgments. Further focus is given to cases involving non-resident Indians, expatriates, and cross-border families, offering clarity on topics such as habitual residence, domicile, and the enforcement of maintenance and custody orders abroad. It incorporates significant judicial decisions from Indian courts and international tribunals, presenting a comparative analysis of legal systems to equip readers with tools to address globalized family disputes effectively.

With its focus on harmonizing domestic and international legal principles, this guide also engages with contemporary challenges, including inter-country child abduction, international surrogacy agreements, and cross-border domestic violence. Written with procedural precision and supported by practical examples, updated citations, and legislative reforms, the book is a definitive tool for navigating international family law issues while considering India's unique legal and cultural contexts. It is an essential reading for those seeking to understand and resolve complex, multi-jurisdictional family law matters in an increasingly interconnected and legally pluralistic world.

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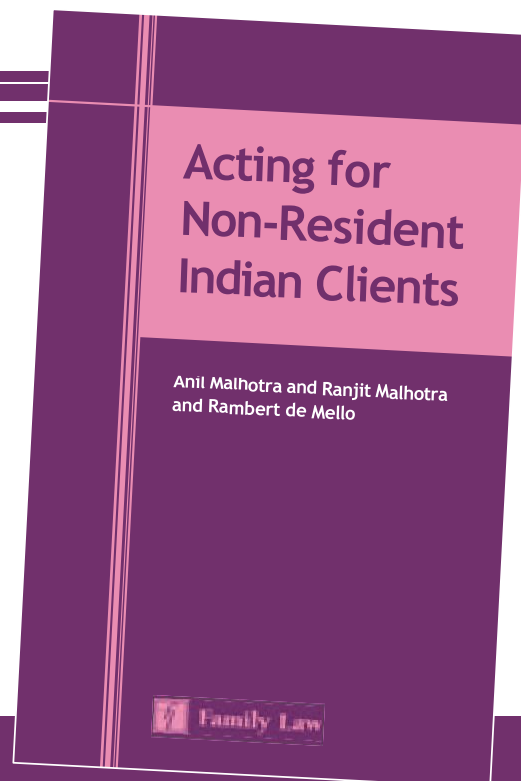
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Acting for Non-Resident Indian Clients

Anil Malhotra and Ranjit Malhotra, Malhotra & Malhotra Associates
and Rambert de Mello, Barrister, 6 King's Bench Walk, London



Indian communities have settled and thrived in the United Kingdom and many other commonwealth countries. The retention of ties with families remaining in India has meant that where family law issues arise they frequently have a cross-border dimension, for example, as to the validity of an Indian marriage. Domestic practitioners can be ill-equipped to deal effectively with such problems.

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AUTHOR INFORMATION

Anil Malhotra and Ranjit Malhotra are Indian nationals and advocates practising in partnerships at the Punjab and Haryana High Court, Chandigarh and at the Supreme Court of India. They specialise in family and immigration law and frequently act for British Asians and as expert witnesses on Indian law issues in proceedings overseas.

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Anil Malhotra and Ranjit Malhotra
and Rambert de Mello

Family Law

Anil Malhotra LL.M (London), Advocate

Ranjit Malhotra LL.M (London), Advocate, both at Malhotra & Malhotra Associates
and **Rambert de Mello**, Barrister, 6 King's Bench Walk, London

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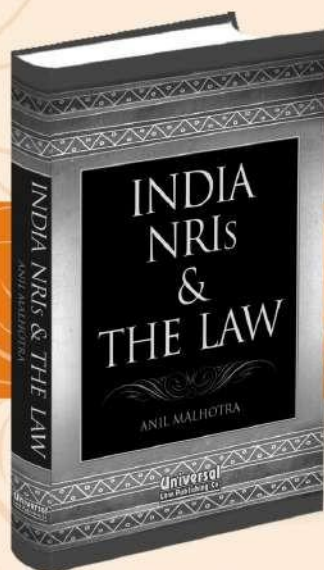
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Anil Malhotra is a practising Advocate in India since September 1983 with countrywide court appearances. He attained Bachelor of Science and Bachelor of Laws (Professional) degrees from the Panjab University, Chandigarh, India and a Master of Laws degree from the University of London in November 1985 where he studied Comparative Family Law at London School of Economics and Law and Society at School of Oriental and African Studies. He taught civil procedural laws and matrimonial remedies for six years as a part-time lecturer at the Faculty of Laws, Panjab University, Chandigarh, India. For over 25 years, he continues to conduct matters in Indian Courts pertaining to interpretation and application of foreign Court Orders regarding divorce decrees, child abduction, custody, maintenance, adoption and family related issues of Non-resident Indians. He has co-authored book titled "Acting for Non-resident Indian Clients" (London 2005) and has significant papers with regular international conference participations to his credit. On 29 January 2007, he has been elected to the International Academy of Matrimonial Lawyers. He has to his credit Amicus and joint expert appointments by Courts in India and abroad. He has authored a handbook (2008) "An Overview of Legal Issues" for the Punjab Government.

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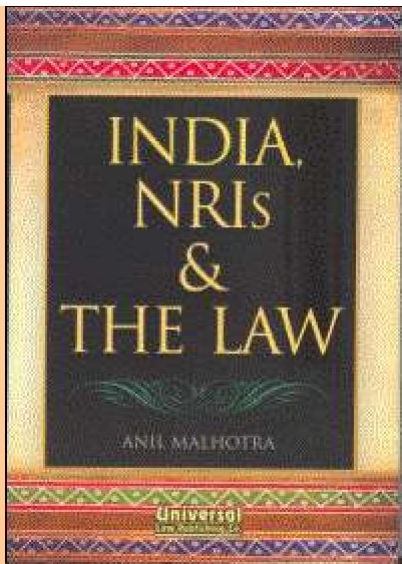
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Author	Anil Malhotra
Edition	New Edition 2009
Year	
ISBN No.	978-81-7534-796-0
	xxvi+381
Pages	
Binding	Hardbound
Price	Rs. 595

PUBLISHER : UNIVERSAL LAW PUBLISHING CO. PVT. LTD.

Among the 1.2 billion resident citizens of India none is better qualified to write for the 30 million Non Resident Indians than Anil Malhotra. Indeed he and his brother Ranjit are almost non-residential themselves given the extent of their tireless and enthusiastic travels to every gathering of the community of international family law practitioners and judges, well reflected in this collection of articles and papers. Without their efforts India would be unheard in the debates that surround the evolution of International Family Justice.

The Rt. Hon. Lord Justice Thorpe, Deputy Head of the Family Division, Senior Court of Appeal Judge and Head of International Family Justice for England and Wales.

Anil Malhotra's book *India NRIs and the Law* is an extremely valuable and timely book. I believe this book will give a contribution of knowledge of existing norms and of future legal policy which will be invaluable for the Indian legal system. People are too often addressing migrations as a problem, but if we want to transform problems into assets, as it would be both right and rational, we need lawyers/scholars like Anil Malhotra.

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As Indian business becomes increasingly international and the role of NRIs grows incrementally, this book is the sort of work which will help ensure the success of India's global integration.

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India, NRIs and the Law is a compendium of Indian family law running into the realm of private international law. It embraces published short articles, papers, and presentations made at numerous national and international conferences, seminars and symposia by Anil Malhotra. The beauty is that each one of the pieces are complete in itself. Sheer continuity of creation at periodic intervals makes the whole exercise congenitally coherent and inherently thematic. This indeed is the hallmark of Anil Malhotra's distinct contribution to the legal literature.

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Former Professor & Chairman, Department
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India NRIs and the Law has filled in a long gap and a dire need of an authentic work on NRI issues. The present book is a very precise and a clear presentation of very complex issues. The comprehensive coverage of the themes and sub-themes makes this book a very handy reference work which can be of immense help to the policy framers, law makers, practising lawyers and NRIs who have to grapple with a number of complicated legal problems. The author has made a very complex area of Law simple and understandable.

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Justice B J van Heerden
Supreme Court of Appeal, South Africa

"This is the third compilation produced by the brothers Malhotra. Like the first two, it will become an invaluable reference tool for individuals, legal practitioners and officials who deal with the myriad of NRI issues that arise in India."

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Paul Webber
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"International family law has become of particular significance to non-resident Indians with the large and growing Indian diaspora. Those who encounter difficulties in this area would find this book indispensable."

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As India's footprint expands across the globe, it is ever more important to understand the impact of this change in terms of the law and judicial systems. The Malhotras' book is, therefore, particularly well timed to meet a growing need.

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"An articulate book, perspicaciously opening up new vistas on the intricacies of Indian law."

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Head of International Family Justice for England & Wales

"This publication is an interesting and informative collection of essays providing an Indian perspective on some very topical areas of international family law."

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Secretary General, Hague Conference on Private International Law Permanent Bureau, The Hague, The Netherlands

"I congratulate Anil and Ranjit Malhotra for this comprehensive and insightful publication on aspects of family law and issues that it gives rise to in India, as well as the international arena. Family law is increasingly an international discipline and this text will educate and inform not only within India but beyond."

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About 36 million non-resident Indians (NRIs) have settled and thrived in almost 180 countries on the globe. The link and retention of their ties with their extended families in India has found expression in issues relating to immigration, nationality, marriage, divorce, forced marriages, inter-parental child removal, spousal maintenance, division of matrimonial property, inter-country adoption, succession and inheritance, tenancy of Indian property and last but not the least surrogacy arrangements. Foreign law practitioners are at sea attempting to resolve these problems for lack of any authentic source of information on these subjects. Applicability of foreign laws, validity of judgments pronounced overseas and verdicts of Indian Courts which need expounding are consequential issues requiring interpretation and expert opinion. Elusive, no reported commentary of private international law in the exclusive Indian context provides comprehensive answers to these human problems of the Indian diaspora and the global Indian. The proposed publication is thus sought to be a universal answer for the aggrieved spouse, foreign migrant, person prosecuted, or any lay person who simply wants to know where he stands.

The range of reading is widespread. Marriage, divorce, child custody, inter-parental child removal, adoptions, surrogacy, forced marriages, pre-nuptial agreements, Mediation, Conciliation and ADR in family law. Besides the need for managing family law for non-resident Indians, dots the family law scenario in the book. Human smuggling, illegal immigration, business immigration, nationality and citizenship issues are also looked into with some other writings on human rights, criminal justice system and the law of trust with special reference to issues of concern to the NRI community. Arbitration issues and commercial arbitration provisions have also been added. Independent short pieces or view thoughts provide general reading.

This unique reader friendly concise and crisp presentation in 35 short individual articles and 9 detailed expositions pose the problems and attempts to provide the answers. The authors with their years of expertise have attempted to project these human problems as they have experienced them professionally and resolved them in the best of their abilities. References to case law wherever necessary have been provided for the professional reader who wants an accurate and expeditious run down on Indian law on the subject of marriage, divorce, domestic violence issues, domestic and inter-country adoptions, child abduction, surrogacy, inbound and outbound immigration, business and corporate immigration issues pertaining to India, property, probate-wills and succession, nationality and citizenship issues.

