

**IN THE SUPREME COURT OF INDIA
WRIT PETITION (CIVIL) NO. 1003 OF 2021
PUBLIC INTEREST LITIGATION**

IN THE MATTER OF:

THE TEMPLE OF HEALING

...PETITIONER

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

Suggestions And Statistics By The Additional Solicitor General.

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Table of Abbreviations

Abbreviation	full form
CCI	Child Care Institutions
CARINGS	Child Adoption Resource Information & Guidance System
CARA	Central Adoption Resource Agencies
SARA	State Adoption Resource Agencies
DCPU	District Child Protection Units
CMO	Chief Medical Officers
PAP	Prospective Adoptive Parents
OAS	Orphan, Abandoned, Surrendered
LFA	Legally Free for Adoption
NIC	National Informatics Centre
NRI	Non-resident Indians
OCI	Overseas Citizens of India
CWC	Child Welfare Committee
WCD	Ministry of Women and Child Development
HAMA	Hindu Adoption and Maintenance Act,1956
JJ	Juvenile Justice Act
SAA	Specialised Adoption Agencies
NGO	Non-governmental organization

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**SUGGESTIONS AND STATISTICS BY THE ADDITIONAL
SOLICITOR GENERAL OF INDIA**

A. INTRODUCTION

1. The present Petition has been filed seeking simplification of adoption procedures in the Country.
2. That a separate Affidavit is being filed by the Union of India highlighting the manner in which the system of adoption has been carefully crafted and calibrated with the welfare of child being of paramount consideration. However, the present note is being circulated in accordance with the directions of this Hon'ble Court to come up with some constructive suggestions to fill the gaps/lacunae in the system.

3. It is imperative to appreciate that the most amount of gap exists in the identification of children who are Orphaned, Abandoned or Surrendered and in need of care.

B. STATISTICS

4. As per the mandate of the Juvenile Justice Act, 2015 and the CARA Regulations, 2022, in all cases of orphaned, abandoned, or surrendered children, the Child Welfare Committee must first confirm that there is no claimant or guardian, and only then can such children can be legally free for adoption.

5. It is submitted that Child Adoption Resource Information & Guidance System (hereinafter “CARINGS”) is an online platform, 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 said platform has been redesigned in the year 2015 and further in the year 2022 to ensure that all types of adoptions proceed through the online system for bringing transparency and ethical practices.

6. It is pertinent to mention that from the year 2014-15 till the year 2022-23, around 40,000 orphan and destitute children

have been adopted through the online system (CARINGS PORTAL).

7. On 12th September 2022 (at the time of notification of Adoption Regulation 2022) a total of 997 adoption orders were pending, which are now reduced to only 126 as of 30th August 2023. 2849 adoption orders have been issued as per CARINGS as on 30th August 2023 from the date of notification of new Adoption Regulation 2022.

8. CARINGS has been made citizen-centric and has registered 495 adoption agencies, 5,874 Child Care Institutions, 34 State Adoption Resource Agencies, 769 District Child Protection Units, and a number of Foreign Agencies, Central Authorities and Indian Diplomatic Missions abroad in about 68 Countries. The entire adoption process can now be monitored online by CARA as well as by the State Governments, thereby bringing about transparency and accountability in the system.

9. There are about 500 specialized adoptions agencies in the country recognized by their respective States/UTs for facilitating matters pertaining to adoption of children. CARA functions with the help of 34 State Adoption Resource Agencies (SARA) and about 750 number of District Child Protection Units (DCPUs), 600 Chief Medical Officers (CMOs) and all District Magistrates across the country.

10. Adoptions effected between the years 2013 to 2023 (Ten Year Statistics)

S. No	Years	In-country	Inter-country	Total
1.	2013-14	3924	430	4354
2.	2014-15	3988	374	4362
3.	2015-16	3011	666	3677
4.	2016-17	3210	578	3788
5.	2017-18	3276	651	3927
6.	2018-19	3374	653	4027
7.	2019-20	3351	394	3745
8.	2020-21	3142	417	3559
9.	2021-22	2991	414	3405
10.	2022-23	2727	431	3158
	Total	32994	5008	38002

11. Out of the 38,002 adoptions in last 10 years, 3,232 children were adopted having special needs, which come to 8.5% of the total adoptions. Most of such children have been placed in Inter Country Adoption.

12. Prospective Adoptive Parents (PAP): the details of PAPs registered on CARINGS portal are as follows:

No. of Prospective Adoptive Parents (as on 1/08/2023)	
In-country Orphan, Abandoned, Surrendered (OAS)	30401
Inter-country OAS	933
In-country Relative/ Step Child	2563
Inter-country Relative	70
Total	33967

a) Children registered on Portal:

No. of Children Registered (as on 1/08/2023)	
Normal	5656
Special needs	1451
Total	7107

b) Children Legally Free for Adoption (LFA):

No. of Legally free for adoption Children (as on 1/08/2023)	
Normal	718
Special needs	1400
Total	2118

13. List of children available for adoption state wise (Normal/Special needs/Hard to place children) (As on 28.10.2023)

Sl.no	State	Abandoned	Surrendered	Orphan	Total
1	Andaman & Nicobar Islands	0	1	0	1
2	Andhra Pradesh	8	16	1	25
3	Arunachal Pradesh	1	2	0	3
4	Assam	20	44	2	66
5	Bihar	130	4	8	142
6	Chandigarh	5	2	0	7
7	Chhattisgarh	29	24	7	60
8	Delhi	36	13	7	56
9	Goa	2	3	0	5
10	Gujarat	35	25	1	61
11	Haryana	35	20	0	55
12	Himachal Pradesh	2	0	0	2
13	Jammu and Kashmir	2	7	0	9
14	Jharkhand	33	20	2	55
15	Karnataka	26	113	1	140
16	Kerala	9	41	0	50
17	Ladakh	0	0	0	0
18	Lakshadweep	0	0	0	0
19	Madhya Pradesh	40	35	22	97
20	Maharashtra	70	234	3	307
21	Manipur	1	1	0	2
22	Meghalaya	1	8	0	9
23	Mizoram	0	4	0	4
24	Nagaland	0	9	0	9
25	ODISHA	56	81	6	143
26	PUDUCHERRY	0	3	0	3
27	Punjab	18	6	1	25
28	Rajasthan	78	13	2	93
29	Sikkim	0	11	0	11
30	Tamil Nadu	45	210	4	259
31	Telangana	22	64	1	87
32	The Dadra & Nagar Haveli and Daman & Diu	0	0	0	0
33	Tripura	4	3	0	7
34	Uttar Pradesh	122	12	28	162
35	Uttarakhand	2	5	0	7
36	West Bengal	120	51	13	184

Total	952	1085	109	2146
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14. List of In-Country registered PAPs for adopting different age group of children (As on October 2023)

Sl. No	State	0-2 Years	2-4 years	4-6 years	6-8 years	8-10 years	10-12 years	12-14 years	14-18 years	Total
1	ANDAMAN AND NICOBAR ISLANDS	9	5	3	0	0	0	0	0	17
2	Andhra Pradesh	485	99	150	12	47	1	0	0	794
3	Arunachal Pradesh	25	3	9	0	2	0	0	0	39
4	Assam	451	40	187	5	50	0	0	0	733
5	Bihar	354	37	105	3	43	1	1	0	544
6	Chandigarh	33	8	5	0	2	0	0	0	48
7	Chhattisgarh	374	56	83	4	15	1	0	0	533
8	Delhi	759	128	100	10	25	2	1	0	1025
9	Goa	161	33	93	4	22	1	1	0	315
10	Gujarat	594	86	88	9	26	0	1	2	806
11	Haryana	726	130	102	18	21	2	0	2	1001
12	Himachal Pradesh	121	22	27	1	14	1	0	0	186
13	Jammu and Kashmir	7	4	1	1	0	0	0	0	13
14	Jharkhand	321	38	60	1	22	0	0	0	442
15	Karnataka	2637	431	523	33	148	5	0	1	3778
16	Kerala	579	52	413	15	149	5	1	1	1215
17	Ladakh	0	0	0	0	0	0	0	0	0
18	Lakshadweep	0	0	0	0	0	0	0	0	0
19	Madhya Pradesh	756	78	133	8	44	4	0	0	1023
20	Maharashtra	2785	554	440	48	95	4	2	2	3930
21	Manipur	44	11	9	0	2	0	0	0	66
22	Meghalaya	37	7	4	4	0	0	0	0	52
23	Mizoram	27	4	11	0	3	0	0	0	45
24	Nagaland	40	7	3	0	0	0	0	0	50
25	Odisha	652	93	179	12	73	3	1	0	1013
26	Puducherry	56	9	14	0	5	0	0	0	84
27	Punjab	223	30	35	6	11	0	0	1	306
28	Rajasthan	569	73	84	4	32	0	1	0	763
29	Sikkim	25	3	6	0	3	0	0	0	37

30	Tamil Nadu	3024	370	580	29	148	9	2	1	4163
31	Telangana	1285	188	267	25	64	5	1	1	1836
32	The Dadar & Nagar	15	2	5	0	0	0	0	0	22

	Haveli and Daman & Diu									
33	Tripura	74	7	30	1	8	1	0	0	121
34	Uttar Pradesh	1448	187	275	17	79	3	1	0	2010
35	Uttarakhand	145	27	26	1	8	1	0	0	208
36	West Bengal	2472	337	509	9	124	0	0	0	3451
	Total	2131 3	3159	4559	280	1285	49	13	11	30669
	Percentage	69.4	10.3	14.8	0.9	4.1	0.15	0.04	0.03	

C. CHILD REFERRAL SYSTEM FOR THE PAPs

15. Section 58 and 59 of the Juvenile Justice Act, 2015 (amended in 2021) read with Regulation 11& 16 of Adoption Regulations, 2022 lays procedure of child referral for the PAPs. ‘Referral’ means referring a child having normal health status to PAPs as per the preferences (age, gender, state) given by them at the time of registration and their current seniority. This process is completely online and administered by CARA through NIC. Adoption referral process is absolutely transparent and fast. The children do not have to wait for adoption after they are declared legally free. However, PAPs have to wait for 3-4 years for getting a healthy and young child due to huge mismatch in number of registered PAPs and children available for adoption. For placing children in their own socio-cultural milieu, there is a seven day window for RI/NRI/OCI PAPs and the PAPs can adopt such children without losing their seniority. There is direct reservation facility for those children in the category of special needs

and hard to place. Referral cycle for RI/NRI/OCI & Foreign PAPs executed twice a week from March 2, 2023 i.e. Tuesday at 11.00 A.M. & Thursday at 12.00 Noon)

Stage: 1

Referral for RI/NRI/OCI PAPs as per seniority	Children < 5 years = up to 60 days Children > 5 years or siblings = up to 30 days
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Stage: 2

Children not reserved in Stage 1	<ul style="list-style-type: none"> ● 7 days for RI/NRI/OCI PAPs (Direct Reservation irrespective of seniority) ● Every Monday and Wednesday at 4:00 P.M.
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Stage: 3

Children not reserved in Stage 2	Referral for 15 days for Foreign PAPs as per their seniority
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Stage: 4

Children not reserved in Stage 3	<p>Immediate Placement Tab (up to the age of 18 years of child). Children placed under this tab are referred to as '<i>hard to place children</i>'.</p> <p>(Direct Reservation by RI/NRI/OCI & Foreign PAPs irrespective of seniority)</p>
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16. Based on the certification of the CMO of each district, the

health status of a child is determined if it is a normal child or a child having special needs. As soon as its health status is determined, the profile of the child is uploaded online.

RI/NRI/OCI PAPs (irrespective of seniority)	Children to be made available for PAPs for 15 days
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Stage: 3

Children not reserved in Stage 2	All categories of PAPs (Direct Reservation by RI/NRI/OCI & Foreign PAPs irrespective of seniority)
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D. FOSTER ADOPTIONS AS PER THE ADOPTION REGULATIONS, 2022

17. After coming in force of Adoption Regulations 2022, CARA has been promoting adoption of those older children who are already in foster care and where there is possibility of getting legally free for adoption(LFA) certificate from CWC for such foster children.

18. Till date, CARA has successfully completed 10 foster adoption cases. Further, there are 27 cases registered in the system for further process. On 28th July 2023, CARA introduced the online portal for Foster Care Adoption and

successfully completed the procedure of 1st foster adoption through online portal. States are now applying online on CARINGS portal and have registered 27 such cases. In one case, an eight year old Indian child, repatriated from Dubai to India was also placed in foster care with an Indian family in the month of August 2023. Ministry of WCD is also writing to States/UTs to benefit the older children already residing in family foster care and who can be adopted. Further, Ministry is also facilitating registration of foster parents directly from the portal of Mission Vatsalya to promote non-institutional care.

E. STATUS OF ADOPTION THROUGH HAMA VIS-À-VIS ADOPTION REGULATIONS

19. Hindu Adoption and Maintenance Act (HAMA) 1956 is a personal law for Hindus. In case of in-country adoption the parents finalize their adoption through registered adoption deed or through informal means.

20. Ministry of Women and Child Development, Government of India vide notification no. G.S.R. 641(E), dated 17-09-2021 has also entrusted the CARA for execution of Inter-country adoptions concluded under Hindu Adoption and Maintenance Act (HAMA), 1956, wherein the Non-resident Indians (NRI)/ Overseas Citizens of India (OCI) cardholder

parents desire to re-locate the child abroad. One of the central challenges is ensuring that HAMA adoptions align with international adoption convention, such as the 1993 Hague Inter-country Adoption Convention.

21. Although CARA has been processing adoption cases of NRI/OCI PAPs for relocating a child abroad under HAMA, receiving countries do not consider HAMA to be in conformity with the Hague Convention procedure therefore the countries are reluctant to proceed with such adoption cases. So far CARA has issued adoption support letters for NRI/OCIs PAPs in 66 cases under HAMA since May 2022. In a few cases, CARA has also issued NOC on compliance of the stipulations of the Hague convention.

F. Suggestions For The Kind Consideration of This Hon'ble Court

22. The Secretary of Women and child Welfare department/ Social Justice department (whichever is the nodal department for administration of Juvenile Justice Act, 2015) of each State and UT, be directed to carry out an identification drive every 2 months to identify OAS children in CCI's of their respective states/ UTs.

23. This Hon'ble Court may consider directing the collection and compilation of the following relevant data, district-wise by the Secretary of Women and Child Welfare department/ Social Justice department (whichever is the nodal department for administration of Juvenile Justice Act, 2015) of each State and UT, and to make the collected and compiled data available to the Secretary, Ministry of Women and Child Development/ Director of CARA, within a fixed time-period (about 8 weeks);

a) To identify and compile data on potential children for adoption- especially amongst those who are languishing in CCIs and those not reaching in CCIs.

b) Compilation of data on registration of all OAS children of the district on CARINGS and monitoring of CWC's for timely determination of legal status of children- It is imperative for the States to ensure registration of all OAS children in the district on the CARINGS. States are required to nominate an officer of sufficient senior level to monitor this exercise. It has been observed while examining the data on CARINGS as well as visits conducted from time to time by CARA that defining legal status of children are delayed on the part of CWCs. The pending cases with CWCs beyond stipulated time limit for declaring a child LFA is also one of the major concerns. There are a total number of 761 cases in all States/UTs which are pending with CWCs for more than four months for declaring children legally free for adoption (LFA). CWCs are required to expedite the legal status of all orphans, abandoned and surrendered children irrespective of

their age. Older children can be benefited by the foster care adoption module being operationalized by CARA. The necessary data on pending applications for LFA children also needs to be directed to be compiled.

c) Direction be issued for compilation of the relevant data on whether or not compliance of Rule 17 (1)(1)(v) & Rule 20(2) of JJ Model Rule 2016 (As amended 2022) by District Magistrate/ Additional District Magistrate for quarterly monitoring of CWCs is being followed along with compliance of Rule 17 (1)(v) & Rule 20(2) of JJ Model Rules 2016 (amended in 2022) by District Magistrate/ Additional District Magistrate for quarterly monitoring of CWCs- which will help to decrease the pendency of cases at the level of CWCs. States/UTs need to take up timely publications in cases of orphan/abandoned children before declaring those children legally free for adoption, conduct a comprehensive assessment of the child protection needs in the district;

d) Collection and compilation of data on the vacant positions in different State Adoption Resource Agencies. A total number of 49 positions were found vacant out of total 133 sanctioned positions in different State Adoption Resource Agencies (SARAs). Vacant posts in Child Protection Services at the State/UT level must be filled without delay and the Role of DM in monitoring institutions at district level also requires to be reinforced. Consequently, a lot of child protection service programmes may benefit from regular, effective district monitoring at the state level.

e) Collection and compilation of data on identification of children residing in CCIs (not visited by their parents for more than a year/Unfit parents) as well as potential children for adoption from the community- It is evident from the ongoing mapping exercise of children residing in CCIs, conducted by the CARA that many children are living in CCIs for more than a year and their legal status is yet to be determined. All such children should be identified district wise in the category of unfit parents or if their parents or guardians have not visited them in the last one year or more or vice-versa. The district functionaries should make collaborative efforts to bring more such children into the adoption pool. As mentioned in Rule 2 (14)(iv) and (v) of JJ Model Rules 2016 (as amended in 2022) the following category of children should be identified to bring them in the adoption pool-

- I. Children with no visitation: All such cases where there is no visitation made by the child's parent, guardian or relative to meet the child in the last one year to be classified under this category.
- II. Children having Unfit Guardian- Unfit Guardian can be someone who is unable or unwilling for parenting, indulge in substance abuse (drugs) abuse or alcohol, known to have abused or neglected the child, having a criminal record, in need of care themselves, mentally unsound etc. Children of all such parents may be classified under this category.

