

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

RAJYA SABHA
UNSTARRED QUESTION NO.1269
TO BE ANSWERED ON 13.12.2023

NEW ADOPTION CENTRES

1269 SHRI S NIRANJAN REDDY :

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state :

- (a) whether it is a fact that the adoption process in the country is time-consuming;
- (b) what is the average time period parents have to wait for adopting children in the country;
- (c) whether Government intends to accept the honorable Supreme Court's suggestion of creating adoption centre in every district; and
- (d) the details of steps taken to simplify adoption process in the country?

ANSWER

MINISTER OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI SMRITI ZUBIN IRANI)

(a) : Adoption of orphan, abandoned and surrendered children under the age of six, who are healthy, takes very little time, because an automatic referral mechanism is in place and the child gets adopted as soon as the child is legally free for adoption. Prospective Adoptive Parents (PAPs), on the other hand, have to wait because the availability of such children is limited in contrast to a large number of waiting parents.

(b) : It depends on several factors, i.e. choice of age group of the child, gender and state, etc. While PAPs can directly reserve anytime, a child having special needs, or an older child in the category of immediate placement; it may take about three years to adopt a healthy child below four years.

(c) : The States/UTs have been requested to comply with the orders of the Honorable Supreme Court of India for creating Specialized Adoption Agencies in every district.

(d) : Ministry of Women and Child Development has notified Adoption Regulations, 2022 on 23th September, 2022 which have been framed in-line with the Juvenile Justice (Care and Protection of Children) Act, 2015 (as amended in 2021). The Adoption Regulations, 2022 were framed keeping in mind the issues and challenges faced by Central Adoption Resource Authority (CARA) and other stakeholders including the Adoption Agencies & Prospective Adoptive Parents (PAPs).

Some of the salient features include (i) District Magistrates have been empowered to issue Adoption Orders instead of Court, (ii) upper age limit for PAPs reduced to 85 years for couple and 40 years for a single PAPs in case they are adopting a child below 2 years, (iii) 7-day adoption effort launched by 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) PAPs with more than two children do not qualify to get referral for a normal child, (vi) mandatory counselling has been stipulated for all the relevant stakeholders like prospective parents and older children at pre-adoption, adoption and post-adoption stages, (vii) 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, (viii) emphasis on foster adoption of adoptable children already in foster care after a period of two years and (ix) stringent measures have been provisioned for PAPs becoming reason for disruption or dissolution.

Rule 45 of JJ model Rules 2016 (amended in 2022) states that all the cases pertaining to adoption matters pending before the Court shall stand transferred to the District Magistrate from the date of commencement of these rules. Post notification of Adoption Regulations, 2022 on 23rd September 2022, the adoption order pendency has come down to 106 from the earlier pendency (before the date of notification) of 997. Adoption orders are being issued within the stipulated norms of 2 months from the date the District Child Protection Unit files the application for adoption before the District Magistrate.

As informed by CARA, Child Adoption Resource Information and Guidance System (CARINGS), an online adoption platform has been developed for building bridges and creating links through a robust web-based management system designed to bring transparency in the adoption system and also curtailing delays at various level. The CARINGS has further been simplified. CARA has been actively promoting adoption-related issues through various training and development initiatives, as well as public awareness campaigns on adoption of Orphan, Abandoned and Surrendered (OAS) children, relative/step adoption and foster care leading to adoption.