Continued from front flap

would legalise commercial surrogacy. Under the Bill's provisions, the parties would enter into an enforceable surrogacy agreement and the surrogate would receive monetary compensation as well as health care treatment expenses during pregnancy. A surrogate mother is to be aged between 21 and 35 years old and should have no more than five children, including her own. The child would be regarded (in India, at least) the legitimate child of the commissioning married couple. Once the agreed payment has been made, the surrogate would relinquish all parental rights and these would vest in the commissioning party or couple whose name(s) would appear on the child's birth certificate. The child would not be an Indian citizen and foreigners seeking fertility treatment in India would be required to demonstrate that they had registered with their own Embassy and that they would be able to take the child to their country of origin or residence. Foreigners would also be required to appoint a local guardian to take care of the surrogate during the pregnancy and of the child, should the commissioning party or couple be unable or unwilling to receive the child. Whilst the Bill has still not become a law, the Indian Council for Medical Research Guidelines, 2005 provide the only non-statutory provisions which are neither justiciable nor enforceable in a Court of law.

This book provides a welcome insight into a rapidly developing area of the Law in a country which has become one of the global focal points for international surrogacy arrangements. It will be extremely useful to all those who are seeking more information about the approach to surrogacy in India.

Hans van Loon

Secretary General, The Hague Conference on Private International Law, The Hague, Netherlands

An inclusive text lucidly explaining the new visas and the intricacies of surrogacy laws. The book is welcome and should find a place in the libraries of all concerned with this important subject.

Satish L. Soodhagar

Former Attorney General for India

Anil and Ranjit Malhotra present a pioneer work based upon their original research of at least five years, which is a treasure full of stimulating ideas along with plethora of other raw material in the shape of seven Appendices. Such an admirable attempt can legitimately be termed as the starting point of the evolving law and practice on surrogacy.

Dr. Vinod Kumar

L.L.M., S.J.D. (Toronto, Canada) Former Director (Academics), Chandigarh Judicial Academy, Dean, Faculty of Law, Punjab University, & UGC Emeritus Fellow

Virtually a virgin field of surrogacy has been portrayed so well. It has covered a wide spectrum of issues. They have been treated minutely and in detail. A treasure house of relevant material. The weaving of national and international aspects of surrogacy has been done intelligently and wisely. Welcome addition to legal literature. Deserves a big applaud.

Dr. Rajesh K. Gupta

Director, National Judicial Academy, Bhopal, India

It is a great piece of work which is the need of the present times to bring to the fore the important issues of surrogacy in India. It is a subject which needs to be brought to the attention of the decision makers in India so that it is properly controlled and regulated. The Malhotras have done a great service in bringing out this book.

The Rt Hon. Lord Dilip Rana

MBE, Member British Parliament, U.K.

The book is a very well researched document, that draws its credibility from the various cases reported in the country and updates the position and challenges thrown in with the changes in the social fabric in the contemporary times.

Vinod Kumar Tiliam

Member, National Commission for Protection of Child Rights, New Delhi

Once again, Malhotra Brothers have pulled together a series of useful, timely information on a complex, emerging topic that is growing in concern to foreign governments.

Steele Slesser

Consul General of Canada, Consulate General of Canada, Chandigarh

In international family law surrogacy presents the greatest present challenge. The world desperately needs a uniform international law. The Hague's influence is working assiduously to fill the void. It needs the knowledge and experience of practitioners worldwide as well as the insight of scholars and academics.

The Rt. Hon. Lord Justice of Appeal

Head of International Family Justice for England & Wales

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Anil Malhotra
Ranjit Malhotra

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Surrogacy in India

Surrogacy in India

A Law in the Making

A Law in the Making

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NEW DELHI - INDIA



Despite the legal, moral and social complexities that shroud surrogacy, there is nothing stopping people from exploring the possibility of becoming a parent. Women who may choose to 'rent' their womb for a surrogate pregnancy are slowly shaking off their inhibition and fear of social ostracism to bring joy to childless couples. However, India's Assisted Reproductive Technology (Regulation) Bill & Rules, 2010, have legal lacunae, lacks the creation of a specialist legal authority for adjudication and determination of legal rights of parties by a judicial verdict, and falls into conflict with existing laws. These pitfalls may be the graveyard of this proposed new law. New Indian Medical Visa Regulations, 2012 have restricted commissioning of surrogacy arrangements in India to foreign men and women only whose marriage should have sustained for atleast two years. Single parents, gay couples or unmarried partners can no longer commission surrogacy on tourist visas in India.

Recognising the advances in assisted reproductive technology (ART) and the fact that surrogacy was already taking place in the country, draft legislation, the Assisted Reproductive Technology (Regulation) Bill & Rules 2010, is awaiting debate in the Indian Parliament. The draft Bill would provide for the regulation and supervision of ART and

Continued on back flap

Consent has been by persons including single persons and foreign couples. The draft ART Bill 2013, an exhaustive document containing 100 sections addressing various issues relating to ART was stated to be "Top Secret" being a part of the Cabinet note as per the requirement and procedure of the handbook of the Cabinet Secretariat on Cabinet Notes. The exercise of drafting the 2008, 2010 and 2013 Bills was entrusted to a 12 Member Specialist drafting Committee besides constituting a National Advisory Committee on ART under the Chairmanship of the Director General, ICMR. The draft bills and Rules of 2008 and 2010 were extensively circulated for public opinion besides being sent to State Governments, institutions, statutory bodies, NGOs and other stake holders besides medical professionals. The 2013 Draft Bill was however not circulated or put in the public domain for discussion, comment or opinion. Whilst the Bill never became a law, the Indian Council for Medical Research Guidelines, 2005 provide the only non-statutory provisions which are neither justiciable nor enforceable in a Court of law. The medical visa guidelines further qualify the ICMR guidelines with restrictions.

On September 30, 2015, A draft Bill titled "The Assisted Reproductive Technology (Regulation) Bill, 2014" has been circulated in public domain for general public/stakeholders inviting suggestions/ comments within 45 days. This 2014 Bill, circulated by the Ministry of Health and Family Welfare, Government of India is enclosed as Appendix XI with this book. It contemplates that surrogacy shall be available to all married infertile couples thereby, debarring single persons from surrogacy. It proposes to disallow surrogacy for foreigners but makes it permissible for Overseas Citizens of India (OCIs), People of Indian Origin (PIOs), Non-Resident Indian (NRIs) and foreigners married to Indian citizens with two years of marriage who will have to obtain a Medical Visa for surrogacy in India. The Bill further proposes foreign nationality for such surrogate children of above foreign commissioning parents with limited entitlement of Overseas Citizen of India (OCI) status under the Citizenship Act, 1955. The Bill disentitles Indian Citizenship to such surrogate children. The future of surrogacy thus remains uncertain with vast different policy changes on the subject.

An incisive text lucidly explaining the new vistas and the intricacies of Surrogacy laws. The book is welcome and should find a place in the libraries of all concerned with this important subject.

Satish Srivastava
Senior Advocate, Former Attorney General of India

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LL.M., S.J.D. (Toronto), Canada
Former Director (Academic), Chatterjee Jyoti Academy, Luck,
Faculty of Law, Fettes, Punjab University, Dr. A.C. Lawrence College

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Vinod Kumar Talwar
Former Member, National Commission for Protection of Child Rights, New Delhi

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Sue Buxton
Former Consul General of Canada, Consulate General of Canada, Chatterjee

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ISBN 978-81-9305-000-0

ISBN 978-81-9305-000-0

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The Indian Council of Medical Research (ICMR) working under the auspices of the Ministry of Health and Family Welfare finalised the National Guidelines for Accreditation, Supervision and Regulation of ART Clinics in India in 2005 after extensive public debate all over the country from all stake holders. Under these 2005 guidelines, there was no legal bar to the use of Artificial Reproductive Technology (ART) by a single or an unmarried woman and the child born would have legal rights on the woman or man concerned. Thereafter, the draft Assisted Reproductive Technology (Regulation) Bill, 2008 (ART Bill 2008), the draft Assisted Reproductive Technology (Regulation) Bill, 2010 (ART Bill 2010) and the draft ART Bill 2013, stated to be revised based on the recommendations of the Ministry of Law and Justice, have consistently proposed that ART in India would be available to all.

Continued on back flap

General principles

For removing return of removed children or also making return of children wrongfully removed to and from India, the proposed Bill to be named as "The International Child Removal and Return Bill, 2017" had been placed on the table of the Ministry the suggestions on July 13, 2017, in the first draft of the Bill that will become law at some stage.

Till the above process is completed, the much needed practice directions have emerged in the celebrated decision of the Supreme Court in *Surya Vaidya v. State of Tamil Nadu* (2017) 10 SC 613. This watershed verdict rendered on February 27, 2017 by Hon'ble Justice Malan B. Lakshminarayanan, J. is a landmark judgment in the history of Indian law.

- The Principles of Child of Country and Nations must be respected and the best interest of the child should be the primary concern.
- The Principle of "best interest", i.e., whichever court is best of the child.

- The Role of Courts of Country should not be permitted except for compelling special reasons to be recorded in writing by a domestic court.

- International orders of foreign courts of competent jurisdiction regarding child custody must be respected by domestic courts.

- Inadequate or summary custody by local courts where there is no pre-existing order of competent foreign court must be based on reasons and not on mere allegations when a local court is seized of a child custody litigation.

- The nature and effect of a foreign court order, reasons for its issuance, moral, physical, social, cultural or psychological harm to the child, harm to the parent in the foreign country and alienation in moving a concerned foreign court must be considered before making return of a child to a foreign court.

The above decision has set a new, set of test in the absence of any central law on the subject, a free-wheeling of precedents had been by courts in India from time to time to evolve a consistent approach to multi-jurisdictional child custody disputes.

India's accession to the Hague Convention would resolve the issue of inter-country parental child removal, in the country of the habitual residence of the child.

The book covering various aspects of the problem has 4 chapters. The first chapter is a brief overview with its small sub-chapters containing short pieces giving a brief perspective of the issue and different dimensions of the problem. The remaining three chapters contain detailed discussions with case law cited. Various issues relating to implementation of foreign court judgments and possible safeguards to return return of children to their foreign homes are thoroughly highlighted in these detailed chapters. The book has, in appendix, including relevant Indian statutes, the Hague Convention, extradition treaty between India and UK and important judgments, which are important reference documents relating to the issue of international parental child abduction. The book also includes Supreme Court of India judgments which are the relevant case law on the subject. Four judgments laying down essential principles governing the principle of the welfare of the child being the paramount consideration are also part of this meeting work.