24. This Hon'ble Court may consider directing the Secretary, Ministry of Women and Child Development, Union of India or Director, CARA to compile a status report with the data received from all the States/ UTs, and place before the Hon'ble Court for further directions.

25. Additional suggestions placed for consideration before the Hon'ble Court-

- a) Expansion of adoption base in the State- Section 65 (1) of the JJ Act 2015 requires that SAAs be recognized in every district of the state. In many States, there is still a lack of compliance with respect to important provisions such as Section 65 (1) of the JJ Act 2015 despite regular training of key child protection system functionaries, visits to States. In total 766 districts in all 36 State/UTs there are only 391 districts with functional SAA's to look after adoption process while each district should have at least one operational SAA. Directions may be issued to all States for adherence of Section 65 (1) of JJ Act 2015 and that the State to recognize a SAA for each district at the earliest.
- b) Provide continuous training to child protection workers, law enforcement, healthcare professionals, and educators on child protection laws, policies, and best practices- foster collaboration between various government agencies, NGOs, and community-based organizations involved in child protection to ensure a coordinated response and regularly evaluate the district's child protection services and use feedback to make improvements.

c) To encourage de- institutionalization and identify prospective foster parents for providing families to children- Identification of potential children for adoption from the community as well as prospective foster parents for matching with the children is also simultaneously required to provide family to homeless children. The State must ensure to mobilize district level functionaries to take appropriate measures for promoting de-institutionalization of children through Foster Care. In this regard, the cases where children are already placed in foster care must be examined meticulously and where the child is well matched with the foster parent, the online facility operationalized by CARA recently may be utilized to register foster care adoption cases.

MINISTRY OF WOMEN AND CHILD DEVELOPMENT

NOTIFICATION

New Delhi, the 23rd September, 2022

G.S.R. 726(E).—In exercise of the powers conferred under clause (c) of section 68 read with clause (3) of section 2 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016) and in supersession of the Adoption Regulations, 2017, except as respects things done or omitted to be done before such supersession, the Central Government hereby notifies the following Adoption Regulations as framed by the Central Adoption Resource Authority.

**CHAPTER – I
PRELIMINARY**

1. **Short title and commencement.**— (1) These regulations may be called the Adoption Regulations, 2022.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions.**—In these regulations, unless the context otherwise requires,—
 - (1) "Act" means the Juvenile Justice (Care and Protection of Children) 2015 (2 of 2016) Act;
 - (2) "Adoption Committee" means the Committee comprising of the authorised office-bearer of the Specialised Adoption Agency concerned, its visiting doctor or a medical officer from a Government hospital and one official from the District Child Protection Unit and shall also include a representative of the Child Care Institution, in case the adoption is from a Child Care Institution other than the Specialised Adoption Agency and the committee shall be chaired by District Child Protection Officer;
 - (3) "Adoption fee" means the fee as specified by the Authority to be received from the prospective adoptive parents directly, in case they are living in India and through Authorised Foreign Adoption Agency or Central Authority or the Government department, as the case may be, in cases of inter-country adoptions;
 - (4) "Biological parent" means a man or woman who is genetically father or mother of a child;
 - (5) "child legally free for adoption" means a child declared as such by the Child Welfare Committee as per the format provided in the **Schedule I**, after making due inquiry under section 38 of the Act;
 - (6) "Child Study Report" means the report which contains details about the child, including their date of birth and social background as per the format provided in the **Schedule II**;
 - (7) "Cluster of states" for the purpose of adoption means zones or regions as defined by Government of India from time to time;
 - (8) "Designated Portal" means Child Adoption Resource Information and Guidance System or any other portal to be notified by the Government from time to time designed for facilitating, guiding and monitoring the adoption programme;
 - (9) "disruption" means the child being unmatched from the adoptive family due to non-adjustment of both the child and the adoptive family with each other after placement, but prior to the completion of the legal process of adoption;
 - (10) "dissolution" means the annulment of the adoption legally, due to non-adjustment of both the child and the adoptive family with each other, after the adoption order has been obtained from the District Magistrate;
 - (11) "habitual residence" means the ordinary residence of a person for at least a period of one year;
 - (12) "Hague Adoption Convention" means the Hague Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption (1993);
 - (13) "Hard to place child" refers to a child who has not been placed in adoption after going through the procedure as mentioned below:
 - (a) a normal child under the age of five who has not been placed in adoption with a resident Indian or non-resident Indian or Overseas Citizen of India Card holder prospective adoptive parents within sixty days after referral;
 - (b) or a child over the age of five or siblings who has not been placed in adoption with a resident Indian or non-resident Indian or Overseas Citizen of India Card holder prospective adoptive

- parents within thirty days after referral;
- (c) categories of children mentioned in clause (a) and (b) above, who have not been placed in adoption within the prescribed time limit shall further be shown to all the prospective adoptive parents referred to in clause (a) and (b) for another seven days period;
- (d) after expiry of the stated time line in clause (c), the child shall be referred to foreign prospective adoptive parents for fifteen days;
- (e) the child not placed in adoption after clause (a) to (d) above stipulated timeline shall be categorised as hard to place.
- (14) “Home Study Report” means a report containing details of the prospective adoptive parents, which shall include social and economic status, family background, description of home and atmosphere therein and health status as per the format provided in **Schedule VII**;
- (15) “in-country adoption” means adoption of a child by a citizen of India residing in India;
- (16) “Medical Examination Report” means the report in respect of health condition of a child given by a duly licensed physician in the format provided in **Schedule III**;
- (17) “No Objection Certificate” means the certificate issued by the Authority for permitting the child to be placed in adoption with foreign or Overseas Citizen of India Cardholder or non-resident Indian prospective adoptive parents;
- (18) “older child” for the purpose of adoption means a child who is above five years of age;
- (19) “pending adoptions” means those adoption matters, where the prospective adoptive parents are already registered for adoption or who have accepted the referral of a child from a Specialised Adoption Agency before the expiry, suspension or withdrawal of recognition of such Specialised Adoption Agency;
- (20) “pre-adoption foster care” means a stage when the temporary custody of a child is given to prospective adoptive parents, till the adoption order is granted by the District Magistrate;
- (21) “resident Indian” means an Indian citizen residing in India;
- (22) “rules” means the Juvenile Justice (Care and Protection of Children) Model Rules, 2022;
- (23) “Schedule” means a Schedule annexed to these regulations;
- (24) “Section” means the section of the Act;
- (25) “special needs child” means a child who is suffering from any disability as provided in the Rights of Persons With Disabilities Act, 2016(49 of 2016) as given in **Schedule XVIII** and **Schedule III (Part E)** of these Regulations;
- (26) “step parent” means a parent who is married to the father or mother of a child, but who is not that child's biological father or mother;
- (27) “step parent adoption” means any situation in which someone becomes a legal parent for his or her spouse's child;
- (28) The words and expressions used herein and not defined in these regulations shall have the same meaning as respectively assigned to them in that Act or the rules made thereunder.
- 3. Fundamental principles governing adoption.**— The following fundamental principles shall govern adoptions of children from India, namely:—
- (a) the child's best interests shall be of paramount consideration, while processing any adoption placement;
- (b) preference shall be given to place the child in adoption with Indian citizens with due regard to the principle of placement of the child in their own socio-cultural environment, as far as possible;
- (c) all applications for adoptions shall be registered on the Designated Portal and confidentiality of the same shall be maintained by the Authority.
- 4. Child eligible for adoption.**— The following shall be eligible for adoption, namely:—
- (a) any orphan or abandoned or surrendered child, declared legally free for adoption by the Child Welfare Committee;
- (b) a child of a relative defined under clause (52) of section 2;
- (c) child or children of spouse from earlier marriage, surrendered by the biological parents for adoption by the step-parent.

- 5. Eligibility criteria for prospective adoptive parents.**— (1) The prospective adoptive parents shall be physically, mentally, emotionally and financially capable, they shall not have any life threatening medical condition and they should not have been convicted in criminal act of any nature or accused in any case of child rights violation.
- (2) Any prospective adoptive parent, irrespective of their marital status and whether or not they have biological son or daughter, can adopt a child subject to the following, namely:—
- (a) the consent of both the spouses for the adoption shall be required, in case of a married couple;
- (b) a single female can adopt a child of any gender;
- (c) a single male shall not be eligible to adopt a girl child.
- (3) No child shall be given in adoption to a couple unless they have at least two years of stable marital relationship except in the cases of relative or step-parent adoption.
- (4) The age of prospective adoptive parents, as on the date of registration, shall be counted for deciding the eligibility of prospective adoptive parents for children of different age groups as under:—

Age of the child	Maximum composite age of prospective adoptive parents (couple)	Maximum age of single prospective adoptive parent
Upto 2 years	85 years	40 years
Above 2 and upto 4 years	90 years	45 years
Above 4 and upto 8 years	100 years	50 years
Above 8 and upto 18 years	110 years	55 years

Provided that the minimum age difference between the child and either of the prospective adoptive parents shall not be less than twenty five years.

- (5) In case of a couple, the composite age of the prospective adoptive parents shall be counted.
- (6) The age criteria for prospective adoptive parents shall not be applicable in case of relative adoptions and adoption by step-parent.
- (7) Couples with two or more children shall only be considered for special needs children as specified in clause (25) of regulation 2, and hard to place children as stated in clause (13) of regulation 2 unless they are relatives or step-children.
- (8) The prospective adoptive parents have to revalidate their Home study report after a period of three years.
- (9) The seniority of the prospective adoptive parents who have not received a single referral within three years shall be counted from their date of registration except those who have crossed composite years of one hundred ten years.

CHAPTER II PROCEDURE RELATING TO CHILDREN FOR ADOPTION

- 6. Procedure relating to orphan or abandoned child.**— (1) The provisions relating to the process of declaring an orphan or abandoned child, as legally free for adoption are laid down in sections 31, 32, 36, clauses (a) to (c) and clause (h) of sub-section (1) of section 37, section 38 and section 40 of the Act, as well as under the relevant provisions of the rules made thereunder.
- (2) An orphan or abandoned child received by a Child Care Institution, including a Specialised Adoption Agency, directly without the involvement of Child Welfare Committee, shall be produced before the Child Welfare Committee within twenty-four hours (excluding the journey

- time) along with a report as per the format given in Form 17 of the rules and a copy of such report shall be submitted by the Child Care Institution or the Specialised Adoption Agency, as the case may be, to the local police station within the same period.
- (3) If a child is under treatment or not in a condition to be produced before the Child Welfare Committee, only documents related to the child shall be submitted to the Child Welfare Committee within the said timeline and the Child Welfare Committee shall visit the child.
 - (4) If inquiry is pending, the Child Welfare Committee shall issue an order in Form 18 of the rules for a short term placement or interim care of the child to a Child Care Institution or a Specialised Adoption Agency, as the case may be, as per the provisions of clause (c) of sub-section (1) of section 37 of the Act and the sub-rule (26) of rule 19 of the said rules.
 - (5) On admission of the child by the order of the Child Welfare Committee, their details and photograph shall be entered online on the Designated Portal in the prescribed format by the Specialised Adoption Agency within three days of getting the order of the Child Welfare Committee, and the photograph and profile of the child shall be updated by such Agency every six months on the Designated Portal.
 - (6) In case of orphan, abandoned or surrendered older children admitted in Child Care Institutions on the basis of the order from the Child Welfare Committee, the details of such children shall be entered by the District Child Protection Unit concerned on the Designated Portal.
 - (7) For tracing out the biological parents or the legal guardians, the Child Welfare Committee, after taking into account the risk factors, and in the best interest of the child, may direct the District Child Protection Unit to advertise the particulars and photograph of an orphan or abandoned child in a national newspaper with wide circulation in the place where the child was found within three days from the time of receiving the child and also ensure entry of data in the Track Child portal or *Khoya Paya* by the concerned Child Care Institution or Specialised Adoption Agency.
 - (8) In case where the child is from another State, the publication shall be done in the known place of origin of the child in the local language and such publications including the entry of information in Track Child portal or *Khoya Paya* shall be facilitated by the State Adoption Resource Agency concerned.
 - (9) In case the biological parents or legal guardian cannot be traced, despite the efforts specified in sub-regulations (7) to (8), the District Child Protection Unit shall submit a report to the Child Welfare Committee within thirty days from the date of production of the child before the Child Welfare Committee.
 - (10) The Child Care Institution or Specialised Adoption Agency shall submit a report to the Child Welfare Committee, immediately on completion of thirty days from the date of production of the child, before the Child Welfare Committee and the report shall include any information revealed by the child during their short term placement and details of persons whosoever approached for claiming the child, if any.
 - (11) If the local police report on the non-traceability of the biological parents or legal guardians is not received within two months in the case of an orphan or abandoned child under the age of two years, and within four months in the case of child over the age of two years respectively, the parents shall be deemed to be non-traceable.
 - (12) The Child Welfare Committee shall use the Track Child Portal or *Khoya Paya* to ascertain whether the abandoned child or orphan child is a missing child and incase the child's identity is established, they shall be restored to biological parents or legal guardians.
 - (13) The Child Welfare Committee, after taking actions as per the provisions of the Act, rules made thereunder and these regulations shall issue an order signed by any three members of the Child Welfare Committee declaring the abandoned or orphan child as legally free for adoption in the format provided in the **Schedule I** within a period of three days after the expiry of two or four months, from the date of production of the child before the Child Welfare Committee, in case of a child upto two or above two years of age respectively.
 - (14) The inquiry under section 36 and the order declaring an abandoned or orphan child as legally free for adoption by the Child Welfare Committee under section 38 shall be completed in the district where the child was initially found, or in the district to which the child is shifted under orders of the Child Welfare Committee.
 - (15) The Child Study Report and Medical Examination Report of an orphan or abandoned child shall be prepared in the format provided in the **Schedule II** and **Schedule III** respectively and posted on the Designated Portal by the Specialised Adoption Agency maximum within ten days from the

- date the child is declared legally free for adoption and the details shall be updated on the Designated Portal every six months and whenever appreciable physical changes are observed in the child.
- (16) The Child Study Report and Medical Examination Report shall be in English, apart from the regional language of the concerned area.
 - (17) The District Child Protection Unit shall facilitate the Specialised Adoption Agency in uploading the Child Study Report and Medical Examination Report or any other required information on the Designated Portal, in case the Specialised Adoption Agency is facing any technical difficulty.
 - (18) The procedure for declaring a child of parents with mental illness or intellectual disability as legally free for adoption by the Child Welfare Committee shall be done on the basis of a certificate reflecting mental disability of the parents from the medical board constituted by the Central Government or the State Government, as the case may be, as per the laws established by the Government of India, with respect to the same.
 - (19) In case of siblings or twins, the Child Welfare Committee shall specify the status of the children as siblings or twins and declare the children as legally free in a single order.
- 7. Procedure relating to a surrendered child.—** (1) A parent or guardian wishing to surrender a child under sub-section (1) of section 35 of the Act, shall apply to the Child Welfare Committee as provided in the Form 23 of the rule.
- (2) For parents or guardians who are unable to give an application, due to illiteracy or any other reason, the Child Welfare Committee shall facilitate the same through the legal aid counsel provided by the Legal Services Authority.
 - (3) The Deed of Surrender shall be executed on the day of production of the child as provided in the **Schedule V**.
 - (4) If a female biological parent including an unwed mother is willing to surrender the child through the procedure laid down under section 35 of the Act, then the Deed of Surrender may be executed in the presence of any one female member of the Child Welfare Committee as envisaged under section 35 of the Act.
 - (5) If a child born to a married couple is to be surrendered, both parents shall sign the Deed of Surrender and in case one of them is dead, death certificate is required to be furnished in respect of the deceased parent.
 - (6) If a child born to a married couple is to be surrendered by one biological parent and the whereabouts of the other parent are not known, the child shall be treated as abandoned child and further procedures in accordance with regulation 6 of these regulations shall be followed.
 - (7) In case of a child born out of wedlock, only the mother can surrender the child and if the mother is a minor and the guardian or the family of the minor is willing to surrender the child under the procedure given in section 35 of the Act, then the Deed of Surrender shall be signed by an accompanying adult as the witness.
 - (8) Nobody other than the parents or legal guardian can surrender the child. If the surrender is by a person other than the parents or legal guardian, the child shall be treated as abandoned child and further procedures in accordance with regulation 6 shall be followed:

Provided that any female biological parent including an unwed mother or a minor surrendering the child is not willing to disclose her identity, such child shall be treated as abandoned.
 - (9) The Child Welfare Committee shall ensure that a copy of the Deed of Surrender is given to the surrendering parents or person.
 - (10) The details of the surrendered child along with their photograph shall be uploaded on the Designated Portal by the Specialised Adoption Agency within three days from the time of receiving the child.
 - (11) Efforts shall be made by the Specialised Adoption Agency, District Child Protection Unit and the Child Welfare Committee for exploring the possibility of parents retaining the child, which shall include counselling or linking them to the counselling centre identified by the State Government, encouraging them to retain the child and explaining that the process of surrender shall become irrevocable after expiry of sixty days from the date of signing the Surrender Deed to discourage surrender by biological parents.
 - (12) The Specialised Adoption Agency and the Child Welfare Committee shall ensure that the surrendering parents or the legal guardian is made aware that they can reclaim the surrendered child only within a period of sixty days from the date of surrender.

