

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

RAJYA SABHA
UNSTARRED QUESTION NO.1748
TO BE ANSWERED ON 15.03.2023

SIMPLIFICATION OF THE PROCEDURE FOR CHILD ADOPTION

1748. SMT. MAMATA MOHANTA:

Will the Minister of WOMEN AND CHILD DEVELOPMENT be please to state

- a. whether Government has simplified its policy/procedure pertaining to the adoption of children so as to facilitate the guardians/parents to adopt a child both in-country and inter-country adoption;
- b. if so, the details thereof;
- c. the various roles of Central Adoption Resource Authority - CARA for adoption of Indian Children; and
- d. the number of orphan, abandoned and surrendered children who have been adopted during the last three years through CARA's associated/recognized adoption agencies?

ANSWER

MINISTER OF WOMEN AND CHILD DEVELOPMENT
(SMT. SMRITI ZUBIN IRANI)

(a) & (b) : Yes Sir. The Government has simplified its policy pertaining to adoption under the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021, the Juvenile Justice (Care and Protection of Children) Model Amendment Rules, 2022 and the Adoption Regulations, 2022.

Some of the key amendments done in the Adoption Regulations, 2022 include (i) issue of Adoption Order by District Magistrate instead of Court, (ii) upper age limit for Prospective Adoptive Parents (PAPs) reduced to 85 years for couple and 40 years for a single PAP in case they are adopting a child below 2 years, (iii) 7-day adoption effort launched by Central Adoption Resource Authority (CARA) for Resident Indian (RI), Non- Resident Indian (NRI), and Overseas Citizen of India (OCI) PAPs, (iv) Chief Medical Officer (CMO) to determine the health status of the child based on Rights of Persons with Disabilities Act, 2016, (v) strict time line has been laid down for uploading LFA (Legally Free for Adoption) within maximum period of ten days, (vi) PAPs with more than two children do not qualify to get referral for a normal child, (vii) mandatory counselling has been stipulated for all the relevant stakeholders like prospective parents and older children at pre-adoption, adoption and post-adoption stages, (viii) time lines at various stages like uploading of LFA (Legally Free for Adoption) within ten days, examination of special needs children within a period of fifteen days by the Chief Medical Officer and verification of adoption application documents by District Child Protection Unit (DCPU) within five days, (ix) emphasis on foster adoption of adoptable children already in foster care after a period of two years, (x) stringent measures

have been provisioned for PAPs becoming reason for disruption or dissolution and (xi) where the child has remained with a foster family for a minimum of five years other than in pre-adoption foster care, the term has been reduced to two years for adoption of the child.

Further, Chief Medical Officers all over the country are registering themselves on the portal to determine health status of the special need children and for necessary medical intervention for fast tracking placement of such children.

(c) : Section 68 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (as amended in 2021) stipulates the Central Adoption Resource Authority with the following functions, namely :-

- i. to promote in-country adoptions and to facilitate inter-state adoptions in co-ordination with State Agency;
- ii. to regulate inter-country adoptions;
- iii. to frame regulations on adoption and related matters from time to time as may be necessary;
- iv. to carry out the functions of the Central Authority under the Hague Convention on Protection of Children and Cooperation in respect of Inter-country Adoption;
- v. any other function as may be prescribed.

(d) : The number of orphan, abandoned and surrendered children adopted during the last three years are as under :-

| Year | In-country Adoption | Inter-country Adoption |
|-----------|---------------------|------------------------|
| 2019-2020 | 3351 | 394 |
| 2020-2021 | 3142 | 417 |
| 2021-2022 | 2991 | 414 |

Source : Child Adoption Resource Information & Guidance System (CARINGS) portal.