The book is a first of its kind analytical compilation on this subject. It is a handy ready reference, which puts together all the material on the subject without any further reference to other sources for all stakeholders both in India and abroad. Hence, decision of the Hon'ble Supreme Court of India on the subject, thereby serve the desire of a high-class in the absence of a comprehensive legislative intervention.

This publication is extremely timely as India is working towards the implementation of the Hague Convention of 23 October 1980 on the Civil Aspects of International Child Abduction. It will provide essential information from an Indian perspective to parents, lawyers and judges involved in child abduction cases.

Philippe Lortie, First Secretary, Hague Conference on Private International Law, The Hague, The Netherlands

As a "one-stop shop" for all issues concerning parental child abduction to and from India, this book will provide extremely valuable information and guidance that these concerned in or affected by the international wrongful removal and retention of children. Written by Anil and Ranjit Malhotra, Indian parents, in removing international child abduction to India, it provides a full picture of the entire legal system in this country with the legal chapters.

Hans van Loon, Member of the Institute of First International, Former Secretary-General of the Hague Conference on Private International Law (2002-2017)

As a Head of International Family Law for England, I worked with other international experts to promote India's accession to the 1980 Hague Convention. Within India, chief among experts are the Malhotra brothers. Without them the 2016 Bill would not have had its genesis. They are supremely qualified to guide others in the national debate on child abduction and resolution and this title will become the leading authority in a complex area of International Family Law.

The Rt. Hon. Lord Justice Thorpe, Former Head of International Family Law for England 22 Years

Entrusted in India with cases of inter-country child removal frequently and in increasing numbers. The timely publication of the new book by Anil and Ranjit Malhotra, two senior internationally acclaimed experts, will find wide readership.

Gregory Zaharoff, Chair of the Indian Law Institute, New Delhi

This is another great reference book that Malhotra Brothers have produced dealing with NRI parental child custody issues. This unique effort by the authors has to be recognized and complimented. The authors have done extremely well in preparing this compilation which is very useful and handy for all information required to deal with the subject. Malhotra Brothers are legal practitioners and academicians of repute in the field of private international law.

The authors have used their wealth of knowledge and expertise in international and domestic law together. This essential tool for judges, academics and practitioners. It will become the leading authority on the complex and difficult area of law.

Anne-Marie Hutchinson, PhD, QC (UK), London

Legal solutions to inter-parental child removal issues is an evolving jurisprudence. In this volume of private international law, the authors explore the subject situation with such clarity to depth study and subtle remedies. A welcome addition to legal literature. The book fills a void and is a volume by a truly handbooks which is a must.

Prof (Dr) Eileen Meehan, Vice-Chancellor, McGill University of Law, Montreal

The scholarly brothers Anil and Ranjit Malhotra with an established reputation for specialization in the problems of family law and property disputes of NRI spouses have now come out with another volume addition to the existing literature titled "India, Inter-Country Parental Child Removal and the Law". This is a landmark study of a poignant problem of removal of minor children from India and living outside.

P P Rao, Senior Advocate, Supreme Court of India

The book very vividly details the different dimensions of the issues related to the international child wrongful removal, case laws, relevant Indian statutes and the practical issues faced in implementing the overseas court judgments without ignoring the safeguards in removing the children as wrongfully removed.

V R Thakur, Former Member, National Commission for Protection of Child Rights

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ANIL MALHOTRA
RANJIT MALHOTRA

INDIA, INTER-COUNTRY
PARENTAL CHILD REMOVAL
AND THE LAW

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INDIA, INTER-COUNTRY PARENTAL CHILD REMOVAL AND THE LAW

Of 1.2 billion Indians, about 1 million live in 120 countries abroad. This suggests further cross-border international relationships whose offspring live in foreign shores but connect with India still through their parent(s). Their broken multi-jurisdictional international relationships lead to removal of children to India or foreign jurisdictions in violation of court custody orders or infringement of the parental rights of the aggrieved parent. Sadly, India does not define or recognize state-parental child removal as an offence under any statutory law in India. Legal remedies are hard to secure.

As of now, multi-jurisdictional child disputes often end up in a stalemate. An aggrieved parent seeks an Indian writ issued with a foreign court order to file a protected, confidential, and secure evidence of cross-border multiple appeal litigation to achieve an enforcement of a foreign court order. Thus, money and patience run out. A deadlock ensues. The child is split and isolated by one parent. Consequently, most foreign courts too do not allow children to visit India, apprehending that they may not return.

The Hague Convention on the Civil Aspects of International Child Abduction, 1980, enables nations to become signatories and become part of a global law to enable return of wrongfully removed or retained children by returning requests through the office machinery of a Central Authority established by every nation for such purpose. As of now, no countries are contracting States to this Convention. Sadly, India is not amongst them. The Convention aims to secure the prompt return of children wrongfully removed or retained in any contracting State and ensure that the rights of custody and access under the law of a given nation are effectively respected in other contracting nations. The Convention considers removal of children wrongful if it is in breach of actually exercised rights of custody of a parent, acting by operation of law or by a judicial or administrative decision or agreement having legal effect by the law of that State. It creates an international law implemented through a domestic machinery.

As of date, India does not have any executive, uniform and consistent law to deal with issues arising out of inter-parental cross-border child removal. Indian Courts adjudicate matters with the welfare of the child as the paramount consideration when there is an inter-jurisdictional conflict. The removal child, caught in cross-fire, suffers injuries.

Regrettably, commencing from 2016, the Ministry of Women and Child Development has scheduled on its website a proposal to enact a draft of The Civil Aspects of International Child Abduction Bill, 2016, before accession to the Hague Convention. The draft Bill provides to designate a Central Authority and lays down a procedure.

Continued on Next Page

"During the past few decades, there has been accelerated mobility of Indians across the world. This has given rise to numerous problems of conflict of laws, including particularly in the realm of familial relations. Most of these are identified as conventional terms, such as marriage, divorce, custody and maintenance, custody and support of children, inheritance and succession, juvenile and child, wherein some other problems that are relatively new ones revolve around surrogacy, child abduction, and dual citizenship. All such issues emerging in the arena of private international law have been dealt with succinctly by the authors and Ranjit Malhotra in their work, *International Indians and the Law*. This work represents a compendium of articles, both long and short, along with such miscellaneous pieces entitled as, 'The Triumph of the Human Spirit' and 'Love, Film and the Heart'. The overwhelming and striking merit of this work is that it is a 40-cent article in a complete legal treatise in itself, often suggesting a way out to more forward. Looked from this perspective, the work is extremely useful to all International Indians' except expression occasionally used by the authors for including within its ambit 'Non-Resident Indians', 'Overseas Citizens of India', 'Persons of Indian Origin' and all other eligible expressions that relate Indians to foreign jurisdictions."

Professor Vinodita Kothari
Formerly Teaching Director (Academics), Chandigarh Judicial Academy,
Chandigarh, Department of Law, Faculty of Law, Panjab University,
Chandigarh, India

"This book was written by learned lawyers who combine wide legal knowledge with a practical insight that the law can and should be adapted to the needs of men, women and children in modern society. As well as a clear statement of the law, there are recommendations for reform, for which the authors are well equipped."

Philip Morris
Judge (Retired), Jordanian Family Court, Amman

"International Indians and the Law has been penned with great lucidity and clarity, and will usually place a layman in the knowledge of practitioners and lay people alike. Anil and Ranjit Malhotra's book is a rare guide to avoid the legal pitfalls which beset the unwary non-resident Indians, and should be one the desk of every lawyer who advises NRIs. Indeed, the book is so simple and clear that it will be equally accessible to the non-legal Indian. It should attain a wide readership."

Judge Richard McKee
Senior Judge, Judge (Retired), Afghan and International Tribunal, London

"This book is a far reaching, up to date and comprehensive examination of various aspects of Indian law as it relates specifically to Non-Resident Indians. Proceeding well beyond marriage and divorce law, it covers topics such as adoption, surrogacy, juvenile justice (as opposed to the formal child justice according to the Juvenile Justice (Care and Protection) Bill of 2014), victim compensation and even human smuggling and migration. It provides a fascinating account of the interaction between judge-made law and legislative reforms. Several very recent legal developments are profiled, and up to the minute cases discussed. For this reason, the book will be of interest to a broad pool of lawyers, scholars, and human rights activists."

Professor Julia Stohr-Nielsen
University of the Western Cape, South Africa

"The Malhotra Brothers have again made a signal contribution to the Indian diaspora. It is significant that the book is not titled 'International Law and the Indian' but 'International Indians and the Law'. It is all about India's laws as it affects the NRI's."

The continued connection the Indian diaspora has with India through kin and kin, familial and business arrangements and property inheritance is well known. This book, drawn with all possible angles of that connection. It is a useful book for all Indian expatriates and Indian businesses operating abroad to have at hand as a reference or quick reference."

Dr. D. K. Chandra Das
Honorary Life President, Commonwealth Lawyers Association, Former President, Bar Council Maldives

"Another very informative and well-researched collection of articles from Anil and Ranjit Malhotra on the international protection of children and family law from an Indian perspective which should help India move forward with the implementation of additional Hague Conventions."

Philippe Lottin
First Secretary, Major Embassy on Private International Law

"The Malhotras know their material very well, and make sure that it is very accessible."

Paul Wobley
Director, School of Oriental and African Studies, University of London

"A rare book, 'International Indians and the Law' is a very important and a very comprehensive piece of work covering all aspects of law that may concern any NRI/PIO in different situations. You have indeed produced a great reference book of law of great value to individuals as well as organisations. It would be of great help to NRIs & PIOs in understanding the laws affecting them in various situations. My whole-hearted appreciation for this unique & much needed book of law which answers most questions in any legal argument concerning the Indian immigrant community in the world."

Lord Rama
MP, House of Members, Member British Parliament, UK

"Some of the most critical family law problems in modern times have an international element. These include child abduction, surrogacy, adoption, and immigration. It is wonderful therefore, and very timely that a book on these questions has been written from an Indian perspective. The authors have an international reputation and are ideally placed to explore the issues in depth. They are to be congratulated on this publication."

Bill Aikin
Professor of Law, Victoria University of Wellington, New Zealand

"The field of International Law as it affects family and human relationship becomes ever more extensive. This development is vital to provide remedies and justice for the millions who travel from their country of origin to fulfil aspirations and personal goals. When it comes to the Malhotra brothers the vision of India would not be heard in the congresses essential for international debate amongst judges and lawyers to guide politicians and legislators on reform and development of domestic and international Family Law. Our authors have a strong track record and their latest book deserves a warm and appreciative welcome."