- (13) Due regard shall be given to the privacy of the surrendering parents and the surrendered child by the authorities and agencies involved in the process.
- (14) No public notice or advertisement shall be issued in the case of a surrendered child.
- (15) In case the surrendering biological parent has not claimed back the child during the reconsideration period, the same shall be intimated by the Specialised Adoption Agency to the Child Welfare Committee on completion of sixty days from the date of surrender.
- (16) The reconsideration period for the biological parents is specified in sub-section (3) of section 35 of the Act and no further notice shall be issued to the surrendering parents.
- (17) The Child Welfare Committee shall issue an order signed by at least three members declaring the surrendered child as legally free for adoption after the expiry of sixty days from the date of surrender, in the format in the **Schedule I**.
- (18) The Child Study Report and Medical Examination Report of the surrendered child shall be prepared and posted on the Designated Portal by the Specialised Adoption Agency, within ten days from the date the child is declared legally free for adoption, in the format in the **Schedule II** and **Schedule III** of these regulations respectively.
- (19) The Child Study Report and Medical Examination Report shall be made available in English (apart from the regional language of the concerned area) and the District Child Protection Unit shall facilitate the Specialised Adoption Agency in uploading the Child Study Report and Medical Examination Report on the Designated Portal, in case the Specialised Adoption Agency is facing any technical difficulty.
- (20) Strict confidentiality shall be maintained in cases of all documents pertaining to biological parents in all circumstances unless the surrendering parents have expressed their willingness for divulging the same:
Provided that only the child shall have access to the surrendered deed.
- (21) The surrender of a child before the Child Welfare Committee shall be in camera.
- (22) The surrender of child or children by the biological parents for adoption by the step-parent shall be before the Child Welfare Committee in the format provided in the **Schedule XX**.

8. Availability of child for adoption.—(1) As soon as a child is declared legally free for adoption by the Child Welfare Committee, such child shall be allowed to be given in adoption to prospective adoptive parents who is a resident Indian or non-resident Indian or a Overseas Citizen of India Cardholder.

- (a) a normal child below the age of five years shall be referred to resident Indian or non-resident Indian or Overseas Citizen of India Cardholder prospective adoptive parents for sixty days;
 - (b) a normal child above the age of five years or siblings shall be referred to resident Indian or non-resident Indian or Overseas Citizen of India Card holder prospective adoptive parents for thirty days;
 - (c) categories of children mentioned in clause (a) and (b) above who have not been placed in adoption in the prescribed time limit shall be made available to resident Indian or non-resident Indian or Overseas Citizen of India Card holder prospective adoptive parents for seven days irrespective of their seniority;
 - (d) thereafter, categories of children mentioned in clause (a) to (c) above shall be referred to foreign prospective adoptive parents for fifteen days.
- (2) Procedure related to special needs child or children:-If the child has any disability as listed in the **Schedule XVIII** and **Schedule III (Part E)** of the Medical Examination Report, such a child shall be made available for resident Indian or non-resident Indian or Overseas Citizen of India Card holder prospective adoptive parents for fifteen days and thereafter shall be made available for all categories of prospective adoptive parents.
 - (3) Procedure related to hard to place children: - As far as hard to place children are concerned, such children shall be made available for adoption as provided in sub-regulation (13) of regulation 2.

Explanation:-For the purposes of this regulation, it is hereby clarified that the time limit shall be calculated from the date when the certificate issued by the Child Welfare Committee declaring the child as legally free for adoption is uploaded on the Designated Portal.

- 9. Priority in adoption referral.**— (1)The resident Indian or non-resident Indian or Overseas Citizen of India Cardholder prospective adoptive parents shall be allowed choice of two states based on identity documents proof such as Aadhar Card or Passport or Voter card or Driving License or Birth Certificate or Overseas Citizen of India Card of either spouse, or otherwise they can choose a cluster of States as per their identification.
- (2) All prospective adoptive parents shall be able to indicate whether they want to adopt a specific category of child having special needs and shall be able to reserve a child from the "Hard to Place Child" category.
- (3) When resident Indian or non-resident Indian or Overseas Citizen of India Cardholder prospective adoptive parents do not reserve a child, out of three referrals, such parents shall be debarred for a period of one year, after which they shall be eligible for fresh registration and the foreign prospective adoptive parents shall also be debarred for a period of one year if they do not reserve a child out of two referrals.
- (4) If the adoptive parents are found to be the cause of the disruption or dissolution, they shall be barred from adopting again.

CHAPTER III

ADOPTION PROCEDURE FOR RESIDENT INDIANS

- 10. Registration and home study of the prospective adoptive parents.**— (1) The Indian prospective adoptive parents, if interested to adopt an orphan or abandoned or surrendered child, may apply for the same on the Designated Portal by filling up the online application form, as provided in the **Schedule VI**, and uploading the relevant documents within thirty days thereby registering themselves as prospective adoptive parents.
- (2) The prospective adoptive parents shall be permitted two state choices or they may choose a cluster of states as per their identification.
- (3) Registration on the Designated Portal shall be a deemed registration in all Specialised Adoption Agencies of the State or States they have opted for.
- (4) The prospective adoptive parents shall get their registration number from the acknowledgement slip which may be used for viewing the progress of their application.
- (5) The registration shall be completed and confirmed to the prospective adoptive parents immediately once the application form as provided in the **Schedule VI** are uploaded on the Designated Portal.
- (6) After registration, prospective adoptive parents shall apply to a Specialised Adoption Agency or District Child Protection Unit nearest to their residence for conducting the Home Study.
- (7) The Home Study Report of the prospective adoptive parents shall be prepared through the social worker of the selected Specialised Adoption Agency or the empanelled social worker of the District Child Protection Unit or the State Adoption Resource Agency who shall also be responsible for providing pre-adoption counselling to the prospective adoptive parents.
- (8) The Home Study Report shall be completed in the format given in the **Schedule VII**, within sixty days from the date of submission of requisite documents and shall be shared with the prospective adoptive parents immediately, thereafter.
- (9) The Home Study Report shall be posted on the Designated Portal by the Specialised Adoption Agency within a period of three days from the date of completion of Home Study Report.
- (10) The Home Study Report shall remain valid for three years and shall be the basis for adoption of a child by the prospective adoptive parents from anywhere in the country.
- (11) The District Child Protection Unit shall facilitate online registration of application of prospective adoptive parents, uploading of their documents and also for addressing technical difficulties faced by the Specialised Adoption Agencies.
- (12) The adoption of a child by the prospective adoptive parents, after completion of their Home Study Report, shall depend upon the availability of a suitable child.
- 11. Referral of a child from a Specialised Adoption Agency through the Designated Portal to prospective adoptive parents.**—(1)The seniority of the prospective adoptive parents for child referral shall be from the date of completion of registration process on the Designated Portal.

- (2) On the basis of seniority, the prospective adoptive parents shall be referred maximum three referral with one month interval in between two consecutive referrals subject to availability of children through the Designated Portal which shall include their photographs, Child Study Report and Medical Examination Report, in their preference category, if any, from one or more Specialised Adoption Agencies.
 - (3) After viewing the profile of the child or children on the Designated Portal, the prospective adoptive parents may reserve the child or children within a period of forty-eight hours for possible adoption and the unreserved child or children shall be released by the Designated Portal for other prospective adoptive parents in the waiting list.
 - (4) The Specialised Adoption Agency shall get the details of the prospective adoptive parents through the Designated Portal for fixing an appointment with the prospective adoptive parents for matching, to assess the suitability of the prospective adoptive parents by an Adoption Committee as defined in sub-regulation (2) of regulation 2 and the Adoption Committee shall prepare the minutes of the meeting as per format provided in the **Schedule XXVII**.
 - (5) The Chairperson and another member shall form the quorum of the Adoption Committee in case of adoption from a Specialised Adoption Agency and in case of adoption from a Child Care Institution, the committee shall constitute Chairperson and two other members of the committee as specified in sub-regulation (2) of regulation 2.
 - (6) The Adoption Committee shall scrutinise the requisite documents as stipulated for the prospective adoptive parents and listed in the **Schedule IX (Part 1)** of the regulations.
 - (7) The Specialised Adoption Agency shall organise a meeting of the prospective adoptive parents with the child.
 - (8) At the time of matching, the social worker of Specialised Adoption Agency concerned shall orient the prospective adoptive parents for taking care of the child and also older child or children about their rights and responsibilities.
 - (9) The entire process of matching shall be completed within a maximum period of thirty days from the date of reserving the child.
 - (10) The prospective adoptive parents shall raise their grievance to District Child Protection Unit regarding the matching of the child, if any.
 - (11) While accepting the child, the prospective adoptive parents shall sign the Child Study Report and Medical Examination Report which may be downloaded from the Designated Portal, in the presence of the social worker or chief functionary of the Specialised Adoption Agency and the Specialised Adoption Agency shall record the acceptance by the prospective adoptive parents on the Designated Portal.
 - (12) In case the prospective adoptive parents are not selected for the child by the Adoption Committee, the reason for non-selection of the prospective adoptive parents shall be recorded on the Designated Portal.
 - (13) If grounds of rejection after the enquiry are found to be due to systemic error or on non-justiciable reasons, seniority of the prospective adoptive parents shall be retained.
 - (14) In case the prospective adoptive parents do not accept the reserved child, the prospective adoptive parents shall be relegated to the bottom of the seniority list, as on that date, who may avail a fresh chance when the seniority becomes due and the same procedure shall be followed in the subsequent chances.
 - (15) In all cases referred to in sub-regulations (12), the reasons for not considering the prospective adoptive parents have to be clearly stated on the Designated Portal.
 - (16) The registration of prospective adoptive parents shall continue till the time they have not exceeded the maximum composite age, i.e. fifty five years for single and one hundred ten years for couple as provided in sub-regulation (4) of regulation 5 and subject to revalidation of the Home Study Report in every three years.
 - (17) The prospective adoptive parents may also get the Medical Examination Report of the child reviewed by a medical practitioner of their choice before giving their acceptance for adoption of the child.
- 12. Pre-adoption foster care.—** (1) The child shall be taken in pre-adoption foster care by the prospective adoptive parents within ten days from the date of matching, after signing the pre-adoption foster care undertaking in the format provided in the **Schedule VIII**.
- (2) The prospective adoptive parents shall provide original documents or notarised or self-attested

copy of the original documents to the Specialised Adoption Agency as provided in the **Schedule IX**.

- 13. Adoption Order.—** (1) The Specialised Adoption Agency shall file an application with the District Magistrate of the district through District Child Protection Unit where the child is located, along with relevant documents as provided in the **Schedule IX** within ten days from the date of matching of the child with the prospective adoptive parents.
- (2) The Specialised Adoption Agency shall file an application in the office of the District Magistrate through District Child Protection Unit in the given format as provided in the **Schedule XXVIII**.
- (3) In case the child is from a Child Care Institution, which is not a Specialised Adoption Agency and is located in another district, the Specialised Adoption Agency shall file the application in the office of the District Magistrate in the district through District Child Protection Unit where the child is located and in such a case, the Child Care Institution shall be a co-applicant along with the Specialised Adoption Agency and the Child Care Institution shall render necessary assistance to the Specialised Adoption Agency concerned.
- (4) In case of siblings or twins, the Specialised Adoption Agency shall file single application with the District Magistrate through District Child Protection Unit.
- (5) The Specialised Adoption Agency shall not make any opposite party or respondent in the adoption application since an adoption case is non-adversarial in nature.
- (6) The District Magistrate shall hold the adoption proceeding in-camera and dispose of the case as early as possible, not exceeding two months from the date of filing of the adoption application by the Specialised Adoption Agency, as provided under sub-section (2) of section 61.
- (7) The adoptive parents shall not be asked in the adoption order to execute any bond or make investment in the name of the child, considering the fact that their psycho-social profile and financial status have already been ascertained from the Home Study Report and other supporting documents.
- (8) The Specialised Adoption Agency shall obtain a certified copy of the adoption order from the District Magistrate through the District Child Protection Unit and forward it to the prospective adoptive parents within ten days via e-mail and shall also upload it on the Designated Portal which could be downloaded by the prospective adoptive parents.
- (9) The Specialised Adoption Agency shall apply to the birth certificate issuing Authority for obtaining the birth certificate of the child within five days from the date of issuance of adoption order, with the name of adoptive parents as parents, and date of birth as recorded in the adoption order and the same shall be issued by the issuing Authority within five days from the date of receipt of the application.
- (10) The Specialised Adoption Agency shall submit an affidavit to the District Magistrate while filing the application as provided in the **Schedule XXIII**.
- (11) In case the recognition of Specialied Adoption Agency has not been renewed or not likely to be renewed soon, then the District Child Protection Unit concerned shall directly file the application before the District Magistrate after completing its scrutiny.
- 14. Follow-up of progress of adopted child.—** (1) The Specialised Adoption Agency which has prepared the Home Study Report, shall prepare the post-adoption follow-up report on six monthly basis for two years from the date of pre-adoption foster placement with the adoptive parents, in the format as provided in the **Schedule XII** and upload the same on the Designated Portal along with photographs of the child within ten days from the conduction of such report.
- (2) In case the adoptive parents relocate, they shall inform the agency which has conducted their home study and the District Child Protection Unit of the district where they relocate.
- (3) The District Child Protection Unit of the district of the current residence of the prospective adoptive parents shall prepare the post-adoption follow-up report and upload the same on the Designated Portal within ten days from the conduction of such report:
- Provided that first follow-up report of the adopted child shall be done within three months from the date of pre-adoption foster care.*
- (4) In case of non-adjustment of both the child and the adoptive family with each other, the Specialised Adoption Agency or the District Child Protection Unit shall arrange the required counselling for such adoptive parents and adoptees or link them to the counselling services available within the district or state within seven days with due intimation to the State Adoption Resource Agency and the District Magistrate:

Provided that in case of non-compliance for three consecutive post adoption follow-ups the District Child Protection Unit shall prepare the social investigation report and inform the Child Welfare Committee for further action as may deem fit.

- (5) **Procedure of disruption-** In case of disruption in in-country adoption.—
- at the stage of pre-adoption foster care before filing an adoption application, the child shall be taken back to the Specialised Adoption Agency with information to District Child Protection Unit and State Adoption Resource Agency;
 - at the stage of pre-adoption foster-care after the application has been filed with the District Magistrate through District Child Protection Unit, the child shall be taken back by the Specialised Adoption Agency and adoption application shall be withdrawn with prior permission from the Child Welfare Committee with intimation to the District Child Protection Unit and the State Adoption Resource Agency and the status of the child on the Designated Portal shall be updated by the Specialised Adoption Agency accordingly;
 - where the child has been taken to another state during the adoption process, the relocation of the child shall be coordinated by the State Adoption Resource Agency in the state where the child is currently residing and the State of origin.
- (6) **Procedure for dissolution-** In case of dissolution in in-country adoption.-
- In case of dissolution, the application for annulment of adoption order shall be filed by the Specialised Adoption Agency with the District Magistrate through District Child Protection Unit;
 - No application should be filed until two counselling sessions have been completed by the local Specialised Adoption Agency or District Child Protection Unit before making any decision concerning disruption or dissolution;
 - Post dissolution order, the child shall become legally free for adoption;
 - The Specialised Adoption Agency or the District Child Protection Unit shall update the child's status as legally free for adoption on the Designated Portal within three days.
- (7) Where the Indian adoptive parents move with the child abroad, within two years from the date of pre-adoption foster care, the concerned Indian Diplomatic Mission in the country of arrival in case of Non-Hague countries and Authorised Foreign Adoption Agencies or Central Authorities in Hague countries, shall be intimated at least fifteen days in advance through a written communication for the purpose of remaining follow up reports by the adoptive parents with their full contact details at the new place.
- (8) The onus of getting the balance post-adoption follow-up is with the adoptive parents and they have to bear the professional charges on their own, and further the adoptive parents shall give an undertaking to the Authority to that effect.

