

GOVERNMENT OF INDIA  
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

**LOK SABHA**  
**UNSTARRED QUESTION NO.3586**  
TO BE ANSWERED ON 16.03.2018

**REVAMP IN ADOPTION PROCEDURE**

3586. SHRI PRATAP SIMHA:  
KUMARI SHOBHA KARANDLAJE:

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

- (a) whether the Government had revamped the adoption procedure and issued new guidelines/regulations in 2015 to make adoption faster and transparent and if so, the salient features thereof;
- (b) whether the role of Central Adoption Resource Authority (CARA) has also been expanded from monitoring agency to executing agency for adoption under new guidelines and if so, the details thereof;
- (c) whether the Government has taken note that parents and adoption agencies find the revamped system of adoption procedure as lacking the human element and requested/represented to the Government to further simplify the procedure;
- (d) if so, the details thereof along with the reaction of the Government about in further simplifying the adoption procedure to boost adoption of children; and
- (e) whether the CARA proposes to set up Counselling centres at the State and district level for both parents and children and if so, the details thereof?

**ANSWER**

MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT  
(DR. VIRENDRA KUMAR)

- (a) The Guidelines Governing Adoption of Children, 2015 has been replaced by the Adoption Regulations, 2017. This has been framed under Section 68(c) of the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) and notified on 4<sup>th</sup> January, 2017 and has come to force w.e.f. 16<sup>th</sup> January, 2017. Transparency, early de-institutionalization of children, informed choice for the parents, ethical practices and strictly defined timelines in the adoption process are the salient aspects of the Adoption Regulations.
- (b) The role & responsibility of Central Adoption Resource Authority (CARA) has been stipulated under the Section 68 of the JJ Act and Rule 37 of the Juvenile Justice (Care and Protection of Children) Model Rules, 2016 framed there under.  
CARA has been mandated to perform the following functions under the JJ Act, 2015 :-
  - (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.

As per the Adoption Regulations, 2017, CARA is mandated to perform the following functions, in addition to the functions specified in section 68 of the JJ Act :-

- (i) monitor and regulate the procedure for in-country adoption;
- (ii) receive applications of an Non-Resident Indian or Overseas Citizens of India or a foreigner living abroad through authorised adoption agency or Central Authority or the Government department or the Indian diplomatic mission concerned and process the same in terms of section 59 (5) of the Act;
- (iii) receive and process applications received from a foreigner or an Overseas Citizen of India residing in India for one year or more, and who is interested in adopting a child from India in terms of sub-section (12) of section 59 (12) of the Act;
- (iv) issue No Objection Certificate in all cases of inter-country adoptions;
- (v) issue Conformity Certificate in the inter-country adoption cases under Article 23 of the Hague Adoption Convention in respect of inter-country adoption;
- (vi) intimate the immigration authorities of India and the receiving country of the child about the inter-country adoption cases;
- (vii) provide support and guidance to State Adoption Resource Agencies (SARAs), District Child Protection Units (DCPUs), Specialised Adoption Agencies (SAAs) and other stakeholders of adoption in related matters, through trainings, workshops, exposure visits, consultations, conferences, seminars and other capacity building programmes;
- (viii) coordinate with State Governments or the SARAs and advise them in adoption related matters;
- (ix) establish uniform standards and indicators, relating to :-
  1. adoption procedure related to orphan, abandoned and surrendered children and also related to relative adoptions;
  2. quality child care standards in SAAs and Child Care Institution;
  3. monitoring and supervision of service providers;
  4. standardization of documents in cases of adoptions; and
  5. safeguards and ethical practices including online applications for facilitating hassle-free adoptions;
- (x) conduct research, documentation and publication on adoption and related matters;
- (xi) maintain a comprehensive centralised database relating to children and prospective adoptive parents (PAPs) for the purpose of adoption in Child Adoption Resource Information and Guidance System;
- (xii) maintain a confidential centralised database relating to children placed in adoption and adoptive parents in the Child Adoption Resource Information and Guidance System;
- (xiii) carry out advocacy, awareness and information, education and communication activities for promoting adoption and other non-institutional child care services either by itself or through its associated bodies;
- (xiv) enter into bilateral agreements with foreign Central Authorities as prescribed under the Hague Adoption Convention, wherever necessary;
- (xv) authorise foreign adoption agencies to sponsor applications of Non-Resident Indian (NRI) or Overseas Citizen of India or foreign prospective adoptive parents for inter-country adoption of Indian children;
- (xvi) set-up counselling Centre in its Head Quarters and support State Adoption Resource Agencies for setting-up of counseling centre at State and District level for:-
  1. counselling of the PAPs;
  2. counseling of older children, wherever required;
  3. preparing post-adoption follow-up report, wherever required;

4. post adoption counselling of adopted children and adoptive parents; and
  5. assisting and counselling of older adoptees in root search.
- (c) & (d): Adoption Policy has been simplified through the Adoption Regulations, 2017. These Regulations have been made keeping in mind the “best interests of the child”.

The home assessments of the PAPs are done by the Social Worker from a SAA at their habitual place of residence and their counselling is under taken by them. Further on acceptance of the referral of the child, the PAPs visit the SAA and meet the child. Their matching is done by the Adoption Committee of the SAA before the PAPs gives their consent for adoption.

- (e) A Counselling Centre has been functioning in CARA since 1<sup>st</sup> July, 2016 and PAPs can request for counselling on-line through CARA’s website for both in-person and tele-counselling. Counsellors have been empanelled for this purpose. Several PAPs have been counselled through this facility. Further for providing counselling facilities at the State & District levels. Circular has been issued by CARA on 18<sup>th</sup> August, 2017 to All SARAs, DCPUs and SAAs.

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