Sir Matthew Thorpe
Former Head of International Family Justice for England and Wales

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THIRD EDITION

ANIL MALHOTRA
RANJIT MALHOTRA

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INTERNATIONAL INDIANS & THE LAW

ANIL MALHOTRA
RANJIT MALHOTRA

Third Edition



As per Ministry of Overseas Indian Affairs statistics, an estimated over 21,90,000 non-resident Indians (NRIs) have inhabited, settled and thrived in almost 200 countries on the globe. Their actual numbers may be roughly close to 30 million. Undoubtedly, international Indians are a nationality by themselves. Thus, the time need arises for a global law to govern their conflicts. The link and extent of their ties with their extended families in India and abroad has found expression in issues relating to immigration, nationality, marriage, divorce, foreign marriages, inter-spousal child removal, spousal maintenance, division of matrimonial property, inter-country adoptions, succession and inheritance, recovery of Indian property and law but not the least in surrogacy arrangements, foreign Courts and overseas law practitioners are at sea attempting to resolve these problems for lack of any regulated and standard Indian laws and trained interpretation of law on these new age subjects. Applicability of foreign laws, validity of judgments pronounced overseas and verdicts of Indian Courts which need expediting an consequential issues requiring interpretation and expert opinion. This commentary on private international law in the exclusive Indian context attempts to provide comprehensive answers to these human problems of the Indian diaspora and the global international Indians which duly conventional statutory laws, followed in technological and time for cut pure regulations are not in support. The proposed publication is thus sought to be a universal answer for the Courts abroad, an aggrieved spouse, a foreign litigant, an overseas practitioner, or any lay person who simply wants to know where he stands. A compilation of solutions originated by the relevant Indian policies rendering a justice service, has been quoted for reference. Unique case references in the statutory realm in the common law.

The spectrum of Indian law is wide-ranging. It ranges from taxation, family and marital settlements, surrogacy, adoption, child custody conflicts, secular adoptions, foreign marriages, pre-nuptial agreements, mediation, arbitration and ADR in family law besides the need for reorganizing family law for non-resident Indians under the family law systems in the book. Law of special maintenance in India from a worldwide perspective has been drafted into child laws and global adoptions in an international perspective as a last emerging jurisprudence in Indian law has been examined in length-difficult perspectives, issues relating to human smuggling, illegal immigration, business immigration, dual nationality and citizenship perspectives are also looked into with some other coverage on human rights and criminal justice system. Emerging predicaments and practices arising out of surrogacy with the law in question have been looked in the book in detail. A dedicated chapter looks at property problems and their possible solutions.

The unique reader friendly concise and crisp presentation in 35 short individual articles and 14 Abridged responses provide problems and attempts to provide the answers. The authors with their vast of expertise have attempted to provide these human problems as they have experienced them professionally and resolved them to the best of their abilities. Extensive case law wherever necessary has been provided for the professional reader who wants an accurate and expeditious run down on Indian law on the subject of taxation, marriage, divorce, spousal maintenance, domestic and inter-country adoptions, child abduction, surrogacy, child rights, matrimonial settlements, business law, succession and inheritance.

Continued from page 36

international and child abduction and inter-country adoption, experts of the Law Commission of India and important judgments on part of the judiciary that apprehend the book contains symbols of importance. Supreme Court and High Court judgments besides complete copies of Indian Adoption, Court of India judgments which are the relevant law for governing principles of inter-country adoption of sons and inter-country parental child removal problems. Important judgments laying down essential principles governing the principle of the welfare of the child being the paramount consideration are an integral part of the book.

Since there is no compilation or publication on the subject containing all the material related to the book, the book proposes to be a one-stop shop for all those dealing in Indian and inter-country, inter-parity child removal issues. It is meant to be a handy reference book for Indian and foreign Courts, common parents, attorneys, Indian lawyers, to resident and expatriate parents looking for a solution. The book attempts to be a definitive and self-contained compilation which put together all the material on the subject without any further reference or other sources. The approach is to make of parents international law is to provide, and all supporting material seen in practice of the Indian Courts which have rendered a positive answer is collected, except principles to move as practice directions and a summary codified law is not viable. Till then, the book will serve as a handy book and a reference which provides to be a one-stop guide and single source of information for all the material on the inter-country adoption which helps in the end.

The existing common order interpretation in child removal matters, wherein the foreign courts may pass orders and directions to comply with the judgments of High Courts can be a possible way forward to establish a procedure for return of children to their home of foreign jurisdiction. The common order formula evolved by judicial mechanisms through the hierarchical orders of the Courts to return the best interest and welfare of the children, who is to provide them a family life with love, care and affection of both parents, can be used as a possible method for return of children to foreign jurisdictions, all value on the subject is treated and some judgments have been presented in the book to provide a perspective. However, if such a working order under jurisdiction, from judicial approach, children removed to India can be brought by being provided with both parents in their family. If such a practice is established, it may also encourage foreign Courts to return children to their home of foreign jurisdiction. The book, perhaps, be the first step in the process which can be evolved through the mechanisms of the Courts to help in the return of children to their home of foreign jurisdiction.

Despite the fact that India has 100 crores of a total population of 1.2 billion, India remains the largest chapter in the world with immense potential of inter-family family disputes. If India is to be a significant to the Commission of the Child Aspects of the International Child Abduction, it will be 90 countries, it might be at least follow principles of UNCRC, national and approved by it. A favorable interpretation of child rights based on the basis of the welfare of the child, home and emphasis on rights to family life might solve the dispute. Return of parents, leaving Court in return of their residence for child custody, family, parents, rights to be granted. A national judicial procedure by the Supreme Court in the regard is not currently necessary in considering the multi-national child law and providing inter-parity to other jurisdictions. India Courts to follow. A national, national, national of inter-family is necessary to be considered as a national, national, national. The book is the last minute of the child as per law of the country where the child is currently residence and parents over the child's parents for each litigation.

Anil and Ranjit Malhotra have provided another timely and thoroughly researched reference book on a subject which the Malhotra brothers have made their own. There is nobody better qualified to cover all the complications which accompany this area of the law. This publication provides a very welcome, authoritative approach which gathers together information relevant to all of us in an area which is otherwise engaging and scholarly.

William Longridge, Barrister at Law, President and Partner, Charles Russell Speechley LLP, London.

This publication is extremely timely as India's working towards the implementation of the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction. It will provide essential information from an Indian perspective to parents, lawyers and judges involved in child abduction cases.

Philippe Leriche, First Secretary, Hague Conference on Private International Law, The Hague, The Netherlands.

The authors provide a refreshing analysis of the law in India on the removal of children and the relevance of families when international law is involved. This provides the reader with a valuable resource to share the reader to critically review the law in this rapidly developing area. This book should be on the shelf of every family lawyer accepting cases to work with international issues.

The Hon. Justice Victoria Brennan AO, International Hague Network Judge, Family Court of Australia.

There are few things more traumatic in family life than a child removal battle over children in a failed marriage. Anil and Ranjit Malhotra have done with the complexities of this complex, yet delicate, subject in an accessible way making this book quite indispensable for practitioners in this area of law and for those who may unfortunately encounter this problem.

Dr. Cyrus Durr, Chairman, L-REACH Constitutional & Rule of Law Committee.

Former LEP, President Commonwealth Lawyers Association.

The authors of this valuable book are well known for their major contribution in the field of international child abduction which they have both made. The second version of their book contains their work on this topic, and is an important and timely event.

Professor Marilyn Freeman, PhD, Principal Research Fellow.

Worcester Law School, London, and Co-Editor, The International Centre for Family Law, Policy and Practice.

The Partnership of Malhotra Brothers has brought out a comprehensive, well-written, and well-researched book on the subject. The book is a must-read for all those who are involved in child abduction cases. The book is a must-read for all those who are involved in child abduction cases.

Dr. Robert B. Gupta, M. A., Advocate, Former, Director, National Judicial Academy, India.

As a "one-stop shop" for all those concerned with parental child abduction in and from India, this book written by Anil and Ranjit Malhotra, leading pioneers in combating international child abduction in India, is a welcome addition to the current legal literature in this country with its huge diaspora.

Hans van Loon, Director of the Institute of Child International.

Former Secretary General of the Hague Conference on Private International Law (1996-2011).

"As Head of International Family Justice for England, I worked with international experts. Within India, child among experts are the Malhotra brothers. They are supremely qualified to guide others in the current field of child abduction and relocation and this title will become the leading authority in a complex area of Indian and international family justice."

The Rt. Hon. Lord Justice Thorpe, Former Head of International Family Justice for England & Wales.

This is an important reference book for all those who are involved in parental child abduction in and from India. The book is a must-read for all those who are involved in parental child abduction in and from India. The book is a must-read for all those who are involved in parental child abduction in and from India.

The authors have used their wealth of knowledge and expertise in international and domestic law to produce this essential and so relevant, accessible and practical. It will become the leading authority in this complex and difficult area of law.

Ann, Marie Hutchinson, PhD, QJCL, Law, London.

Inter-parity child removal issues in a cross-jurisdictional context are a complex and often contentious area. The authors provide a clear and concise overview of the current state of the law, and provide a valuable addition to the legal literature. The book is a must-read for all those who are involved in parental child abduction in and from India.

Prof. (Dr.) Fikret Mustafa, Vice-Chancellor, N.W.S. University of Law, Istanbul.

Price: ₹ 1000 £ 70 \$100 € 80

Book design, Photo and layout by Anil Malhotra



9789355107753

ANIL MALHOTRA
RANJIT MALHOTRA

THE REMOVED CHILD AND THE LAW IN INDIA

ANIL MALHOTRA
RANJIT MALHOTRA

THE REMOVED
CHILD AND THE
LAW IN INDIA



THE REMOVED CHILD AND THE LAW IN INDIA

Of 1.2 billion Indians, about 8 million have been removed from their homes. The migration between cross-border international relationships when offspring live in foreign states has become a major issue. The book is a must-read for all those who are involved in parental child abduction in and from India. The book is a must-read for all those who are involved in parental child abduction in and from India. The book is a must-read for all those who are involved in parental child abduction in and from India.

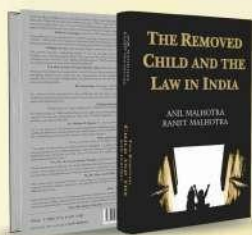
As of now, most international child disputes often end up as a stalemate. An agreed-upon parent can be India and abroad with a foreign court order to the law is permanent, maintenance, return and expensive costs of numerous multiple appeal litigations to achieve an enforcement of a foreign court order. This costly and painful run-out is a child's curse. The child is left and isolated by the parent. Consequently, most foreign courts now do not allow children to visit India, leaving the child in a state of limbo.