CHAPTER IV

ADOPTION PROCEDURE FOR NON-RESIDENT INDIAN, OVERSEAS CITIZEN OF INDIA CARDHOLDER AND FOREIGN PROSPECTIVE ADOPTIVE PARENTS

- 15. Non-resident Indian and Overseas Citizen of India Cardholder to be treated at par with resident Indian.**—Non-resident Indian and Overseas Citizen of India Cardholder prospective adoptive parents shall be treated at par with Indians living in India in terms of priority for adoption of orphan, abandoned or surrendered children.
- 16. Registration and Home Study Report for prospective adoptive parents for inter-country adoption.**—(1) Any non-resident Indian, Overseas Citizen of India Cardholder or foreign prospective adoptive parents, living in a country which is a signatory to the Hague Adoption Convention and wishing to adopt an Indian child, can approach the Authorised Foreign Adoption Agency or the Central Authority concerned, as the case may be, for preparation of their Home Study Report and for their registration on the Designated Portal.
- (2) In case, there is no Authorised Foreign Adoption Agency or Central Authority in their country of habitual residence, then the non-resident Indian or Overseas Citizen of India Cardholder prospective adoptive parents shall approach the Government department or Indian diplomatic mission concerned in that country for the purpose.

- (3) The Authorised Foreign Adoption Agency or Central Authority or the Government department or the Indian diplomatic mission concerned, as the case may be, on ascertaining the eligibility of the prospective adoptive parents for adopting a child, shall get their Home Study Report completed and register their application on the Designated Portal along with the required documents as specified in the **Schedule VI**.
 - (4) The seniority of the prospective adoptive parents shall be counted from the date of their registration and uploading of requisite documents on the Designated Portal.
 - (5) The Home Study Report and other documents of the prospective adoptive parents, referred to in this Chapter, shall be scrutinised at the Authority in order to determine their eligibility and suitability.
 - (6) The profiles of two children, in one or two referrals with one month interval between two consecutive referrals, shall be forwarded through the Designated Portal to the Authorised Foreign Adoption Agency or Central Authority or Government department or Indian diplomatic mission, as the case may be, which may further forward such profiles to the prospective adoptive parents concerned as per local rules:

Provided that in case of the non-resident Indian and Overseas Citizen of India Cardholder prospective adoptive parents, the number of referrals shall be as that of resident Indians.
 - (7) The prospective adoptive parents may reserve the referred child within ninety-six hours.
 - (8) In case the prospective adoptive parents fail to reserve the child within ninety-six hours, then the profile of the child shall stand automatically withdrawn.
 - (9) Preference of the prospective adoptive parents shall be taken into consideration when sending referrals to them.
 - (10) If the prospective adoptive parents reserve the child shown, they shall accept the referral by signing the Child Study Report and Medical Examination Report of the child within thirty days from the date of reservation.
 - (11) The Child Study Report, Medical Examination Report and photograph of the child, in original, shall be sent by the Specialised Adoption Agency to the Authorised Foreign Adoption Agency or Central Authority or the Indian diplomatic mission concerned.
 - (12) In case the prospective adoptive parents fail to accept the reserved child within thirty days, then the profile of the child shall stand withdrawn from the Designated Portal and the seniority of the prospective adoptive parents shall be relegated to the bottom of the list; and shall be given another opportunity to reserve and accept a child when their turn becomes due, provided that their Home Study Report remains valid.
 - (13) If the prospective adoptive parents desire to visit the Specialised Adoption Agency to see the child in person after reservation, they may be facilitated by the Specialised Adoption Agency to get the Medical Examination Report of the child reviewed by a medical practitioner of their choice.
 - (14) The Authorised Foreign Adoption Agency shall forward the original documents of the prospective adoptive parents, as specified in the **Schedule IX**, to the Specialised Adoption Agency concerned for their scrutiny.
 - (15) All documents forming part of the Home Study Report shall be notarised and the signature of the notary is to be apostilled by the Competent Authority of the receiving country in cases of Hague Adoption Convention ratified countries, however the documents originating from India shall be self-attested.
 - (16) If the documents are in any language other than English, then the originals must be accompanied by translations in English, duly attested by the agency or Authority in the country of residence of the prospective adoptive parents designated for the purpose of attestation.
- 17. No Objection Certificate of Authority and pre-adoption foster care.**—(1)The Authority shall issue No Objection Certificate in favour of the proposed adoption in the format provided in the **Schedule X**, within ten days from the date of receipt of the acceptance of the child by the prospective adoptive parents and letter of approval or permission of the receiving country as per Article 5 and Article 17 of the Hague Adoption Convention, wherever applicable; and the No Objection Certificate shall be generated online through the Designated Portal .
- (2) The prospective adoptive parents may take the child in pre-adoption foster care for a temporary period within India after issuance of No Objection Certificate by the Authority while

the adoption order is pending, by furnishing an undertaking to the Specialised Adoption Agency in the format provided in the **Schedule VIII**.

- (3) The prospective adoptive parents shall receive final custody of the child from the Specialised Adoption Agency as soon as the passport and visa are issued to the child after issuance of adoption order from the District Magistrate.

18. Adoption Order.— (1) The legal procedure as provided in regulation 13 shall, *mutatis mutandis* be followed in cases of inter-country adoption under this Chapter.

- (2) On receipt of the No Objection Certificate from the Authority, the Specialised Adoption Agency shall approach the District Child Protection Unit within five days with the adoption application and the District Child Protection Unit shall scrutinise the application for submission of the dossier to the District Magistrate within five days in the format provided in the **Schedule XXIX**:

Provided that the aforesaid timeline shall be reduced to three days at each stage once it is enabled through the online mode.

- (3) In cases of the prospective adoptive parents habitually residing abroad desire the Specialised Adoption Agency to represent on their behalf, the application shall also be accompanied by a Power of Attorney in favour of the social worker or adoption in-charge of the Specialised Adoption Agency which is processing the case and such Power of Attorney shall handle the case on behalf of the prospective adoptive parents.

19. Passport and visa, intimation to immigration authorities, Conformity Certificate, Birth Certificate, etc.— (1) The Authority shall issue a Conformity Certificate under Article 23 of the Hague Adoption Convention in the format provided in the **Schedule XI** within three days from the date of availability of the adoption order on the Designated Portal, in case the receiving country of the adopted child is a signatory to the Hague Adoption Convention.

- (2) The Authority shall inform the immigration authorities and the foreign regional registration office about confirmation of the adoption.
- (3) To obtain Indian passport for the adopted child, the Specialised Adoption Agency shall submit the application to the regional passport officer within three days from the date of receipt of the adoption order.
- (4) The regional passport office shall issue passport for the adopted child within ten days from the date of receipt of application, in accordance with the circulars regarding issuance of passport to inter-country adopted children, issued by the Ministry of External Affairs of the Central Government from time to time.
- (5) The Specialised Adoption Agency shall approach the birth certificate issuing Authority for obtaining birth certificate of the adopted child, with the name of adoptive parents, as parents, and date of birth as recorded in the adoption order within a period of five days of obtaining of the certified copy of the adoption order.
- (6) The adoptive parents shall come to India for taking the adopted child to their country within a period of two months from the date of adoption order.

20. Follow-up of progress of adopted child by Non-resident Indian, Overseas Citizens of India Cardholder and foreign adoptive parents.—(1) The Authorised Foreign Adoption Agency or the Central Authority or Indian diplomatic mission or Government department concerned, as the case may be, shall report the progress of the adopted child for two years from the date of arrival of the adopted child in the receiving country, on a quarterly basis during the first year and on six monthly basis in the second year, by uploading information online on the Designated Portal along with photographs of the child as provided in the **Schedule XII**.

- (2) On the basis of the progress report or in course of post-adoption home visits, if an adjustment problem of an adoptee with the adoptive parents comes to the notice of the Authorised Foreign Adoption Agency or Central Authority or the Government department concerned in the receiving country, necessary counselling shall be arranged for the adoptive parents and for the adoptee, wherever applicable.
- (3) If it is found that the adoptee is unable to adjust in the adoptive family or that the continuance of the child in the adoptive family is not in the interest of the child, the Authorised Foreign Adoption Agency or Central Authority or the Government department in the receiving country, as the case

- may be, shall withdraw the child and provide necessary counselling and shall arrange for suitable alternate adoption or foster placement of the child in that country, in consultation with the Indian diplomatic mission and the Authority.
- (4) In case of disruption or dissolution of adoption, the child shall be entitled to receive care, protection and rehabilitation through the child protection services of that country and as provided in the Hague Adoption Convention.
 - (5) The Authorised Foreign Adoption Agency or Central Authority or Government department concerned shall contact Indian diplomatic mission to render necessary help and facilitate the repatriation of the child, if required.
 - (6) The Authorised Foreign Adoption Agency or Central Authority or Government department concerned, may organise annual get-together of Indian adoptees and their adoptive parents and forward a report of the event to the Authority.
 - (7) The prospective adoptive parents shall furnish an undertaking to the effect that they shall allow personal visits of the representative of Authorised Foreign Adoption Agency, the foreign Central Authority or Government department concerned, as the case may be, to ascertain the progress of the child with the adoptive parents or family at least for a period of two years from the date of arrival of the child in the receiving country.
- 21. Adoption by Overseas Citizen of India Cardholder or foreign national of Hague Adoption Convention ratified countries living in India.**—(1) An Overseas Citizen of India Cardholder or foreign national, who is a citizen of a country that has ratified the Hague Adoption Convention and is a habitual resident of India, shall apply for adoption online in prescribed format as provided in the **Schedule VI** along with the required documents specified therein including No Objection Certificate from their Embassy or High Commission for adoption by uploading on the Designated Portal.
- (2) On receipt of the application, along with the required documents duly notarised, except those documents originating from India which may be self-attested, the Authority shall refer the case to a Specialised Adoption Agency or District Child Protection Unit for preparing the Home Study Report in the format provided in the **Schedule VII** and the Specialised Adoption Agency shall upload the Home Study Report on the Designated Portal.
 - (3) The prospective adoptive parents shall reserve one of the referred children within forty-eight hours and the procedures shall be followed as per the provisions of sub-regulations (9), (10), (12) and (13) of regulation 16 and regulations 17 to 19 as applicable.
 - (4) The preparation of Home Study Report and uploading of progress report as required under these regulations shall be done by the Specialised Adoption Agency or District Child Protection Unit concerned.
 - (5) The Specialised Adoption Agency shall report the progress of the child on six monthly basis for a period of two years from the date of pre-adoption foster care by uploading the details on the Designated Portal in the format as provided in the **Schedule XII** along with photographs of the child:

Provided that the first post-adoption follow-up report shall be completed within the three months of the pre-adoption foster care.
 - (6) During the follow-up, if the Specialised Adoption Agency finds that the adoptee is unable to adjust in the adoptive family or the continuance of the adoptee in the adoptive family is not in the best interest of the child, counselling shall be arranged for the adoptive parents and the adoptee and further, the procedure as provided in sub-regulations (4), (5) and (6) of regulation 14 shall be followed.
 - (7) The diplomatic mission concerned shall also ensure that the adopted child acquires citizenship of the country of their parents immediately after adoption decree and a copy of the passport of the child from the country of the nationality of the prospective adoptive parents shall be forwarded to the Authority and the Specialised Adoption Agency concerned.
 - (8) An Overseas Citizen of India Cardholder or foreign prospective adoptive parents living in India, are required to give an affidavit to the effect that they shall allow personal visits of the representative by the Specialised Adoption Agency or District Child Protection Unit or State Adoption Resource Agency, as the case may be, for a period of at least two years from the date of adoption.
 - (9) An Overseas Citizen of India Cardholder or foreign prospective adoptive parents living in India, as the case may be, shall give an undertaking to the effect that if they move out of India before

completion of two years after adoption, they shall inform to the Authority about their movement, furnish their new address, and continue to send their post-adoption progress report to the Authority for the remaining period.

- (10) On receiving information for change of location of the adoptive parents to a different country, the adoptive parents shall be assigned a foreign adoption agency, Central Authority through which remaining post-adoption follow-up shall be sent under intimation to the Indian Mission concerned so that in case of any difficulty, disruption or dissolution, the Mission can provide necessary assistance.

22. Adoption by Indian prospective adoptive parents who are habitual resident or are having permanent residence of another country.— (1) In all such cases, if the prospective adoptive parents are habitually residing in a foreign country have to approach the adoption authority of the receiving country for preparing the Home Study Report and for their online registration on the Designated Portal.

- (2) In such cases, if the prospective adoptive parents are temporarily residing in India shall approach to embassy or high commission of the receiving country located in India for allowing them to go ahead with their adoption process and on receiving such information shall register on the Designated Portal.
- (3) If one of the prospective adoptive parents is a foreigner and other is an Overseas Citizen of India Cardholder or Indian, such case shall be treated at par with Indians living in India for considering priority in adoption placement.
- (4) The adoption procedure can be carried out in accordance with regulation 21 of the Adoption Regulations for such prospective adoptive parents.

23. Procedure for adoption of a child from a foreign country by Indian citizens.— (1) Necessary formalities for adoption of a child from a foreign country by Indian citizens shall initially be completed in that country as per their law and procedure.

- (2) On receiving Home Study Report of the prospective adoptive parents (including supporting documents), Child Study Report and Medical Examination Report of the child, the Authority shall issue the approval, as required in the cases of adoption of children coming to India as a receiving country under Article 5 or Article 17 of the Hague Adoption Convention.
- (3) A child adopted abroad by the Indian citizens, having a foreign passport, and requiring the Indian visa to come to India, shall apply for visa or Overseas Citizen of India Card to the Indian mission in the country concerned, who may issue entry visa to the child after checking all the relevant documents so as to ensure that the adoption has been done following the due procedure.
- (4) The immigration clearance for the child adopted abroad shall be obtained from the Central Government in the Foreigner's Division, Ministry of Home Affairs, through the Indian diplomatic mission to that country.

CHAPTER V

RECOGNITION, INSPECTION AND FUNCTION OF ADOPTION AGENCIES

24. Recognition of Specialised Adoption Agency.—(1) Any Child Care Institution, intending to be recognised as Specialised Adoption Agency to place children in in-country and inter-country adoption, shall submit an application on the Designated Portal as provided in the **Schedule XXVI**, along with the following documents to the State Government concerned, namely:—

- (a) a copy of the registration certificate under the Societies Registration Act, 1860 (21 of 1860), the Indian Trusts Act, 1882 (2 of 1882) or any other corresponding law for the time being in force;
- (b) a copy of its Memorandum of Association, rules, regulations and bye-laws;
- (c) a copy of the registration certificate as Child Care Institution under the act;
- (d) a list of management committee or executive committee or board members showing that the majority of the members of such committee or board are Indian citizens;
- (e) annual reports including audited accounts for the last three years;
- (f) resolution by the agency supporting the decision for placing orphan, abandoned or surrendered children in adoption;

- (g) undertaking of the chief functionary of the Child Care Institution in its letter head to abide by the relevant rules in force in respective States and these Regulations;
 - (h) undertaking of the chief functionary of the Child Care Institution in its letter head to regularly update data on the Designated Portal and to have necessary facilities for the same;
 - (i) supporting documents indicating that the organisation has been engaged in child protection and welfare activities;
 - (j) list of children in the institution;
 - (k) list of professional social worker and qualified child care staff.
- (2) The State Government shall issue a certificate of recognition to a Child Care Institution as a Specialised Adoption Agency within three months from the date of application, if the Child Care Institution is found fit to be considered as a Specialised Adoption Agency, based upon inspection conducted for the purpose.
- (3) The recognition to a Specialised Adoption Agency to place children both in in-country and inter-country adoption shall be for a period of five years, unless it is revoked earlier on the grounds as mentioned in regulation 26.

25. Criteria and procedure for renewal of recognition of Specialised Adoption Agency.—(1) The State Government shall take into consideration the following factors before renewal of recognition of a Specialised Adoption Agency, namely:—

- (a) whether the Specialised Adoption Agency has satisfactorily performed in adoption placement;
 - (b) whether it has regularly updated data on the Designated Portal and meeting the timelines specified for Specialised Adoption Agency in these Regulations;
 - (c) whether it has followed the provisions of these regulations as also instructions issued by the State Government, State Adoption Resource Agency and the Authority in handling matters related to adoption;
 - (d) whether it indulged in any malpractice;
 - (e) whether it made proper utilisation of the adoption fee as provided in the **Schedule XV**
 - (f) whether it maintains the standards of child care as provided in the **Schedule XIII**.
- (2) The Specialised Adoption Agency shall apply six months before the expiry of its recognition for renewal with the following documents and information, namely:—
- (a) number of children restored to biological parents, relatives or guardians during the period of last recognition with details;
 - (b) number and details of children placed in in-country and inter-country adoption and details of post-adoption follow-up thereof during the period of last recognition;
 - (c) details of year wise receipt of adoption fee and its utilisation during the period of last recognition;
 - (d) an affidavit declaring that it has been regularly updating the data on the Designated Portal;
 - (e) an affidavit stating that it agrees to abide by these regulations as also the instructions issued by the State Government or State Adoption Resource Agency or the Authority from time to time.
- (3) The recognition to a Specialised Adoption Agency shall be renewed by the State Government before the expiry of existing recognition, for a period of five years, if the Specialised Adoption Agency is found fulfilling the eligibility factors specified in sub-regulation (1) and furnishing the documents and information specified in sub-regulation (2), and on the basis of inspection conducted for the purpose.
- (4) In case the Specialised Adoption Agency has applied for recognition or renewal with the State Government and the provisional registration certificate has not been issued by the State Government within one month from the date of application, the proof of receipt of application for registration shall be treated as provisional recognition to run the agency for a maximum period of six months.
- (5) In case the renewal of recognition of a Specialised Adoption Agency is pending, all the pending adoption cases shall be allowed to proceed subject to all other provisions of these regulations being fulfilled.

26. Suspension or revocation of recognition of Specialised Adoption Agency.—(1) The State

Government, shall act upon, *suo-motu* or on the recommendation of State Adoption Resource Agency or the Authority, either suspend or revoke the recognition granted to a Specialised Adoption Agency on any of the grounds specified in the sub-regulation (2).

- (2) The recognition of a Specialised Adoption Agency may be suspended on any one or more of the following grounds, namely :—
- (a) violation of any of the provisions of the Act or the rules made thereunder, relating to adoption as well as these regulations;
 - (b) furnishing false information or forged documents to State Adoption Resource Agency or the State Government or the Authority or on the Designated Portal;
 - (c) incomplete or false information to prospective adoptive parents, Child Welfare Committee or District Child Protection Unit about the child or any adoption related process;
 - (d) failure to update data online on the Designated Portal;
 - (e) failure to submit reports or data within the time limits specified in these regulations;
 - (f) adverse findings of the inspection team of the Central Government, the Authority, State Government or State Adoption Resource Agency concerned, regarding the functioning of the Specialised Adoption Agency;
 - (g) if professional social worker and qualified child care staff are not employed;
 - (h) financial irregularities or malpractices or receiving any donation whether in kind or cash from prospective adoptive parents or adoptive parents;
 - (i) misuse or diversion of adoption fee or grant received from the Government for the purposes other than the purposes for which they were received;
 - (j) unethical acts, such as expecting or demanding fees or gifts from potential adoptive parents in addition to adoption fee already specified by the Authority, inducing single mothers or biological parents to relinquish their child or illegally sourcing the child;
 - (k) divulging information of biological mother or parents or adoptee to public in violation of the principles of confidentiality;
 - (l) non-compliance of instructions issued from time to time by the Authority, State Government concerned or the State Adoption Resource Agency;
 - (m) abuse or neglect of children in the Specialised Adoption Agency.
- (3) No order for suspension or revocation of authorisation shall be passed without giving an opportunity to the Specialised Adoption Agency to offer its explanation.
- (4) After suspension of recognition of a Specialised Adoption Agency, the State Government or the State Adoption Resource Agency concerned shall conduct necessary enquiries within a maximum period of six months, and if charges are proven, the State Government concerned shall revoke the recognition of the Specialised Adoption Agency.
- (5) In case of revocation of recognition of a Specialised Adoption Agency, the State Government concerned shall prepare an alternate rehabilitation plan for the children in that home, including shifting them to another Specialised Adoption Agency, within thirty days.
- (6) In the event of suspension or revocation of recognition or closure of the Specialised Adoption Agency, the cases where referrals have been accepted by the prospective adoptive parents shall be allowed to proceed for final adoption, subject to all other provisions of these regulations being fulfilled.
- (7) In all such cases referred to in sub regulation (6), the District Child Protection Unit of the District or any other agency where the children have been transferred shall be responsible for processing the cases as decided by State Adoption Resource Agency.

27. Inspection of Specialised Adoption Agencies.— (1) The State Government concerned shall inspect the Child Care Institution before considering its recognition or renewal as a Specialised Adoption Agency as provided in the Form 46 A of rules.

- (2) The State Government or State Adoption Resource Agency concerned shall conduct annual inspections of Specialised Adoption Agencies to ensure that they are performing efficiently and as per norms laid down in the Form 46 of rules.

28. Entitlement to grants under other Government notified schemes.—A Specialised Adoption Agency is entitled to receive grants-in-aid under other Government notified schemes, subject to the

fulfillment of terms and conditions under such scheme.

29. Specialised Adoption Agencies to maintain accounts.— (1) The Specialised Adoption Agency shall utilise funds received as adoption fee in accordance with norms as provided in the **Schedule XV** or as may be prescribed by the Authority from time to time.

(2) The Specialised Adoption Agency shall maintain proper accounts including utilisation of adoption fee and Government grant under other Government notified schemes to be audited by a chartered accountant every year.

(3) An attested copy of the audited accounts of the organisation alongwith its audit report, a copy of the annual report and report in accordance with the provisions of the Foreign Contribution (Regulation) Act, 1976 (49 of 1976) shall be furnished within six months from the date of closing of the financial year to State Adoption Resource Agency or the State Government concerned.

30. Functions of Specialised Adoption Agencies.— The Specialised Adoption Agency shall perform the following functions, in addition to those assigned to them under these regulations, to facilitate placement of orphan, abandoned and surrendered children in adoption, namely:—

(1) **Function towards children:** Every Specialised Adoption Agency shall:—

- (a) be responsible for the care, protection and well-being of every child in its charge and shall cater to their health needs; emotional and psychological needs; educational and training needs; leisure and recreational activities; protection from any kind of abuse, neglect and exploitation; social mainstreaming and restoration, as the case may be, and follow-up;
- (b) report all cases of admissions, restorations, transfers, death and adoption of children, as well as about children missing from the institution, if any to the Child Welfare Committee, District Child Protection Unit, State Adoption Resource Agency and the Authority through the Designated Portal;
- (c) submit the status of every orphan, abandoned and surrendered child on the Designated Portal, which is accessible on the website www.cara.nic.in;
- (d) shall upload the certificate, issued by the Child Welfare Committee, declaring the child legally free for adoption on the Designated Portal within forty-eight hours from the receipt of such certificate and also ensure that the certificate has been duly signed by three members of the committee including the chairperson and all appropriate columns have been filled up;
- (e) prepare the Child Study Report of all orphan, abandoned and surrendered children, through its social worker, and upload them on the Designated Portal, within ten days from the date such children are declared legally free for adoption by the Child Welfare Committee;
- (f) arrange medical tests, as provided in the **Schedule IV**, for all children admitted in its home and prepare the Medical Examination Report through its paediatrician or doctor within a period of one month of the admission of the child in the institution for uploading the same on the Designated Portal, within ten days from the date such children are declared legally free for adoption by the Child Welfare Committee;
- (g) inform about the children with special needs admitted in the institution, to the District Child Protection Unit, District Magistrate and the Chief Medical Officer of the district;
- (h) produce the child before the Chief Medical Officer of the district with the assistance of the District Child Protection Unit and the District Magistrate concerned, if the child's medical tests indicate a health issue or problem;
- (i) treat the child in a public health facility for treatment of their health problem or ailment with the assistance of the Chief Medical Officer of the District;
- (j) update the health status of the child on the Designated Portal if the child is ill and when recovered from an ailment;
- (k) prepare individual care plan as per Form 7 of the Rules for each child following the principle of the best interests of the child:—
 - (i) restoration to the biological family or legal guardian;
 - (ii) in-country adoption;
 - (iii) inter-country adoption;
 - (iv) foster care; and

- (v) institutional care.
- (1) Every Specialised Adoption Agency shall prepare an individual care plan for each child, based on age and gender specific needs in respect of the following namely:—
- (i) health and medical needs;
 - (ii) emotional and psychological needs;
 - (iii) educational and training needs;
 - (iv) leisure, creativity and play;
 - (v) attachments and relationships;
 - (vi) protection from all forms of abuse, neglect and maltreatment;
 - (vii) rehabilitation including reunion with family, adoption and other non-institutional care;
 - (viii) social mainstreaming; and
 - (ix) follow-up after rehabilitation or restoration.
- (m) create a memory album, which shall include a photo album of the child, history and details of the child's life i.e. details of surrendering parents not to be mentioned, and interests of the child, which shall be handed over to the adoptive family along with the medical history of the child at the time of handing over the child to the prospective adoptive parents in pre-adoption foster care;
- (n) make efforts to place each child in adoption, who has been declared legally free for adoption by Child Welfare Committee;
- (o) be responsible to complete referral process of a child to prospective adoptive parents and the legal procedure related to adoption as provided in these regulations;
- (p) prepare every adoptable child psychologically for their assimilation with the adoptive family, wherever required;
- (q) facilitate interaction of the child with prospective adoptive parents, wherever required;
- (r) ensure that siblings and twins are placed in the same Child Care Institution and in the same family, as far as possible;
- (s) preserve adoption records in a manner, that such record is accessible to authorised persons only;
- (t) facilitate root search by adoptees in the manner as provided under regulation 47;
- (u) train the child care staff to be aware and look out for the Red Flags of developmental milestones in all children especially those under five years of age and refer to a pediatrician for a formal assessment wherever required as provided in the **Schedule IV** and also provide them training for taking care of children with special needs;
- (v) ensure that the benefits of all the Government schemes that a child is eligible for are applied, for the betterment of the child, including scholarships, anganwadi services and so on.
- (2) **Functions towards biological parents:** Every Specialised Adoption Agency shall:—
- (a) treat biological parents of a surrendered child with respect and dignity throughout the surrender process;
 - (b) maintain confidentiality of unwed mother and biological parents;
 - (c) counsel the surrendering parents and inform them about a possible root search, in future by their child;
 - (d) encourage the biological parents surrendering a child to provide maximum information about the background and development of the child as well as their own health;
 - (e) explain to the parents implication of surrendering their child including possibility of inter-country adoption;
 - (f) ensure that the consent for surrender and adoption is given by the parents without any coercion or monetary or material consideration;
 - (g) have no commitment or agreement with biological parents regarding adoption of a child prior to their birth;
 - (h) inform the parents that they shall have a re-consideration period of sixty days from the date of surrender during which they may take back the child.

- (3) **Functions towards prospective adoptive parents:** Every Specialised Adoption Agency shall:—
- (a) treat prospective adoptive parents with respect and extend due courtesy, assistance and advice;
 - (b) facilitate registration of prospective adoptive parents on the Designated Portal in case they face any difficulty;
 - (c) counsel the prospective adoptive parents, through an authorised professional social worker or counsellor, to make them aware of the process of adoption and to ascertain the level of their preparedness for the same which include the following, namely: —
 - (i) acceptance of adoption as an alternative way of building their family;
 - (ii) preference for child to be adopted;
 - (iii) emotional readiness to adopt an unrelated child;
 - (iv) concerns about the social background of the child and genetic factors;
 - (v) attitude towards parenting and disciplining;
 - (vi) sharing the fact of adoption with the child, when the child grows up;
 - (vii) dealing with root search by the adopted child, when the child grows up;
 - (viii) any other issue that might emerge during the interactions.
 - (d) complete the Home Study Report of prospective adoptive parents who have opted for the home study by them, within a period of two months from the date of their registration and submission of documents and ensure their revalidation prior to expiry of three years;
 - (e) continuously update the prospective adoptive parents of the current status and procedure to be followed during the entire adoption process after the child has been reserved by the prospective adoptive parents;
 - (f) provide additional photographs, video clips of the children to prospective adoptive parents and facilitate their video calls to children after referral;
 - (g) provide information to prospective adoptive parents about the medical history of the child and the health status of a special needs child, if such a child is proposed for adoption;
 - (h) provide the immunisation record and recent diagnostic reports as well as any vital information relating to child including their food and social habits and memory album to the prospective adoptive parents;
 - (i) provide a copy of the adoption order from the District Magistrate, birth certificate and passport wherever required, to the adoptive parents as and when available;
 - (j) place a child in pre-adoption foster care on completion of referral and after observing necessary procedural formalities as laid down in these regulations;
 - (k) extend post adoption services including counselling to the prospective adoptive parents, if required;
 - (l) ensure that the social worker while conducting home study verifies the information and required documents provided by the prospective adoptive parents at the time of registration;
 - (m) complete revalidation of the home study of the prospective adoptive parents prior to expiration of their validity period and in the event they are not found eligible or suitable to adopt, all such Home Study Reports shall be referred to the District Child Protection Unit;
 - (n) provide additional assistance to inter-country adoptive parents, such as filing an application for the child's passport with the regional passport officer, applying for the child's birth certificate as soon as the adoption order is received, and handing over the adopted child's passport, birth certificate, adoption order and photo album of the child etc. to the adoptive parents to facilitate their departure;
 - (o) address all the grievances of prospective adoptive parents and adoptive parents within forty eight hours through the Designated Portal.
- (4) **Functions relating to counselling:** The functions of the Specialised Adoption Agency in respect of counseling shall include the following, namely:—
- (a) counselling of biological parents in case of surrender;
 - (b) pre-adoption counseling of prospective adoptive parents during preparation of Home Study Report and matching process and linking them to the counseling centre at the Authority or State Adoption Resource Agency or District Child Protection Unit, wherever required;

- (c) counselling of older children before and during adoption;
- (d) counselling of adoptive parents whenever required;
- (e) post-adoption counselling of the adoptees, when contacted by them in search of their roots.

(5) Other functions of Specialised Adoption Agency are as under:

- (a) organise training and orientation activities to spread awareness about the adoption programme; train its childcare and professional staff about the procedures provided in the provision of these Regulations; ensure that application of in-country adoption is forwarded to the District Child Protection Unit within five days of pre-adoption foster care for the purpose of scrutiny; and similarly, in cases of inter-country adoption, application to be forwarded to the District Child Protection Unit within five days from the date of receipt of complete dossier from the Authorised Foreign Adoption Agency for scrutiny; and such other functions as may be assigned to it by the State Government.
- (b) set up cradle baby point at its own home to receive abandoned children and may set up cradle baby points at primary health care centers, hospitals, nursing homes, short-stay and Swadhar Homes for Women.
- (c) keep the following documents in the case file of each child, namely:—
 - (i) case history and social investigation report of the child;
 - (ii) interim care order as well as the order declaring the child legally free for adoption by the Child Welfare Committee and the Deed of Surrender in case of a relinquished child;
 - (iii) Child Study Report, Medical Examination Report and immunisation record of the child;
 - (iv) photographs of the child taken at intervals of every six months;
 - (v) application form, documents and Home Study Report of the prospective adoptive parents;
 - (vi) adoption application, adoption order, birth certificate of the child and copy of passport of the child wherever required;
 - (vii) post-placement progress reports of the child.
- (d) Every Specialised Adoption Agency shall maintain the following records namely:—
 - (i) master admission register;
 - (ii) medical and development file of the child;
 - (iii) case file of the child;
 - (iv) attendance register of the children and staff;
 - (v) register of adopted children with details of adoptive parents (date of registration, date of Home Study Report, date of referral of child or children, date of adoption order, date of handing over of the child to prospective adoptive parents, etc.);
 - (vi) vouchers, cashbook, ledger, journal and annual accounts;
 - (vii) grant and adoption fees receipt and utilisation register;
 - (viii) stock register;
 - (ix) record of minutes of meetings of the management committee and Adoption Committee (to be maintained separately).

31. Functions of Authorised Foreign Adoption Agency.— The Authorised Foreign Adoption Agency shall perform the following functions, namely:-

- (a) register the prospective adoptive parents interested to adopt children from India and to complete their Home Study Report expeditiously;
- (b) upload attested copies of the adoption application of the prospective adoptive parents on the Designated Portal and forward the original of the same to the allotted Specialised Adoption Agency;
- (c) follow-up with Specialised Adoption Agency for ensuring early adoption after receipt of No Objection Certificate for the adoption from the Authority;
- (d) give orientation to the prospective adoptive parents on culture, language and food of the place to which the adopted child belongs;
- (e) ensure the submission of post-adoption follow-up of the progress of adopted children and to address the cases of disruption and dissolution, as specified in regulation 20;
- (f) arrange get-togethers of children of Indian origin and their adoptive families from time to time with the involvement of the Indian diplomatic mission concerned;

- (g) facilitate root search by older adoptees;
- (h) fulfill the legal requirements of the host country as well as the terms and conditions of the authorisation given by the Authority.