The Hague Convention on the Civil Aspects of International Child Abduction, 1980, enables nations to set their disputes and become part of a global law to enable return of wrongfully removed or retained children by returning countries through the office machinery of a Central Authority established by every nation for such purpose. As of 2010, thirty-eight countries are contracting States to the Convention. Sadly, India is not among them. The Hague Convention aims to secure the prompt return of children wrongfully removed or retained in any contracting State and ensure that the rights of custody and access under the law of a parent nation are effectively respected in other contracting nations. The Convention considers removal of children wrongful if it is in breach of custody arrangements of a country of origin, thereby protecting the best interests of the child. It is an international law implemented through a domestic mechanism. As of now, India does not have any statutory authority and a common law is not yet in place among one of international cross-border child removal. India Courts address matters with the welfare of the child in the permanent consideration when there is an inter-jurisdictional conflict. The removed child, caught in cross-litigation in courts.

The book contains various aspects of the problem has been litigated. The first chapter is a brief overview of the issue with chapters containing their process going child perspectives of the issue and the consequences of the problem. The remaining three chapters explore various legal, doctrinal, and practical aspects relevant to the law and child removal in judgments relating to the subject. Various issues relating to implementation of foreign court judgments and possible solutions to ensure return of children to their foreign home. The book also contains a chapter on the law of the child in the permanent consideration when there is an inter-jurisdictional conflict. The removed child, caught in cross-litigation in courts.

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front



THE REMOVED CHILD AND THE LAW IN INDIA

About The Book



ANIL MALHOTRA
RANJIT MALHOTRA

OF 1.2 billion Indians, about 30 million live in 180 countries abroad. This migration harbours cross-border matrimonial relationships whose offspring live in foreign abodes but connect with Indian soil through their parent(s). Their broken multi-jurisdictional matrimonial relationships lead to removal of children to India or foreign jurisdictions in violation of court custody orders or infringement of the parental rights of the aggrieved parent. Sadly, India does not define or recognise inter-parental child removal as an offence under any statutory law in India, even though this malaise is a frequent phenomenon in daily lives of migrant Indians. As a corollary, remedies in law for effective relief are difficult to secure or achieve.

As of now, multi-jurisdictional child disputes often end up in a stalemate. An aggrieved parent lands on Indian soil armed with a foreign court order to face a protracted, cumbersome, tedious and expensive course of successive multiple appeal litigation to achieve an enforcement of a foreign court order. Time, money and patience run out. A deadlock ensues. The child is split and isolated by one parent. Consequently, most foreign courts now do not allow children to visit India, fearing that they may not return.

The Hague Convention on the Civil Aspects of International Child Abduction, 1980, enables nations to become signatories and become part of a global hub to enable return of wrongfully removed or retained children by entertaining requests through the office machinery of a Central Authority established by every nation for such purpose. As of 2018, ninety eight countries are contracting States to this Convention. Sadly, India is not amongst them. The Hague Convention aims to secure the prompt return of children wrongfully removed or retained in any contracting State and ensures that the rights of custody and access under the law of a party nation are effectively respected in other contracting nations. The Convention considers removal of children wrongful if it is in breach of actually exercised rights of custody of a parent, arising by operation of law or by a judicial or administrative decision or an agreement, having legal effect by the law of that State. It creates an international law implemented through a domestic machinery. As of date, India does not have any exhaustive, uniform and consistent laws to deal with issues arising out of inter-parental cross-border child removal. Indian Courts adjudicate matters with the welfare of the child as the paramount consideration when there is an inter-jurisdictional conflict. The removed child, caught in cross-fire, suffers in silence.

The book covering various aspects of the problem has four chapters. The first chapter is a bird's eye view with fifteen small sub-chapters containing short pieces giving a brief perspective of the issue and different dimensions of the problem. The remaining three detailed chapters contain lengthy descriptions supported by relevant case law and detailed references to judgments relating to the subject. Various issues relating to implementation of foreign court judgments and possible safeguards to ensure return of children to their foreign homes finds elaborate mention in these detailed chapters. The book has twenty four appendices which are important reference documents relating to the issue of international parental child abduction. Relevant Indian statutes, the Hague Convention on civil aspects of international child abduction and inter-country adoptions, reports of the Law Commission of India and important judgments are part of the twenty four appendices. The book contains synopsis of important Supreme Court and High Court judgments besides complete prints of salient Supreme Court of India judgments which are the relevant case law governing principles of issues arising out of intra and inter country, parental child removal problems. Important judgments laying down essential principles governing the principle of the welfare of the child being the paramount consideration are also part of the book.

Since there is no compilation or publication on the subject containing all the material referred to above, the book proposes to be a one stop shop for all issues arising in India out of inter country, inter-parental child removal issues. It is meant to be a handy reference book for Indian and foreign Courts, overseas practitioners, academicians, Indian lawyers, lay readers and aggrieved parents looking for a solution. The book attempts to be a wholesome and self contained compilation which puts together all the material on the subject without any further reference to other sources. This jurisprudence in the realm of private international law is yet evolving and all supporting material rests in precedents of the Indian Courts which have rendered a yeoman service in evolving sound principles to serve as practice directions until a statutory codified law is in the saddle. Till then, the book will serve as a ready hand book and repository which proposes to be a one point guide and single source of information for all the material on this mesmerizing subject which baffles one and all.

The evolving mirror order jurisprudence in child custody matters, wherein the foreign courts may pass mirror order directions to comply with the judgments of High Courts, can be a possible way forward to establish a precedent for return of children to their homes of foreign jurisdictions. This mirror order formula evolved by judicial mechanisms through the far sighted wisdom of the Courts to ensure the best interest and welfare of the children, as also to provide them a family life with love, care and affection of both parents, can be cited as a possible method for return of children to foreign jurisdictions, till a law on the subject is enacted and some adjudicatory legal resolution process is evolved by any prospective law. Hopefully, if such a evolving mirror order jurisprudence finds judicial approval, children removed to India can benefit by being possibly reunited with both parents in their foreign abode. If such a practice is endorsed, it may also encourage Foreign Courts to permit children residing abroad to visit extended families in India, if an assurance is found for their return by a mirror order jurisprudence. This may perhaps be the best stop gap arrangement which can be evolved through the mechanisms of the Courts till a legislative solution is found to inter-parental child removal.

Despite 30 million non-resident Indians in 180 countries, of a total population of 1.2 billion, Indians constitute the largest diaspora in the world with immense potential of cross border family disputes. If India is not to be a signatory to the Convention on the Civil Aspects of the International Child Abduction, ratified by 95 countries, it ought to at least follow principles of UNCRC endorsed and approved globally. A justifiable interpretation of child rights based on lives of the spouses of their family home with emphasis on right to family life ought to be the decision factor. Preference of parents choosing Courts in countries of their convenience for child custody battle grounds ought to be ignored. A balanced judicial precedent by the Supreme Court in this regard is now extremely necessary for consolidating the much needed settled law and providing a clear path for other subordinate Indian Courts to follow. A harmonious blend of all relevant factors is necessary to be consolidated in a wholesome conclusive decision. The focus on the best interest of the child as per law of the country where the child is habitually resident must find preference over choices of parents for such litigation.

back

'Anil and Ranjit Malhotra have provided another timely and thoroughly researched reference book on a subject which the Malhotra brothers have made their own. There is nobody better qualified to cover all the complexities which accompany this area of the law. This publication provides a very welcome analytical approach which gathers together information relevant to all of us in a way which is thorough, engaging and scholarly.'

William Longrigg, *Recent Past LAFL President and Partner, Charles Russell Speechlys LLP, London.*

This publication is extremely timely as India is working towards the implementation of the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction. It will provide essential information from an Indian perspective to parents, lawyers and judges involved in child abduction cases.

Philippe Lortie, *First Secretary, Hague Conference on Private International Law, The Hague, The Netherlands.*

The authors provide a refreshing analysis of the law in India on the removal of children and the relocation of families across international borders. They provide the crucial source materials necessary to allow the reader to critically review the law in this rapidly developing area. This book should be on the shelf of every family lawyer accepting retainers in cases with international issues.

The Hon. Justice Victoria Bennett AO, *International Hague Network Judge, Family Court of Australia.*

There are few things more traumatic in family life than a bitter custody battle over children in a failed marriage. Anil and Ranjit Malhotra have dealt with the jurisprudence of this complex, yet delicate, subject in an admirable way making this book quite indispensable for practitioners in this area of law and for those who may unfortunately encounter this problem.

Dr. Cyrus Das, *Chairman, LAWASLA Constitutional & Rule of Law Committee; Honorary Life President Commonwealth Lawyers Association.*

The authors of this valuable book are well known for the major contribution to the field of international child abduction which they have both made. The revised version of their book continues their work on this topic, and is an important and timely event.

Professor Marilyn Freeman, PhD, *Principal Research Fellow, Westminster Law School, London, and Co-Director, The International Centre for Family Law, Policy and Practice.*

The Partnership of Malhotra Brothers has brought out a comprehensive revised addition. Based upon the cases argued. New human jurisprudence. The role of Indian Judiciary: A unique work. A recipe for Child Removal problems in India and beyond.

Dr. Balam K. Gupta, *Sr. Advocate, Formerly, Director, National Judicial Academy, India.*

As "a one-stop shop" for all issues concerning parental child abduction to and from India, this book written by Anil and Ranjit Malhotra, tireless pioneers in combating international child abduction to India, it provides a full picture of the current legal situation in this country with its huge diaspora.

Hans van Loon, *Member of the Institut de Droit International, Former Secretary General of the Hague Conference on Private International Law (1996-2013)*

* As Head of International Family Justice for England, I worked with international experts. Within India, chief among experts are, the Malhotra brothers. They are supremely qualified to guide others in the related fields of child abduction and relocation and this title will become the leading authority in a complex area of Indian and International family justice."

The Rt. Hon. Lord Justice Thorpe, *Former Head of International Family Justice for England & Wales.*

This is another great reference book that Malhotra Brothers have produced dealing with NRI parental child custody issues. This unique effort by the authors has to be recognized and complimented. Malhotra Brothers are legal practitioners and academicians of repute in the field of private international law.

The Rt. Hon. Lord Diljit Rana, *MBE, Member British Parliament, UK.*

The authors have used their wealth of knowledge and expertise in international and domestic law to produce this essential tool for judges, academics and practitioners. It will become the leading authority in this complex and difficult area of law.

Anne-Marie Hutchinson, *DBE, QC(Hon), London.*

Inter-parental child removal issues is an evolving jurisprudence. In this realm of private international law, the authors expound the conflict situation with succinct clarity, in-depth study and viable remedies. A welcome addition to legal literature. The book fills a void and a vacuum by a ready handbook which says it all.