32. Criteria and procedure for authorisation of foreign agencies.— (1) A foreign adoption agency desirous of seeking authorisation for sponsoring applications of foreign adoptive parents for adopting an Indian child shall make an application to the Authority along with the recommendation of the Central Authority or Government department concerned of that country, through the Indian diplomatic mission.

(2) The authorisation to foreign adoption agency may be given by the Central Authority for a maximum period of five years and the documents required to be attached with the application shall be as under:—

- (a) memorandum or bye-laws, copies of registration status, latest license issued by the Government department concerned to undertake international adoptions, list of board or executive members, list of countries it is working with, accreditation certificate and its annual reports or financial statements for last two years;
- (b) an undertaking signed by the head or chief executive of the organisation stating that the agency shall abide by the provisions of these regulations;
- (c) an undertaking by the foreign adoption agency that in case of disruption or repatriation of the adopted children, it shall abide by the specific provisions laid down in these regulations;
- (d) an undertaking by the foreign adoption agency to send an annual report to the Authority in the month of April every year on the status of children placed in adoption from India;
- (e) copy of adoption law or Adoption Regulations or adoption rules of their country;
- (f) a list of staff of the foreign adoption agency, recommendation or authorisation from the Central Authority or Competent Authority to work with India;
- (g) recommendation letter from Indian diplomatic mission abroad and the Central Authority or Government department of the receiving country.

(3) The Authorised Foreign Adoption Agency is required to apply for renewal of its authorisation, ninety days prior to expiry of its authorisation, as per the procedure given at sub-regulations (1) and (2) alongwith the following details, namely:—

- (a) list of children placed in adoption through the Authorised Foreign Adoption Agency alongwith their citizenship status;
- (b) disruption, if any.

(4) In the case of authorisation or renewal, after taking into account the overall requirement of such organisations to handle inter-country adoptions from India, the Authority shall have sole discretion to consider or reject an application:

Provided that no application shall be rejected without specifying the reasons mentioned therein.

33. Suspension or revocation of authorisation.—(1) The grounds of suspension or revocation of the authorisation of an Authorised Foreign Adoption Agency shall be as follows:—

- (a) if the foreign adoption agency violates or fails to abide by the provisions of these regulations;
 - (b) if the license or recognition or accreditation of the foreign adoption agency is suspended or revoked by the appropriate Authority of that country;
 - (c) if the foreign adoption agency fails to upload adoption applications or the post-adoption follow-up reports on the Designated Portal from time to time.
- (2) No order for suspension or revocation shall be made unless the Agency has been provided an opportunity of hearing in the matter.

CHAPTER VI

FUNCTIONS OF GOVERNMENT ORGANISATIONS AND AUTHORITY

34. Roles of State Government.— (1) The State Government shall at regular intervals review the

adoption cases pending with the District Magistrate and guide and assist them for timely disposal of adoption cases.

- (2) The State Government shall recognise Specialised Adoption Agencies and carry out such other functions as provided in the Act and rules.
- (3) The State Government shall take appropriate action on the receipt of a complaint or *suo-moto*, in the cases of violation of the provisions under the section 32, sub-sections (1) and (5) of section 41, sub-section (4) of section 65, section 80 and section 81.

35. State Adoption Resource Agency.— (1) The structure of the State Adoption Resource Agency shall be as under:—

- (a) The State Government shall set up a State Adoption Resource Agency for dealing with adoptions and related matters in the State under the guidance of the Authority, as per the provisions of section 67 of the Act.
 - (b) The State Government shall set up a Governing Body of the State Adoption Resource Agency which shall be chaired by Principal Secretary or Secretary of the department of the State Government dealing with adoption matters and the Director of the department shall function as its Chief Executive Officer and Member-Secretary.
 - (c) The State Adoption Resource Agency shall engage a nodal officer at the level of Deputy Director and such other staff as required under the Child Protection Scheme to strengthen its functioning who shall be assisting the Member Secretary in arranging Governing Body meetings and taking up such other tasks as assigned by the Chief Executive Officer.
 - (d) The Governing Body of the State Adoption Resource Agency shall be constituted with seven members as mentioned below:—
 - (i) Principal Secretary or Secretary of the department of the State Government dealing with adoption as Chairperson;
 - (ii) Director of the department who functions as Chief Executive Officer of the State Adoption Resource Agency shall be its Member Secretary;
 - (iii) Director of the department of Health or Hospital Administration of the State Government as Member;
 - (iv) Chairperson of a Child Welfare Committee as Member;
 - (v) Representative of a Specialised Adoption Agency as Member;
 - (vi) One member from the civil society involved in child welfare as Member;
 - (vii) One member from the State Legal Services Authority as Member.
 - (e) The authorities dealing with issuance of birth certificate, passport and other related matters may be invited as special invitees to attend the meetings of the State Adoption Resource Agency.
 - (f) The Governing Body of State Adoption Resource Agency shall hold meeting on quarterly basis to review its overall functions, review the progress of adoption work, address the operational as well as logistic issues and bottlenecks in the adoption process and take key decisions for rehabilitation of orphan and destitute children in the State.
- (2) The State Adoption Resource Agency shall function as the executive arm of the State Government for promotion, facilitation, monitoring and regulation of the adoption programme in the State and its functions shall include to.—
- (a) publish the contact details of Specialised Adoption Agency in the State at least once in a year;
 - (b) recommend renewal of recognition to Specialised Adoption Agency every five years subject to satisfactory performance;
 - (c) conduct meetings of Specialised Adoption Agencies on quarterly basis for addressing issues related to adoption and uploading the minutes of such meetings on the Designated Portal;
 - (d) inspect and monitor adoption programme and activities of all Specialised Adoption Agencies within its jurisdiction;
 - (e) identify Child Care Institutions which are not recognised as Specialised Adoption Agencies and link them to Specialised Adoption Agencies for enabling and facilitating adoption of

- eligible children in such institutions, in pursuance of the provisions under section 66;
- (f) enforce standards and measures for the adoption of orphan, abandoned and surrendered children, as envisaged under the Act and the rules made thereunder and these regulations;
 - (g) identify Specialised Adoption Agencies or Child Care Institutions which have the capacity to provide quality care and treatment on a long term basis to special needs children including children affected or infected by Human Immunodeficiency Virus (HIV) or Acquired Immune Deficiency Syndrome (AIDS) and mentally or physically challenged children, and facilitate transfer of such children to these agencies;
 - (h) expedite de-institutionalisation of children through adoption and other non-institutional care;
 - (i) take measures that are required for expansion of the adoption programme in the State, such as, strengthening the knowledge base, research and documentation, strengthening child tracking system, training and capacity building activities, publicity and awareness activities, advocacy and communication, monitoring and evaluation;
 - (j) validate the data furnished online on the Designated Portal by the Child Welfare Committees in the State, in pursuance of the provisions of sub section (5) of section 38;
 - (k) ensure furnishing of correct adoption related documents on the Designated Portal by the Specialised Adoption Agency, in the format and periodicity as specified in these regulations;
 - (l) maintain a State-specific database on the Designated Portal of adoptable children, prospective adoptive parents, children given in in-country and inter-country adoptions;
 - (m) ensure that all adoption placements in the State are done in accordance with the relevant provisions of the Act, rules made thereunder and these regulations;
 - (n) put a system at place so that adequate number of social workers and or counsellors are available with District Child Protection Unit for :—
 - (i) counselling and preparation of the Home Study Report of the prospective adoptive parents;
 - (ii) preparation of the Child Study Report and counselling of older children, wherever required;
 - (iii) preparing post-adoption follow-up report, wherever required;
 - (iv) post adoption counselling to adopted children and adoptive parents;
 - (v) assisting and counselling older adoptees in root search.
 - (o) carry out such other functions as assigned by the Authority from time to time including monitoring of progress reports in cases of in-country adoptions, getting family background report and family tree of the biological parents prepared through the District Child Protection Unit and issuing pre-approval letter in case of relative and step-parent adoptions, hiring qualified professionals for counselling and conducting Home Study Reports, addressing grievances of the prospective adoptive parents in a time bound manner and any other function assigned by the Authority;
 - (p) make additional efforts with the waiting parents within the state to arrange adoption of children in the category of special needs, older children and hard to place children;
 - (q) make rehabilitation efforts including foster care for such children with the help of State Child Protection Society and District Child Protection Unit within the timeframe provided in the rule 44;
 - (r) conduct mass awareness campaigns on the issue of safe surrender, sensitising the public, media, and stakeholders on legal adoption;
 - (s) update timely data on Specialised Adoption Agency in the Central Adoption Resource Authority website;
 - (t) forward report to the Authority in case of disruption or dissolution as the case maybe with specific suggestions.

36. Functions of the District Magistrate.—(1) All the cases pertaining to adoption matters pending before the court shall stand transferred to the District Magistrate from the date of notification of these regulations as provided in rule 45.

(2) In cases of fresh applications, it shall issue adoption order within a period of two months from the date of filing of the application, as provided under sub-section (2) of section 61 of the Act and as per format given in the **Schedule XXXIII**.

- (3) The District Magistrate shall have following executive functions namely:-
- (a) receive an application from the Specialised Adoption Agency or District Child Protection Office or relative family of a child or children for obtaining the adoption order;
 - (b) make necessary arrangements for hearing of the cases after due scrutiny of the documents by the concerned District Child Protection Unit;
 - (c) maintain confidentiality about adoption cases particularly those of the orphan, abandoned and surrendered children;
 - (d) issue an adoption order upon satisfying itself that —
 - (i) in the proposed adoption due procedure has been followed as provided under the Adoption Regulations framed by the Authority and adoption is for the welfare of the child;
 - (ii) all documents which are required for adoptions as provided in the applicable Schedule of the Adoption Regulations have been verified by the District Child Protection Unit;
 - (iii) the consent of the child is available, if the child is above five years of age;
 - (iv) the Authority has issued No Objection Certificate in the cases of inter-country adoptions in the prescribed format;
 - (v) the minutes of the Adoption Committee is available in all cases of domestic adoptions;
 - (vi) neither the prospective adoptive parents have given or agreed to give nor the Specialised Adoption Agency or the parent or guardian of the child in case of relative adoption has received or agreed to receive any payment or reward in consideration of the adoption, except as permitted under the Adoption Regulations framed by the Authority towards the adoption fees.
 - (e) instruct the District Child Protection Unit to upload adoption order on the Designated Portal and preserve the adoption records in safe custody;
 - (f) serve notice to any applicant in case of in-country adoption for physical appearance during any adoption proceedings, if necessary:

Provided that no physical presence of prospective adoptive parents is required in cases of inter-country adoptions and if deemed necessary, video conferencing with the prospective adoptive parents should suffice.
 - (g) dismiss or reject an application for adoption if it does not comply with the laid down provisions of Adoption Regulations giving specific reasons for such dismissal through a speaking order;
 - (h) review cases of disruption or dissolution by the District Child Protection Unit and if the prospective or adoptive parents are found to be the cause of disruption or dissolution, they may be barred from adopting in the future, and notify the same to the State Adoption Resource Agency and the Authority, as well as take appropriate legal action for any abuse or neglect caused by the adoptive parents.
- (4) No information or adoption order issued by District Magistrate regarding adoption disclosing the identity of the child shall be uploaded on any portal except on the Designated Portal as provided in the Adoption Regulations.
 - (5) In cases of adoptions completed other than this Act, the District Magistrate shall ensure that all such provisions are complied therein.
 - (6) In cases of siblings, the District Magistrate, as far as possible, shall ensure that they remain in the same campus or in the institution before they are placed in adoption.
 - (7) The District Magistrate shall appoint an officer at appropriate level in case there is no District Child Protection Officer present to head the Adoption Committee.
 - (8) In cases of children having health issues or suspected special needs conditions, the District Magistrate shall refer the child to the Chief Medical Officer of the District within twenty four hours as soon as information about such children is received from the Specialised Adoption Agency or the Child Care Institution with the help of the District Child Protection Unit concerned.
 - (9) The Chief Medical Officer shall then examine the health status of the child and assess whether the child is having any ailment or special needs within a period of fifteen days as given under **Schedule XVIII** of the Rights of Persons with Disabilities Act, 2016, (49 of 2016) and **Schedule III (Part-E)** of the Regulations.

- (10) In cases of adoption dissolution, District Magistrate shall pass dissolution order filed by the Specialised Adoption Agency through District Child Protection Unit as per format provided in **Schedule XXXIV**.

37. Chief Medical Officer.— The Chief Medical Officer of the district shall facilitate the treatment of the children having special needs housed in Specialised Adoption Agency or Child Care Institution through the existing Central Government or State Government schemes and shall declare the health status of the child as normal or having special needs as provided in the **Schedule XVIII** and **Schedule III(Part-E)** within a period of fifteen days and also encourage treatment of such children under various schemes of the Government.

38. District Child Protection Unit.— In addition to the functions as envisaged in the Act and rules made thereunder, as well as under other Government notified schemes, the District Child Protection Unit shall.—

- (1) identify orphan, abandoned and surrendered children in the district and get them declared legally free for adoption by Child Welfare Committee with the help of Specialised Adoption Agency or Child Care Institution, wherever required;
- (2) ensure that the Child Study Report and Medical Examination Report are uploaded on the Designated Portal by the Specialised Adoption Agency within ten days from the date a child is declared legally free for adoption;
- (3) facilitate the linkage of Child Care Institution with Specialised Adoption Agency in the same or other districts to facilitate adoption;
- (4) track the progress of adoption of each child declared legally free for adoption and take necessary actions for expediting the case, wherever required;
- (5) track the progress of application of each prospective adoptive parent registered on the Designated Portal for adopting a child or children from the district and take necessary actions for expediting the case wherever required;
- (6) carry out such services through the empanelled social workers or counsellors as provided in regulation 35(2)(n) of the Adoption Regulations;
- (7) supervise and monitor adoption programme in the district;
- (8) ensure that data is being updated by Specialised Adoption Agency on the Designated Portal on time and in correct manner;
- (9) assist State Adoption Resource Agency and the Authority in all matters related to adoption;
- (10) assist the Child Welfare Committee in the restoration effort and in completing the process for declaring the abandoned children legally free for adoption, including publishing information of the child in the newspaper, obtaining the social investigation report from the probation officer and non-traceable report from police with the help of Specialised Adoption Agency, wherever required;
- (11) upload the certificate of Child Welfare Committee declaring children legally free for adoption on the Designated Portal within forty-eight hours after verification of the fact that the certificate has been duly signed by three members of the committee including the chairperson and all appropriate columns have been filled up;
- (12) report to the District Magistrate in all matters related to protection and rehabilitation of children within the district and update adoption related information on the Designated Portal;
- (13) address the grievances of all prospective adoptive parents within forty eight hours through the Designated Portal;
- (14) ensure that its professional staff namely, counsellor, social worker or protection officer while conducting home study verifies the prospective adoptive parent's required paperwork and the information they provided at the time of registration;
- (15) complete the prospective adoptive parent's Home Study Report within two months of their registration and ensure that their Home Study Report is revalidated before the expiry of three-year period, and if the prospective adoptive parents are not found eligible or suitable to adopt, all such Home Study Reports shall be referred to the State Adoption Resource Agency concerned for decision, and there after the reports shall be uploaded on the Designated Portal accordingly;
- (16) scrutinise all documents in adoption case as provided in the **Schedule IX** within five days of receipt of the documents from the Specialised Adoption Agency before submitting the case to the District Magistrate for fixing the adoption hearing;

- (17) support the Child Welfare Committee in declaring a child legally free for adoption as referred in sub-regulation 7 of regulation 6 and sub-regulation 11 of regulation 7;
- (18) arrange reports like Child Study Report, Medical Examination Report and the like of a child residing in a Child Care Institution which is linked with a Specialised Adoption Agency.

39. Child Welfare Committee.—The Child Welfare Committee shall take actions as provided in regulations 6 and 7 and as provided in rule 18 and 19 of the rules.

Explanation: Further for removal of doubt, it is hereby clarified that, in cases where a child is willingly surrendered by the biological mother, the child being born out of non-consensual sexual relations or where cases have been registered under the Protection of Children from Sexual Offences Act or Indian Penal Code, the Child Welfare Committee is obliged to issue an order clearing the child legally free for adoption within the stipulated period within which the Deoxyribo Nucleic Acid (DNA) sample collection should be completed to avoid undue harassment to the families who adopt the children in such cases.

40. Birth certificate issuing Authority.—The local Registrar notified under the Registration of Births and Deaths Act, 1969 (18 of 1969) shall issue birth certificate within five days in favour of an adopted child on an application filed by the Specialised Adoption Agency or adoptive parents, incorporating the names of the adoptive parents as parents and the date of birth of the child as mentioned in the adoption order issued by the District Magistrate, in accordance with circulars issued from time to time by the Registrar General of India:

Provided that no physical presence of the adoptive parents shall be required for issue of such certificate.