Prof.(Dr) Faizan Mustafa, *Vice-Chancellor, NALSAR University Of Law, Hyderabad.*

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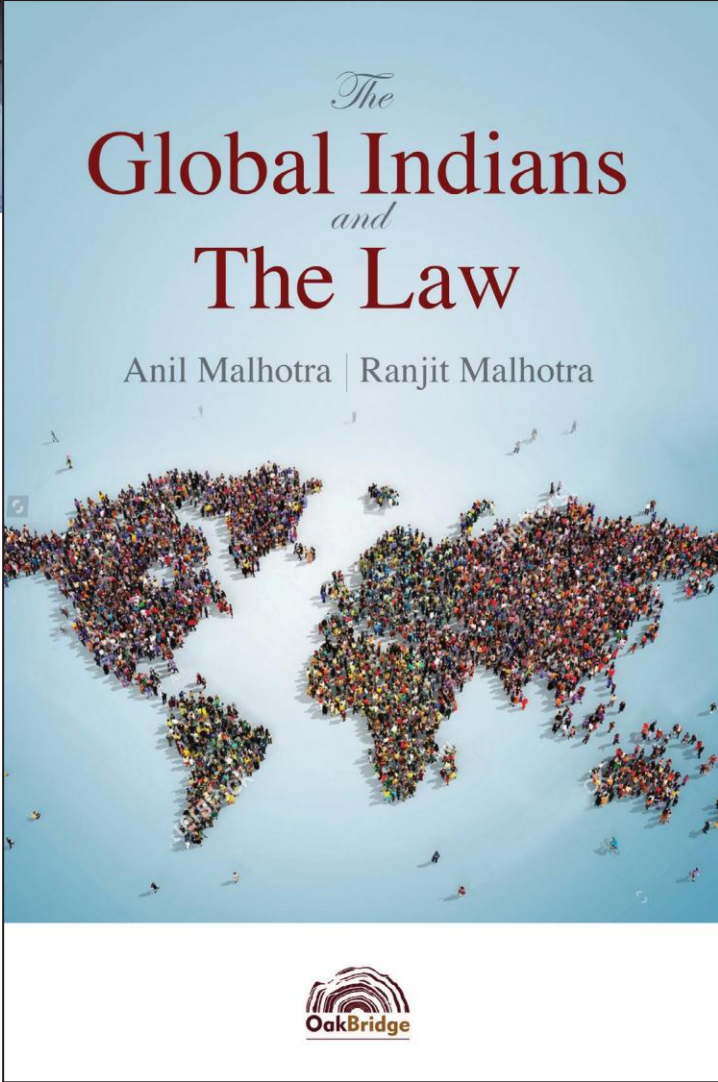
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The **GLOBAL INDIANS AND THE LAW**



The **Global Indians and The Law**

Anil Malhotra | Ranjit Malhotra



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Ranjit Malhotra

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Chandigarh Judicial Academy*

ISBN: 978-93-89176-54-4

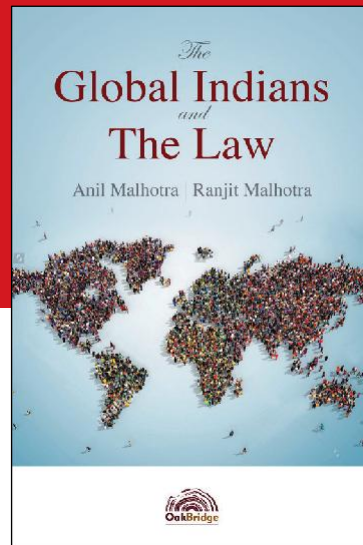
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OakBridge Publishing Pvt. Ltd.
M-35, 1st Floor, Old DLF, M.G. Road, Gurugram - 122 001



The GLOBAL INDIANS AND THE LAW



Anil Malhotra
Ranjit Malhotra

As per Government of India statistics, an estimate of over 34 lacs non-resident Indians have registered as Overseas Citizen of India (OCIs) to acquire lifelong visa free entry to India. Their actual numbers may be more than 30 million. These global Indians have inhabited, settled and thrived in almost 200 countries on the globe. Undoubtedly, these international Indians are a unique nationality by themselves. They propel a dire need for a global law to govern their conflicts. The link and retention of their ties with their extended families in India and abroad has found expression in issues relating to nationality, citizenship, marriage, divorce, spousal maintenance, alimony, inter-parental child removal, custody and guardianship of children, division of matrimonial property, inter-country adoptions, succession and inheritance of Indian property and last but not the least in surrogacy arrangements. Domestic violence in abusive marriages of international couples has created a new jurisprudence. Foreign Courts and overseas law practitioners are at sea attempting to resolve these problems for lack of any updated or amended Indian laws or reasoned interpretation of law on these subjects. Conflict of laws are galore. Parallel simultaneous adjudications in different jurisdictions create anomalous situations which compound legal dilemmas relating to human relationships.

Applicability of foreign laws, validity of judgments pronounced overseas and verdicts of Indian Courts which need exposition are consequential issues requiring interpretation and expert opinion. Indian Courts perform a herculean task in carving individual solutions in complex litigations under outdated Indian legislations.

This commentary on private international law in the exclusive Indian context attempts to provide comprehensive answers to these problems of the Indian diaspora and the global transnational Indian which may not find a solution in the conventional statutory laws. The proposed publication aims to be a comprehensive commentary for the Courts abroad, an aggrieved spouse, a foreign litigant, an overseas practitioner, or any lay person who simply wants to know where he stands. A compilation of case law, enunciated by the vibrant Indian judiciary rendering a yeoman service, has been quoted for reliance. Unique case references fill in the statutory void in this ocean of ails.

The spectrum of reading is widespread. It ranges from nationality/citizenship issues to family and marital settlements, surrogacy agreements, child custody conflicts, secular adoptions, limping marriages, succession issues, conflict of jurisdictions besides the need for revamping family law for non-resident Indians. Law of spousal maintenance in India from a global perspective has been delved into. Child laws and global adoptions in the international jurisdiction as a fast emerging jurisprudence in Indian law, has been examined at length in different perspectives. Issues relating to dual nationality, passports and citizenship are also looked into. Emerging predicaments and practices arising out of surrogacy with the law in flux have been focused in the book in detail. A dedicated chapter looks at NRI property problems, wills, succession and their possible solutions.

This unique reader friendly concise and crisp presentation in 7 individual Parts as expositions pose the problems and attempts to provide their answers. The authors with their years of expertise have aimed to project these problems as they have experienced them professionally. References to case law wherever necessary have been provided for the professional reader who wants an accurate and expeditious run down on Indian law on the subject of custom, marriage, divorce, spousal maintenance, domestic and inter-country adoptions, child abduction, surrogacy, child rights, matrimonial settlements, succession, inheritance besides issues of nationality and citizenship.



Anil Malhotra is a practising Advocate based at Chandigarh, India since September 1983 and can be reached at anilmalhotra1960@gmail.com. He attained Bachelor of Science (1980) and Bachelor of Laws (Professional) (1983) degrees from Panjab University, Chandigarh & an LLM degree from the University of London, London in 1985. He studied Comparative Family Law at London School of Economics besides Law & Society at School of Oriental & African Studies.

Practising Advocate in India (1983). BSc and Bachelor of Law (Professional), India; LLM, University of London, 1985 (Studied Comparative Family Law at LSE & Law & Society at SOAS). For 36 years, conducts matters pertaining to interpretation and application of foreign Court Orders regarding divorce decrees, child abduction, custody, maintenance, adoption, surrogacy and family related issues of Non-resident Indians. Conducted litigations on inter country parental child removal matters Persistently proposed debate for India to sign the Hague Convention on Child Abduction, 1980.

For over 36 years, he continues to act as an Indian expert to render reports in foreign courts on appointment by the Bench in overseas jurisdictions. Conducts matters in Indian Courts pertaining to interpretation and application of foreign Court Orders regarding divorce decrees, child abduction, custody, maintenance, adoption, surrogacy and family related issues of Non-resident Indians (NRIs).

He has co-authored book titled Acting for Non-resident Indian Clients (Jordans 2005), India, NRIs and the Law (Universal 2009), Indians, NRIs and the Law (Universal 2011), Surrogacy in India: A law in the Making (Universal 2013), International Indians and the Law, (Universal 2014), Surrogacy in India – A law in the Making : Revisited (LexisNexis 2015), India, Inter Country Parental Child Removal, The Law (LexisNexis 2016), The Removed Child and The Law in India (2018) and Global Indians and the Law (Oakbridge 2020). He has significant published work and has both international and domestic conference participations. Has over 500 newspaper columns to his credit besides significant published work in journals.

Has conducted number of litigations on inter country parental child removal matters and has persistently proposed, debated and discussed need for India to sign the Hague Convention on Inter parental child abduction, 1980. As amicus curiae, his report on inter country parental child removal, forms part a Punjab and Haryana High Court judgment making a reference to the Law Commission of India, to recommend that India needs to consider signing the Convention. Handled litigation & campaigns for India to enact a law on surrogacy arrangements in India. Intends to persuasively pursue enactment of Indian legislation on these subjects.

On 25 April 2017, Co-opted by the Punjab and Haryana High Court, Chandigarh as a Member of the Committee, constituted by the Ministry of Women and Child Development, Government of India to examine in detail the legal issues involved and give recommendations on resolving problems of parents and children involved in issues relating to inter parental / inter country child removal while examining the draft Protection of Children (Inter-Country Removal and Retention) Bill, 2016, whose report was submitted to Government of India on 21 April 2018.



Ranjit Malhotra, attained his Bachelor of Arts (B.A.) and Bachelor of Laws (Professional) (LL.B Degree) from Panjab University, Chandigarh. He qualified as a lawyer in India in the year 1990 and was the first Indian lawyer to be awarded the prestigious Felix Scholarship to read for the LL.M. Degree at the School of Oriental and African Studies, University of London. He attained his Masters of Law Degree with Merit in 1993, from the University of London.

He specialises in private international law, commissions expert reports on Indian family law issues litigated in foreign jurisdictions, renders expert analysis and testimony for family law, surrogacy and immigration cases and advises foreign lawyers. Besides, being consistently instructed by a large number of Embassies at New Delhi.

He is also a nominated life member of the Indian Society of International Law, American Immigration Lawyers Association at Washington, Reunite Child Abduction organisation in the U.K., Indian Council of Arbitration at New Delhi, Fellow of the International Academy of Matrimonial Lawyers, Commonwealth Lawyers Association at London and International Law Association at London. He is also enrolled with The International Association of Youth And Family Judges And Magistrates.

He has also been nominated to the Board of Governors of the International Academy of Family Lawyers at their annual meeting held in Reykjavik, Iceland since September 2017.

He frequently travels abroad to present papers at international legal conferences. Mr. Ranjit Malhotra has travelled extensively in the UK, USA, Canada, Europe, Australia, South Africa, Kenya and the far east including Japan, Philippines, Malaysia, Hong Kong, Singapore and Vietnam in connection with professional assignments as also to make presentations at international legal conferences. For the last twenty five years he has made substantial presentations at international legal conferences worldwide.