41. Central Adoption Resource Authority.—The Authority shall:—

- (1) promote in-country adoptions, facilitate inter-state adoptions in co-ordination with State Adoption Resource Agency and regulate inter-country adoptions;
- (2) receive applications of an non-resident Indian or Overseas Citizen of India Cardholder or a foreigner living abroad through Authorised Foreign Adoption Agency or Central Authority or the Government department or the Indian diplomatic mission concerned and process the same under sub-section (5) of section 59;
- (3) receive and process applications from a foreigner or an Overseas Citizen of India Cardholder 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;
- (4) intimate the immigration authorities of India and the receiving country of the child about the inter-country adoption cases;
- (5) provide support and guidance to State Adoption Resource Agencies, District Magistrates, District Child Protection Units, Specialised Adoption Agencies and other stakeholders on adoption related matters through trainings, workshops, exposure visits, consultations, conferences, seminars and other capacity building programmes;
- (6) coordinate with State Governments or the State Adoption Resource Agencies, and District Magistrates and advise them in adoption related matters;
- (7) establish uniform standards and indicators, relating to:—
 - (a) adoption procedure related to orphan, abandoned and surrendered children and also related to relative adoptions;
 - (b) monitoring and supervision of service providers;
 - (c) standardisation of documents in cases of adoptions;
 - (d) safeguards and ethical practices including online applications for facilitating hassle-free adoptions and;
 - (e) procedures for adoption where adoption is done under the act other than the Juvenile Justice Act, 2015 (2 of 2016).
- (8) conduct research, documentation and publication on adoption and related matters;
- (9) maintain a comprehensive centralised database relating to children and prospective adoptive parents for the purpose of adoption on the Designated Portal;
- (10) maintain a confidential centralised database relating to children placed in adoption and adoptive parents on the Designated Portal;

- (11) 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;
- (12) enter into bilateral agreements with foreign Central Authorities as provided under the Hague Adoption Convention, wherever necessary;
- (13) authorise foreign adoption agencies to sponsor applications of non-resident Indian or Overseas Citizen of India Cardholder or foreign prospective adoptive parents for inter-country adoption of Indian children;
- (14) issue a system-generated No Objection Certificate in the case of inter-country adoptions;
- (15) issue Conformity Certificate under Article 23 of the Hague Adoption Convention in respect of inter-country adoption;
- (16) consider easing the age requirements for prospective adoptive parents adopting special needs children or children who fall into the hard-to-place category;
- (17) issue a system-generated support letter to regional passport office as provided in the **Schedule XVII** on receiving necessary undertaking from the adoptive parents in the following situations, namely:—
 - (a) when resident Indian adoptive parents habitually residing in India have completed adoption procedure as per the Act and they intend to move abroad subject to undertaking for completion of the balance of the post-adoption follow-ups through the Authorised Foreign Adoption Agency or the Central Authority or the Government department or the Indian Mission concerned and in this regard, the adoptive parents have to pay the professional fees as stipulated by the receiving country.
 - (b) any special circumstance that requires issue of a support letter with approval of Competent Authority.
- (18) issue No Objection Certificate in cases of adoptions done under Chapter VIII (Inter-country adoptions under Hindu Adoptions and Maintenance Act, 1956) of these regulations in cases of Hague Adoption Convention ratified countries on completion of required procedure and issue support letter in cases of countries outside the Hague Convention, on receiving letter of acceptance of the said adoption from the concerned Government department of the receiving country;
- (19) carry out such activities in order to promote non-institutional care for children who have been unable to find a family through adoption.

- 42. Regional Passport Officer.**— (1) The regional passport office shall issue passport for the adopted child within ten days from the date of completion of all formalities including submission of requisite documents, as well as capture of photo, biometrics etc., in accordance with the circulars issued by the Ministry of External Affairs of the Central Government from time to time;
- (2) The regional passport officer may issue a passport based on the Authority's No Objection Certificate, the adoption order issued by the District Magistrate mentioning the date of birth of the child, and the Conformity Certificate (in the case of Hague Adoption Convention ratified countries);
 - (3) The presence of both adoptive parents shall be desirable at the time of submission of passport application and requisite documents. However, if only one adoptive parent could be present, 'Annexure 'D' of passport manual duly filled and signed be presented at the time of submission of documentation;
 - (4) Passport application of adopted children shall be given due priority upon request for grant of appointment slot by the regional passport officer;
 - (5) The regional passport officer shall waive prior appointment in such cases where the Specialised Adoption Agency arrives at regional passport office with passport application and shall promptly allocate slots to them at Passport Seva Kendras or Post Office Passport Seva Kendras for biometric data capture or photo capture or verification etc.;
 - (6) All documents forming the passport application may be self-attested by the adoptive parents;
 - (7) In all in-country adoptions completed under the Act where two years of legal residence with the child have not yet been completed, the regional passport officer shall issue passport to the child on the basis of support letter from the Authority;
 - (8) The regional passport officer shall not require a support letter from the Authority if the adoptive parents have already completed two years of legal residence with the child after the adoption order was issued.

43. Role of Indian diplomatic missions in inter-country adoption.— Indian diplomatic missions abroad shall have the following role in inter-country adoption of Indian children, namely:—

- (1) liaise, coordinate and facilitate in the matter of inter-country adoption of Non- resident Indian and Overseas Citizen of India Cardholders with the help of the Authorised Foreign Adoption Agencies, Central Authorities, concerned foreign Government departments and social workers authorised by them wherever required;
- (2) recommend proposals seeking for authorisation of foreign adoption agencies and social workers in consultation with Central Authority or Government department concerned for the purpose of sponsoring applications for adoption of Indian children;
- (3) issue visa on the basis of supporting documents to foreign prospective adoptive parents who wish to see a child in person at a Specialised Adoption Agency in India, before accepting them for adoption, after their adoption application is approved by the Authority and also for taking custody of the child after issue of adoption order;
- (4) empanel and authorise social workers in Non-Hague countries to complete adoption application formalities including Home Study Report, where there is no Authorised Foreign Adoption Agency or a Government department to deal with adoption;
- (5) liaise with the authorised social workers of the Non-Hague countries to send progress report of the child on quarterly basis in the first year and on six monthly basis in the second year, from the date of arrival of the child in the receiving country and in case of disruption of adoption, shall take actions as provided under regulation 20;
- (6) liaise with the authorised social workers of the Non-Hague countries to complete remaining progress reports of the adoptive parents relocating abroad;
- (7) render necessary help and facilitate the repatriation of the child in case required, in consultation with the local authorities, adoption agency concerned and the Authority.

CHAPTER VII MISCELLANEOUS PROVISIONS

44. Seniority of the prospective adoptive parents.—(1) The resident Indian or non-resident Indian or Overseas Citizen of India Cardholder prospective adoptive parents based on states specific and cluster specific choice shall be referred children on the basis of seniority which shall be from the date of registration and other criteria as stipulated under these regulations while the foreign prospective adoptive parents shall be provided referrals on the basis of 'anywhere in India'.

- (2) In case prospective adoptive parents residing in India are not willing to take the referred child for any reason, the child shall be automatically referred to the next waiting prospective adoptive parents in the waiting list after expiry of forty eight hours of the reservation period.
- (3) In case prospective adoptive parents residing abroad are not willing to take the referred child for any reason, the child shall be automatically referred to the next waiting prospective adoptive parents in the waiting list after expiry of ninety six hours of the reservation period.
- (4) The seniority of resident Indians shall be based on the date of online registration and submission of the documents, except for Home Study Report, on the Designated Portal.
- (5) The seniority of non-resident Indian or Overseas Citizen of India Card holder or foreign prospective adoptive parents residing abroad shall be based on the date of online registration and submission of the requisite documents alongwith Home Study Report on the Designated Portal.
- (6) Seniority of prospective adoptive parents who registered as single but later got married shall be counted from the date of registration subject to two years of stable marital relationship and receipt of a fresh Home Study Report.
- (7) Seniority of prospective adoptive parents who registered as couple but later got divorced, widowed or remarried shall be counted from the date of registration subject to receipt of a new Home Study Report and two years of stable marital relationship in case of remarriage.
- (8) Prospective adoptive parents registered for normal child, shall be able to adopt a special needs child or hard to place child with the same registration.

- 45. Adoption by Indian parents residing in countries which are not signatory to Hague Adoption Convention.**—(1) In a situation where one of the Indian parents is residing in India and the spouse is working in a country which is not signatory to the Hague Adoption Convention on temporary work permit, the parents have to decide the place where they have to conduct their home study and for such purpose, they have to be together, either within the country or abroad.
- (2) In case the non-resident Indian and the Overseas Citizen of India Cardholder prospective adoptive parents desire to initiate the process in a country which is not a signatory to the Hague Adoption Convention, the Indian Mission shall arrange to conduct the home study of such parents and facilitate adoption process including uploading of Home Study Report and post-adoption follow-up report on the Designated Portal through the authorised social workers.
- (3) For adoption by prospective adoptive parents residing in a country which is not signatory to the Hague Convention, the prospective adoptive parents have to provide documents as specified in the **Schedule VI**.
- 46. Adherence to time line.**— All agencies and authorities involved in the adoption process shall adhere to the timeline as specified in the **Schedule XIV**.
- 47. Root search.**— (1) If the biological parents, at the time of surrender of the child, have specifically requested anonymity, then the consent in writing of the biological parents shall be taken by the Specialised Adoption Agency or the District Child Protection Unit, as the case may be, before divulging information.
- (2) In cases of root search by older adoptees, the agencies or authorities concerned that is Authorised Foreign Adoption Agency, Central Authority, Indian diplomatic mission, Authority, State Adoption Resource Agency or District Child Protection Unit or Specialised Adoption Agency, whenever contacted by any adoptee, shall facilitate their root search.
- (3) Persons above eighteen years can apply independently online while children below eighteen years shall apply jointly with their adoptive parents to the Authority seeking facilitation of root search.
- (4) In case of denial by the biological parents or non-traceability of the parents in surrendered cases, the reasons and the circumstances under which the information is not being made available shall be disclosed to the adoptee.
- (5) A root search by a third party shall not be permitted and the agencies or authorities concerned shall not make any information public relating to biological parents, adoptive parents or adopted child.
- (6) The right of an adopted child shall not infringe the right to privacy of the biological parents.
- 48. Confidentiality of adoption records.**—All agencies or authorities involved in the adoption process shall ensure that confidentiality of adoption records is maintained, except as permitted under any other law for the time being in force and for such purpose, the adoption order may not be displayed on any public portal.
- 49. Adoption fees.**—(1) The prospective adoptive parents shall bear the expenses for adoption and the Specialised Adoption Agencies shall adhere to the adoption fees and their utilisation pattern as provided in the **Schedule XV** which shall be revised by the Authority from time to time.
- (2) The Specialised Adoption Agency or the linked Child Care Institution may receive adoption fee from the prospective adoptive parents and utilise the funds in accordance with norms prescribed by the Authority from time to time.
- (3) The Specialised Adoption Agency is not permitted to accept any donation in cash or kind, directly or indirectly, from the prospective adoptive parents for adoption of a child.
- 50. Updating adoption data by Specialised Adoption Agency.**— Specialised Adoption Agency shall update data on the Designated Portal as per stipulated timeline provided in the **Schedule XIV**.
- 51. Adoption of children with special needs.**—(1) The adoption process for children with special needs shall be completed as expeditiously as possible by the agencies or authorities concerned, who shall be available for adoption by resident Indians, non-resident Indians and Overseas Citizen of India

Cardholder found eligible and suitable by way of Home Study Report from the date their profile is uploaded on the Designated Portal after the special needs children are declared legally free for adoption by the Child Welfare Committee:

Provided that such children with special needs shall be available for adoption by foreign adoptive parents, after fifteen days from the date they are declared legally free for adoption.

- (2) All prospective adoptive parents shall be able to indicate whether they want to adopt a specific category of child having special needs.
- (3) Special care shall be taken while processing the cases for adoption of children with special needs, so that the prospective adoptive parents are aware of exact medical condition of the child and are ready to provide extra care and attention that the child needs.
- (4) The types of children with special needs are provided in the **Schedule XVIII** and **Schedule III (Part E)** of these Regulations, which are illustrative and not exhaustive; the same may also be accessed from www.cara.nic.in, and the decision of the Authority shall be final in this regard.
- (5) The children with special needs who were not adopted shall be provided due care and protection by the Specialised Adoption Agency and if they do not have necessary facilities and the means for their long term care, such children shall be shifted to any other specialised institutions run by any Government or non-government organisation.
- (6) **Treatment of children with special needs.—**
 - (a) Within one month of a child's admission to a Specialised Adoption Agency, the institution shall arrange medical tests, as specified in **Schedule IV**, and prepare the Medical Examination Report through its pediatrician or doctor for uploading on the Designated Portal within ten days of the date such children are declared legally free for adoption by the Child Welfare Committee.
 - (b) Where the Medical Examination Report finds that the child is suffering from some health issue or ailment, the Specialised Adoption Agency shall inform the District Child Protection Unit concerned to approach the District Magistrate to recommend the case to the Chief Medical Officer of the district within twenty-four hours.
 - (c) The Chief Medical Officer shall then facilitate additional tests and medical examination of the said child before categorising the child with special needs as provided in **Schedule III (Part E)**.
 - (d) In case the health ailment is treatable, the Chief Medical Officer shall facilitate and supervise the treatment of such child having special needs under various Government schemes.
 - (e) The Chief Medical Officer shall ensure that the treatment of such a child is completed at the earliest.
 - (f) After completion of the treatment of the child, the Specialised Adoption Agency shall update the health status of the child accordingly on the Designated Portal.
- 52. Adoption of older children and siblings.—**(1) Since it takes time for an older child to adjust with unrelated parents, it is important that the child and the prospective adoptive parents are made familiar to each other, before leaving the institution.
 - (2) Under the guidance of Specialised Adoption Agency or Authorised Foreign Adoption Agency, the prospective adoptive parents may have interactions with older children through video calls or by any other means, even before taking custody and the prospective adoptive parents may be encouraged to spend some quality time with the child before leaving the institution.
 - (3) The siblings and older children shall be deemed to be available for adoption by resident Indians, non-resident Indians and Overseas Citizens of India Cardholder prospective adoptive parents from the date their profile is uploaded on the Designated Portal after they are declared legally free for adoption by the Child Welfare Committee and they shall be available for adoption by other categories of prospective adoptive parents after thirty days.
- 53. Other options for rehabilitation of children.—**(1) The Authority with the approval of its Steering Committee, may make additional efforts for adoption of hard to place children, through foster care on the Designated Portal.
 - (2) The children who are not being adopted after being declared legally free for adoption may be eligible for foster care by suitable foster parents under rule 44 of the rules and the **Schedule XVI** of the Regulations.
 - (3) The hard to place children shall be eligible for foster care and list of such children along with other categories of children as stipulated in rule 44 of the rules shall be accessible to District Child Protection Unit and the State Adoption Resource Agency through the Designated Portal.

- (4) The Authority shall provide links between the Specialised Adoption Agency and the Child Care Institution for the purpose of adoption of children who are in foster care in the manner it has established links for the purpose of adoption.
- (5) The foster families willing to adopt such children shall register themselves on the said Designated Portal.
- (6) The prospective foster parents shall be physically, mentally, emotionally and financially capable and shall not have any life threatening medical condition and they should not have been convicted in any criminal act or accused in any case of child rights violation.

54. In-country relative adoptions.—(1)The prospective adoptive parents shall register on the Designated Portal with the required documents as specified in the **Schedule VI**.

- (2) Consent of biological parents or permission of the Child Welfare Committee, as the case may be, shall be required as provided in the **Schedule XIX or Schedule XXII** respectively.
- (3) The consent of the child shall be obtained, if they are five years of age or above.
- (4) Affidavit of adoptive parents is required in cases of in-country relative adoptions in support of their financial and social status as specified in the **Schedule XXIV**.
- (5) The prospective adoptive parents shall receive due verification by the District Child Protection Unit.
- (6) The State Adoption Resource Agency shall further refer the case to the Authority for necessary approval following which pre-approval certificate shall be issued by the State Adoption Resource Agency as provided in the **Schedule XXV**.
- (7) If the prospective adoptive parents have a foreign passport, the case shall be referred to the Authority for expert advice.
- (8) After scrutiny of the application, the District Child Protection Unit shall file the application as provided in the **Schedule XXX** before the District Magistrate of the district where the child is habitually residing.
- (9) The District Child Protection Unit shall obtain a certified copy of the adoption order from the District Magistrate concerned and furnish a copy of the same online to the Authority and the adoptive parents through the Designated Portal.

55. Adoption by step-parent.—(1)The couple (step-parent and one of the biological parents) shall register on the Designated Portal with the required documents as specified in the **Schedule VI**.