Since 2005, he has also been actively and regularly involved in organising seminars on family law issues in the international perspective, at the India International Centre, New Delhi under the aegis of Mr. Soli Sorabjee, distinguished former Attorney General of India.

He has also been lecturing regularly on International family law issues primarily on international child removal/surrogacy at premier National Law Schools/Universities in India. He also lectured at the Harvard Law School on Child Abduction Law on 15 April 2014 and also has substantial published work to his credit.

He was also appointed as Distinguished Visiting Expert for Family Law, Private International Law, Transnational Law and Comparative Law by Symbiosis Law School, Pune, Symbiosis International University since 1 February 2018. And has been regularly lecturing at this campus.

He is also an active member of the International Bar Association and is the Newsletter Editor of the Family Law Committee since 2011. He is also the International Correspondent for the international Family Law Journal published by Lexis-Nexis, previously Jordan Publishing Limited, U.K. since 2005.

He was also one of the three special invitees from India invited at the Hague Experts' Meeting on Issues of Domestic/Family Violence and the 1980 Hague Child Abduction Convention held at The University of Westminster, London on 12 June 2017. The author has also been consistently engaged as a knowledge partner in areas of private international law and cross border migration and managed migration with foreign offices of several major jurisdictions since the last two decades. He was also nominated by the British High Commission, New Delhi to attend two separate Wilton Park Conferences on Managed Migration in Spain and U.K. held in 2007 and 2008 respectively.

Most recently, he was invited to give subject expert testimony before the Rajya Sabha [Parliamentary] Committee on the draft 2019 Surrogacy Bill on 21 January 2020.

His firm, Malhotra & Malhotra Associates, is on the panel of lawyers for twelve foreign missions/embassies in New Delhi, including the American Embassy, Australian High Commission, British High Commission, Canadian High Commission and New Zealand High Commission, Embassy of the Federal Republic of Germany, Embassy of Spain, Embassy of France, Italian Embassy, Austrian Embassy, Embassy of Sweden, Embassy of Luxembourg and Embassy of Norway at New Delhi.

Acknowledgements

“...This unique pioneer effort is to be lauded. It is a contribution of academic authors of repute, who have blended equally well as legal practitioners, who have rich experience of cross border issues.”

A.K. Sikri, Former Judge, Supreme Court of India and International Arbitrator

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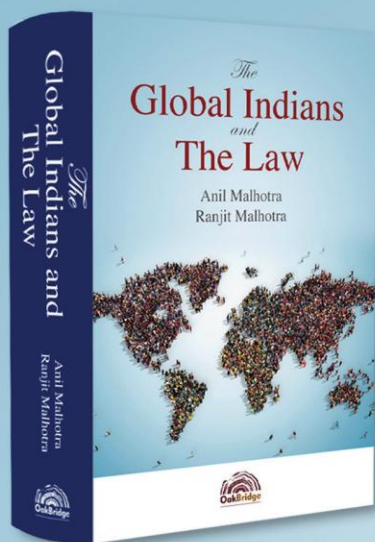
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*Professor (Dr.) C. Raj Kumar,
Founding Vice Chancellor, O.P. Jindal Global University & Founding Dean, Jindal Global Law School*



The **GLOBAL INDIANS AND THE LAW**

About the Book

As per Government of India statistics, an estimate of over 3.4 Million non-resident Indians have registered as Overseas Citizens of India (OCIs) to acquire lifelong visa-free entry to India. Their actual numbers may be more than 30 million. These global Indians have inhabited, settled and thrived in almost 200 countries across the globe. Undoubtedly, these international Indians are a unique nationality by themselves. They propel a dire need for a global law to govern their conflicts. The link and retention of their ties with their extended families in India and abroad has found expression in issues relating to nationality, citizenship, marriage, divorce, spousal maintenance, alimony, inter-parental child removal, custody and guardianship of children. Besides this, it is in the division of matrimonial property, inter-country adoptions, succession and inheritance of Indian property and last but not the least in surrogacy arrangements, the link prevails. Domestic violence in abusive marriages of international couples has created a new jurisprudence. Foreign Courts and overseas law practitioners are at sea attempting to resolve these problems for lack of any updated or amended Indian laws or reasoned interpretation of law on these subjects. Conflict of laws galore. Parallel and simultaneous adjudications in different jurisdictions create anomalous situations which compound legal dilemmas relating to human relationships.

Applicability of foreign laws, validity of judgments pronounced overseas and verdicts of Indian Courts which need exposition are consequential issues requiring interpretation and expert opinion. Indian Courts perform a herculean task in carving individual solutions in complex litigations under outdated Indian legislations.

This commentary on private international law in the exclusive Indian context attempts to provide comprehensive answers to the problems of the Indian diaspora and the global transnational Indian which may not find a solution in conventional statutory laws. The publication aims to be a comprehensive commentary for Courts abroad, an aggrieved spouse, a foreign litigant, an overseas practitioner, or any lay person who simply wants to know where they stand. A compilation of case law, enunciated by the vibrant Indian judiciary rendering a yeoman service, has been quoted for reliance. Unique case references fill in the statutory void in this ocean of ails.

The spectrum of reading is widespread. It ranges from nationality & citizenship issues to family and marital settlements, surrogacy agreements, child custody conflicts, secular adoptions, limping marriages, succession issues, conflict of jurisdictions besides the need for revamping family law for non-resident Indians. Law of spousal maintenance in India from a global perspective has been delved into. Child laws and global adoptions in the international jurisdiction as fast emerging jurisprudence in Indian law, has been examined at length from different perspectives. Issues relating to dual nationality, passports and citizenship are also looked into. Emerging predicaments and practices arising out of surrogacy with the law in flux have been focused on in the book in detail. A dedicated chapter looks at NRI property problems, wills, succession and their possible solutions.

This unique reader-friendly, concise and crisp presentation in 7 individual Parts as expositions pose the problems and attempt to provide their answers. The authors with their years of expertise have aimed to project these problems as they have experienced them professionally. References to case law wherever necessary have been provided for the professional reader who wants an accurate and expeditious run-down on Indian law on the subject of custom, marriage, divorce, spousal maintenance, domestic and inter-country adoptions, child abduction, surrogacy, child rights, matrimonial settlements, succession and inheritance, besides issues of nationality and citizenship.



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Ranjit Malhotra

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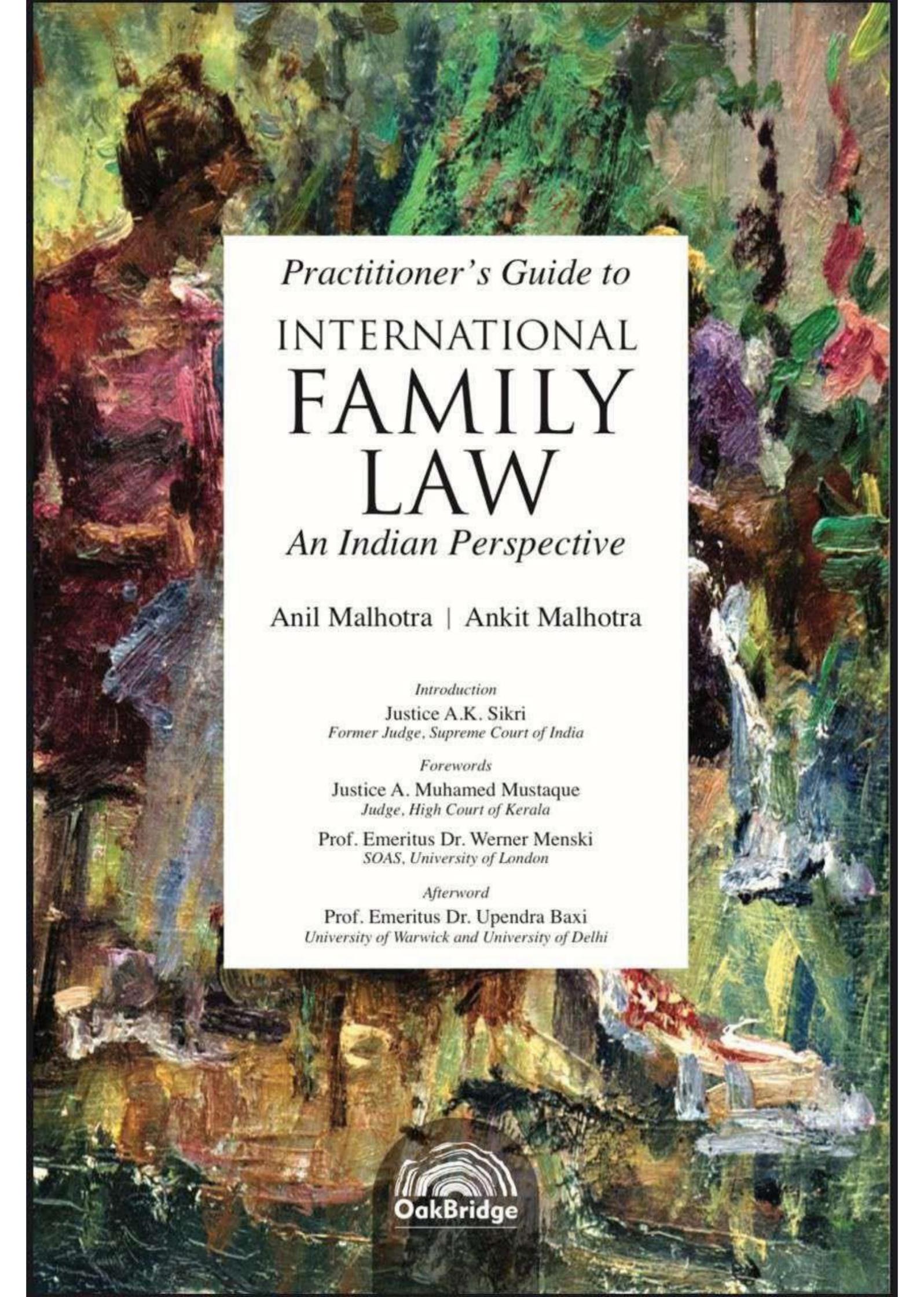
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“...Anil and Ankit Malhotra deserve great credit for their pioneering work. This book deserves a wide readership, not just in India but worldwide!”

Mr. Hans van Loon, Member, Institut de Droit International and Former Secretary General of the Hague Conference on Private International Law, The Hague, Netherlands

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“...an invaluable resource for all requiring an understanding of the intricacies and complexities of the Indian system, practice and substantive law and their application to and implications in the international arena...”

Mr. Ian Kennedy, AM, Founder and Senior Partner, Kennedy Partners, Melbourne Australia, Former President, International Academy of Matrimonial Lawyers

“This is a thorough and practical guide which will be of immense help to Family Law practitioners from around the world who need to have an insight into how things are done in the most populous country in the world...”

Mr. William Longrigg,

Solicitor, Partner and Head of the Family group, Charles Russell Speechlys LLP, London

“...The straightforward approach adopted by this book provides the foundation by which all family lawyers can navigate the ever-changing landscape of Indian family law...”

Professor James Stewart, MCI Arb, Co-Head, Private Wealth Sector, International Family Lawyer at Penningtons Manches Cooper LLP, London

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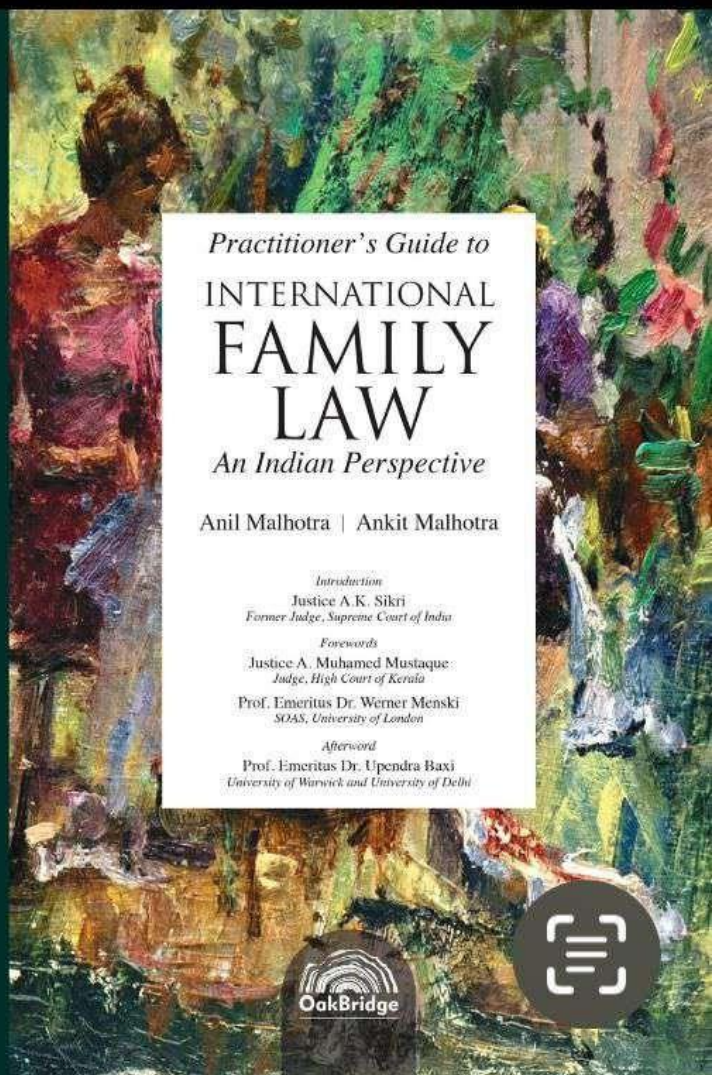


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Practitioner's Guide to **International Family Law** *An Indian Perspective*



Advocate
Anil Malhotra



Advocate
Ankit Malhotra

Practitioner's Guide to International Family Law: An Indian Perspective is an authoritative and comprehensive resource that bridges the complexities of Indian family laws with the evolving challenges of international family law. Designed for practitioners, judges, academics, and students, the book addresses key issues such as cross-border marriage, divorce, child custody, maintenance, adoption, and the enforcement of foreign judgments and arbitral awards. It explores the interplay between Indian personal laws—covering Hindu, Muslim, Christian, Parsi, and secular legal frameworks like the Special Marriage Act—and international legal instruments, including the Hague Conventions and other bilateral treaties governing family law matters.

The book provides in-depth guidance on jurisdictional dilemmas, forum shopping, conflict of laws, and the recognition of foreign decrees under Indian law, highlighting critical provisions and contemporary case law. The book highlights significant judicial interpretations and landmark decisions, ensuring readers remain updated with the latest legal developments. Special emphasis is placed on procedural consistency, including uniform citations and updated provisions from the new legal codes such as the Bharatiya Nyaya Sanhita (BNS) and Bharatiya Sakshya Adhiniyam (BSA). By bridging domestic family law with international instruments, treaties, and comparative case studies, the guide provides solutions to complex cross-border family disputes, in context of issues of jurisdiction, forum shopping, and recognition of foreign judgments. Further focus is given to cases involving non-resident Indians, expatriates, and cross-border families, offering clarity on topics such as habitual residence, domicile, and the enforcement of maintenance and custody orders abroad. It incorporates significant judicial decisions from Indian courts and international tribunals, presenting a comparative analysis of legal systems to equip readers with tools to address globalized family disputes effectively.

With its focus on harmonizing domestic and international legal principles, this guide also engages with contemporary challenges, including inter-country child abduction, international surrogacy agreements, and cross-border domestic violence. Written with procedural precision and supported by practical examples, updated citations, and legislative reforms, the book is a definitive tool for navigating international family law issues while considering India's unique legal and cultural contexts. It is an essential reading for those seeking to understand and resolve complex, multi-jurisdictional family law matters in an increasingly interconnected and legally pluralistic world.

TOPICS COVERED IN THE BOOK

- ◆ Marriage, Divorce and Ancillary Reliefs
- ◆ Issues Related to Children: Welfare, Removal, Guardianship, and Adoption
- ◆ Maintenance, Alimony and Family Settlement
- ◆ Citizenship, Passport and Nationality Laws
- ◆ Laws Applicable in Goa, Daman and Diu
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- ◆ Remedies for Foreign Nationals
- ◆ Surrogacy in India: Status Quo

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“... a most impressive work of scholarship which provides detailed and practical guidance on all aspects of family law in India... This book, ... provides a comprehensive guide to the practice of family law in India across a broad spectrum of topics and will be an invaluable guide for all those who work in or are involved in or need to understand any aspect of family law. I envisage this becoming the go-to book on Indian family law for international family lawyers in other jurisdictions.”

The Right Honourable Lord Justice Andrew Moylan, Judge, British Court of Appeal of England and Wales, U.K.

“... when I consider the extent of the task that Anil and Ankit Malhotra have undertaken in stating the International Law from the perspective of a jurisdiction so vast and so diverse as India. It is greatly to their credit that they have so evidently succeeded in their objective and I have no doubt that their labours will provide an essential tool for all in India and the lands of the Indian diaspora who practice in this increasingly important area of the law.”

The Right Honourable Sir Matthew Thorpe KC, former Lord Justice of Appeal (England and Wales)

“...an in-depth analysis of international family law from an Indian perspective, offering a comprehensive examination of how India's diverse legal framework intersects with global legal standards. As globalization continues to shape family dynamics, the ability of Indian courts to navigate cross-border disputes will remain critical. Through its exploration of key issues, from marriage and divorce to inheritance and custody, the book aims to provide both a legal and cultural understanding of the complexities of international family law in India.”

Justice A.K. Sikri, Former Judge, Supreme Court of India, International Judge, Singapore International Commercial Court

“... an invaluable resource for anyone having to navigate the labyrinth of personal laws in India, particularly persons living outside India. It covers a vast range of subjects falling under the umbrella of 'family laws', including marriage and divorce, marital cruelty and violence, adoption, guardianship, maintenance and the like. In addition, it also explains the passport and visa rules applicable in India, as also the remedies available to foreign nationals in cases involving family law issues...”

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“...an indispensable resource addressing the evolving complexities of family law in a globalized world...”

... The book captures the essence of Justice V.R. Krishna Iyer's vision of justice in law and is poised to become an essential resource for courts, practitioners, scholars, and anyone navigating the challenges of family law across jurisdictions. It stands as a testament to the authors' dedication to advancing both the practice and understanding of international family law from an Indian perspective.”

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“...a landmark contribution to the evolving landscape of Indian family law in a globalized world. The authors have crafted a work that is as indispensable as it is innovative, serving as a guiding light for practitioners, scholars, and policymakers who seek to navigate the intricacies of cross-border familial disputes. This text transcends mere legal analysis, presenting a nuanced understanding of how Indian family law intersects with international norms and practices...”

Prof. Emeritus Dr. Upendra Baxi, University of Warwick and University of Delhi

“...Given that more and more Indians have been moving abroad and then –mostly without fully realising it – taking their personal law with them, Indian family law has been gaining wider practical application worldwide. ...This book is an extremely useful hands-on practice guide. It will especially help to sensitise young practitioners to the need to know more about Indian family laws, in India itself as well as abroad, and it is warmly welcomed as a practice-focused asset.”

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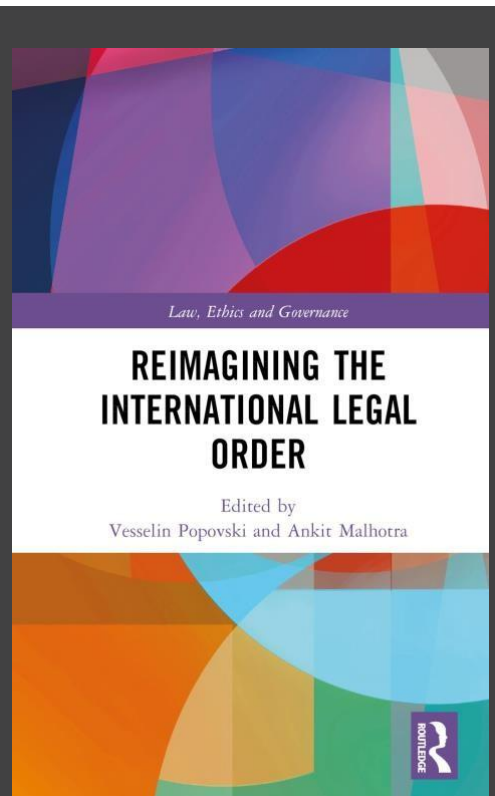
Law, Ethics and Governance

REIMAGINING THE INTERNATIONAL LEGAL ORDER

Edited by
Vesselin Popovski and Ankit Malhotra



Reimagining the International Legal Order



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International law is usually conservative. Lawyers and judges emphasize consistency, stability and predictability as major advantages of the law, and often prefer not to challenge the status quo, to suggest amendments, or to reform institutions, advocating simply to focus on the implementation of laws that already exist. This book stands different. It shares the authors' discomfort with the present legal order and some of its institutions and courts, and dives into either a corrective or a profound reimagination to better address rising global challenges. Leading experts in their areas present their cutting-edge perspectives. Divided into six parts, the volume paints a vast yet solid thematic landscape of unique and critical approaches and allows for a deep engagement with a wide range of opinions from across the world. It enables a free and courageous reimagining of the international legal order, detached from the endless feasibility scepticism.

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ANKIT MALHOTRA

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