- (2) Consent of the biological parents and the step-parent adopting the child or children shall be as provided in the **Schedule XX**.
- (3) In case the custody of the child is under litigation, the adoption process shall be initiated only after the finalisation of the case by the court concerned.
- (4) The step-parent or the couple shall receive due verification by the District Child Protection Unit.
- (5) The State Adoption Resource Agency shall further refer the case to the Authority for necessary approval following which pre-approval certificate shall be issued by the State Adoption Resource Agency as provided in the **Schedule XXV**.
- (6) If the prospective adoptive parents have a foreign passport, the case shall be referred to the Authority for expert advice.
- (7) The biological parent and the step-parent shall file an application with the District Magistrate of the district through the District Child Protection Unit where the child is habitually residing, as per format provided in the **Schedule XXXII**, after due verification from the District Child Protection Unit and approval by State Adoption Resource Agency.
- (8) The District Child Protection Unit shall obtain a certified copy of the adoption order from the District Magistrate concerned and furnish a copy of the same online to the Authority and the adoptive parents through the Designated Portal.
- (9) In case of inter-country adoption by step parent, the process has to be followed as outlined in Inter-country relative adoption and requisite consent form has to be signed before the Child Welfare Committee as provided in the **Schedule XX** and further Family Background Report has to be completed as provided in the **Schedule XXI**.

56. Inter-country relative adoptions.—(1)A non-resident Indian or an Overseas Citizen of India Card holder, interested to adopt a relative's child, may approach an Authorised Foreign Adoption Agency

or the Central Authority in the country of residence for preparation of their Home Study Report and for online registration on the Designated Portal.

- (2) In case there is no Authorised Foreign Adoption Agency or Central Authority in their country of residence, then the prospective adoptive parents interested to adopt a relative's child shall approach the Government department concerned or Indian diplomatic mission (in cases of Indian citizens and Overseas Citizen of India Cardholder) in that country.
- (3) The Authorised Foreign Adoption Agency or Central Authority or the department concerned or the Indian diplomatic mission (in cases of Indian citizens), as the case may be, on completion of the Home Study Report, shall register the application of the prospective adoptive parents on the Designated Portal along with the required documents as mentioned in the **Schedule VI**.
- (4) Procedure laid down in succeeding regulations 57, 58, 59 and 60 shall be followed in the cases related to inter-country relative adoptions.

57. Procedure for inter-country relative adoption from Authority.—(1) On receipt of Home Study Report along with relevant documents of prospective adoptive parents on the Designated Portal by Authorised Foreign Adoption Agency or Central Authority or Government department concerned or Indian Mission abroad, the Authority shall forward the same to State Adoption Resource Agency or District Child Protection Unit for obtaining family background report of the child proposed for adoption along with supportive documents, as provided in the **Schedule XXI**.

- (2) The District Child Protection Unit shall get the family background report conducted by its social worker and for this purpose, it can charge a fee as stipulated in the norms prescribed by the Authority from time to time.
- (3) District Child Protection Unit shall forward a copy of the family background report of the child and the biological family to the Authority through State Adoption Resource Agency concerned for onward submission to Authorised Foreign Adoption Agency or Central Authority or Indian Mission abroad.
- (4) On receiving family background report of the relative's child, the Authority shall forward the same to the receiving country as required under Article 4 and 16 of the Hague Adoption Convention.
- (5) The Authorised Foreign Adoption Agency or Central Authority or Government department concerned, on receiving requisite documents as stipulated in sub regulation (3), shall arrange to forward a certificate under Article 5 or Article 17 of the Hague Adoption Convention to the Authority.
- (6) In case of countries which are not signatories to Hague Adoption Convention, in respect of Indian citizens, family background report of the relative's child and prior approval letter from the Authority shall be forwarded to the Government department concerned or Indian Mission of that country which shall issue a recommendation letter to the Authority.
- (7) In case of Overseas Citizen of India Cardholder prospective adoptive parents residing in India, such parents can register directly on the Designated Portal and upload initial requisite documents.

58. No Objection Certificate of Authority.—In case of all inter-country adoptions, the Authority shall issue No Objection Certificate in favour of the adoption of the child within ten days from the date of receipt of certificate issued under Article 5 or 17 of the Hague Adoption Convention from receiving country and a copy of the same shall be forwarded to the Authorised Foreign Adoption Agency or Central Authority concerned.

59. Adoption Order for relative and step-parent adoption.— (1) The prospective adoptive parents, who intend to adopt the child of a relative as defined in clause (52) of section 2, shall file an application with the District Magistrate under sub-section (2) of section 56 or sub-section (1) of section 60 of the Act in case of in-country relative adoption or inter-country relative adoption, respectively.

- (2) The prospective adoptive parents shall file an application with the District Magistrate through the office of District Child Protection Unit.
- (3) The prospective adoptive parents in case of in country relative adoption shall file the adoption application with the District Magistrate concerned as provided **Schedule XXX**, where the child habitually resides with biological parents or guardians along with all requisite documents as provided in the **Schedule VI and Schedule IX**.

- (4) The prospective adoptive parents, in case of inter-country relative adoption, shall file the adoption application with the District Magistrate concerned as provided in **Schedule XXXI**, where the child habitually resides with biological parents or guardians along with all requisite documents as provided in the **Schedule VI and Schedule IX** and along with No Objection Certificate from Authority.
- (5) The step-parent and the biological parent, who intend to adopt the child or children of the spouse, shall file the adoption application with the District Magistrate as provided in **Schedule XXXII**, where the child habitually resides, along with requisite documents as provided in the **Schedule VI and Schedule IX**.
- (6) Before issuing an adoption order, the District Magistrate shall satisfy itself of the various conditions stipulated under section 61 of the Act, and regulations 54 to 57, as the case may be.
- (7) The prospective adoptive parents shall obtain a certified copy of the adoption order from the District Magistrate and furnish a copy of the same to the District Child Protection Unit for online submission to the Authority.
- 60. Issue of Conformity Certificate.**—The Authority shall issue a Conformity Certificate under Article 23 of the Hague Adoption Convention in the format provided in the **Schedule XI** within three days from the date of availability of the adoption order on the Designated Portal, in case the receiving country of the adopted child is a Hague Adoption Convention signatory.
- 61. Child Care Institution and its linkage with Specialised Adoption Agency.**—(1) All Child Care Institutions registered under this Act, which may not have been recognised as Specialised Adoption Agencies, shall ensure that all orphan or abandoned or surrendered children under their care and protection are reported, produced and declared legally free for adoption, by the Child Welfare Committee as per the provisions of section 32, sub-section (2) of section 38 and sub section (1) of section 66 of the Act and the procedure laid down in these regulations.
- (2) Such report shall include the name, gender, date of birth or age, photograph and health condition of the child, language spoken by the child (if any), address or source (wherever known) and the manner and circumstances in which the child was brought and admitted to the institution.
- (3) The District Child Protection Unit concerned shall render all necessary assistance to the Child Care Institution concerned in getting an orphan, abandoned or surrendered child declared legally free for adoption by Child Welfare Committee as per the procedure and time frame stipulated under the provisions of the Act, rules framed thereunder and these regulations.
- (4) The District Child Protection Unit shall be responsible for linking the Child Care Institution where adoptable children have been identified with Specialised Adoption Agency.
- (5) If the Child Care Institution is located in the same district.—
- (a) The Specialised Adoption Agency shall complete the documentation and formalities required for the adoption of an orphan, abandoned or surrendered child including preparation of Child Study Report and Medical Examination Report of the child as provided in the **Schedule II** and **Schedule III** respectively;
- (b) The Specialised Adoption Agency shall upload the profile of the child on the Designated Portal, which includes photograph, Child Study Report, Medical Examination Report of the child and certificate from Child Welfare Committee declaring the child legally free for adoption.
- (6) In case the Child Care Institution and the Specialised Adoption Agency are not located in the same district.—
- (a) The District Child Protection Unit shall conduct Child Study Report through a social worker and Medical Examination Report of the child as provided in the **Schedule II** and **Schedule III** respectively;
- (b) the District Child Protection Unit shall upload the profile of the child on the Designated Portal, which includes photograph, Child Study Report, Medical Examination Report of the child and certificate from Child Welfare Committee declaring the child legally free for adoption;
- (c) once documents of children are uploaded on the Designated Portal, the linked Specialised Adoption Agency shall access information of such children for facilitating their adoption as per the provisions of these regulations.

- (7) In case there is more than one Specialised Adoption Agency in the district for linking the Child Care Institution, the distance between the two, the needs of the child and the capacity of the Specialised Adoption Agency shall be taken into consideration.
- (8) The Adoption Committee shall include.—
 - (a) adoption in-charge or social worker of the Specialised Adoption Agency;
 - (b) paediatrician or visiting doctor of the Child Care Institution;
 - (c) official from the District Child Protection Unit of the district where Child Care Institution is located;
 - (d) representative of the Child Care Institution in case its child is linked with the Specialised Adoption Agency .
- (9) In all such adoption cases, adoption application shall be filed with the District Magistrate by the Specialised Adoption Agency, through the District Child Protection Unit making the Child Care Institution as a co-applicant.
- (10) In case the child is from a Child Care Institution which is located in another district, the Specialised Adoption Agency shall file the adoption application with the District Magistrate of the district where the child is located through the District Child Protection Unit.
- (11) The adoption fee shall be shared between Specialised Adoption Agency and Child Care Institution in the ratio as may be prescribed by the Authority.
- (12) The District Child Protection Unit shall obtain a certified copy of the adoption order from the office of the District Magistrate and furnish a copy of the same to the prospective adoptive parents, Child Care Institution, Specialised Adoption Agency and upload it on the Designated Portal.

62. Appeal to State Adoption Resource Agency and Central Adoption Resource Authority.—(1) In case of in-country adoption, any prospective adoptive parents or child or any person on their behalf, aggrieved due to non-selection for adoption because of the opinion of Specialised Adoption Agency or issues related to eligibility of the prospective adoptive parents or of the child to be adopted or regarding the documentation relating to the prospective adoptive parents or the child, such as, Home Study Report or health status of the prospective adoptive parents, the Child Study Report and Medical Examination Report or any technical issue related to the Designated Portal may approach the State Adoption Resource Agency.

- (2) The application referred to in sub-regulation (1) shall be made by the aggrieved party within seven days from the date of opinion or decision.
- (3) The State Adoption Resource Agency shall take decision on the application within fifteen days from the date of receipt of the application.
- (4) The aggrieved if unable to get suitable response within the stipulated period of fifteen days, shall write to Central Adoption Resource Authority for redressal of their grievance within forty-eight hours of receiving the said response which shall be addressed by the Authority within fifteen days from the date of receipt of the application.
- (5) In cases of inter-country adoption matters, appeal shall be forwarded to the Authority within the stipulated time referred to in sub-regulation (2) and the Authority shall take decision on the application within fifteen days from the date of receipt of the application.

63. Power to relax and interpretation.—(1) The power of relaxation and grant exception to any provision of these regulations in respect of a case or class of cases shall be vested with the Relaxation Committee of the Authority.

- (2) Relaxation Committee of the Authority shall be chaired by the chairperson of Steering Committee of the Authority and two members consisting of its Chief Executive Officer and a member of Steering Committee having experience in law as members.
- (3) No decision of the Relaxation Committee of the Authority shall ordinarily have the effect of altering the seniority of any prospective adoptive parents unless reasons are recorded in writing and the primary consideration being the best interests of the child.
- (4) In case of any ambiguity in interpretation of any of the provisions of these regulations, the decision of the Authority shall prevail.

CHAPTER VIII

PROCEDURE FOR CHILDREN ADOPTED UNDER THE HINDU ADOPTION AND MAINTENANCE ACT, 1956, BY PARENTS WHO DESIRE TO RELOCATE THE CHILD ABROAD

64. This Chapter shall apply to—

- (a) all adoption cases under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956) by prospective adoptive parents or adoptive parents residing outside the country and
- (b) all adoption cases pertaining to countries outside the Hague Adoption Convention.

65. The Central Adoption Resource Authority shall register applications for inter-country adoptions to be processed under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956).

66. The following procedure referred to in regulations 67, 68, 69, 70 and 71 is set forth as an adoption procedure for non-resident Indians or Overseas Citizen of India Card holder prospective adoptive parents who live outside the country and meet the requirements to adopt a child from India under the Hindu Adoption and Maintenance Act, 1956(78 of 1956).

67. Procedure in the case of registered adoption deed.— (1) In the cases where the adoption deed has already been executed in pursuance of adoption under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956), before the commencement of the Adoption (Amendment) Regulations, 2021, the requisite documents supporting the facts of the adoption deed shall be duly verified and recommended by the District Magistrate in the format as provided in **Schedule XXXV**.

- (2) On receipt of the verification of documents as per **Schedule XXXV**, the Central Adoption Resource Authority shall comply with the provisions of Articles 5 or 17 from the receiving country as provided in the Hague Adoption Convention.
- (3) Upon receiving such certificate, the Central Adoption Resource Authority shall issue no objection certificate for Hague ratified countries and in cases of countries outside the Hague Convention on Protection of Children and Co-operation in respect of Inter-country Adoption, the Central Adoption Resource Authority shall issue a support letter upon receiving a letter accepting the said adoption from the Government department.

68. Procedure for inter-country Adoption.—

- (1) In the cases initiated after 17th September, 2021, the following standard common procedure shall be applicable for all inter-country adoptions concluded under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956), **by eligible non-resident Indians or Overseas Citizen of India Cardholders**, who are to take a child in adoption from India.
- (2) Any Hindu prospective adoptive parents habitually residing abroad and who wish to adopt an Indian Hindu child born to Indian Hindu Parents, residing in India, may contact an Authorised Foreign Adoption Agency or the Central Authority in case of Hague ratified countries and the Government department concerned in case of Non-Hague countries in their country of habitual residence, as the case may be.
- (3) The Authorised Foreign Adoption Agency or the Central Authority or the Government department concerned in their country of habitual residence shall sponsor the application of eligible and suitable prospective adoptive parents to the Central Adoption Resource Authority.
- (4) The Central Adoption Resource Authority shall share the sponsoring letter and other requisite information about the parents received from the Authorised Foreign Adoption Agency or the Central Authority or the Government department of the receiving country, as the case may be, with the District Child Protection Unit and the District Magistrate of the district where the child is habitually residing.
- (5) The District Magistrate shall get a family background report prepared which shall include all required documents related to the biological parents and the child proposed to be adopted and the report shall be conducted through the District Child Protection Officer as provided in **Schedule XXI and Schedule XXXVI**.
- (6) Upon receipt of the family background report, the Central Adoption Resource Authority shall

forward it to the concerned Authorised Foreign Adoption Agency, or Central Authority, in their country of habitual residence for issuing necessary permission under Article 5 or 17 (Hague Adoption Convention ratified countries).

69. Adoption process.—

- (1) The parties to an adoption concluded under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956) shall jointly present the deed of adoption to the Sub-Registrar's office in the district with copy to District Magistrate.
- (2) Based on such copy of the deed, the District Magistrate shall conduct such inquiry, as he may deem fit, to satisfy that all the provisions of Hindu Adoptions and Maintenance Act, 1956 (78 of 1956), and the stipulations under the regulations have been followed and such inquiry shall be completed within a period of thirty days.
- (3) In case the District Magistrate fails to complete the inquiry within thirty days, he shall be bound to give reasons along with verification certificate for failing to provide the inquiry report within thirty days and the parties may register the adoption deed with the Sub-Registrar concerned under the Registration Act, 1908 (16 of 1908), indicating the details of application made and that inquiry from District Magistrate has not been received within the stipulated time referred to in sub-regulation (2).
- (4) The District Magistrate shall thereafter forward the verification certificate in the format in **Schedule XXXV** along with the checklist provided in **Schedule XXXVI** to the Central Adoption Resource Authority certifying the following that-
 - (a) the adoption recorded in the deed of adoption has been made in accordance with the provisions of the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956), including the sourcing of the child, the eligibility and suitability of the adoptive parents;
 - (b) the adopted child or the biological parents are not under any duress while giving the child in adoption;
 - (c) the adoption has been concluded with mutual consent of all parties concerned;
 - (d) there has been no monetary consideration involved in the adoption process and the adoption is in the best interest of the child.

70. Issue of No Objection Certificate and Conformity Certificate.—

- (1) On receipt of verification certificate from the District Magistrate, on the registered adoption deed and necessary permission under Articles 5 or 17 from the receiving country as provided in the Hague Adoption Convention on Protection of Children and Co-operation in respect of Inter-country Adoption, the Central Adoption Resource Authority shall issue No Objection Certificate for Hague ratified countries under Article 17(c) and Conformity Certificate under Article 23 of the Convention.
- (2) In the case of countries outside the Hague Adoption Convention, a support letter shall be issued by the Central Adoption Resource Authority.

71. Post-adoption follow-up.—In cases of disruption or dissolution, the rehabilitation of the child shall be followed as provided in the Hague Adoption Convention and as per child protection services available in the receiving country.

SCHEDULES

S.No.	Schedule No.	Subject
1.	Schedule I	Certificate declaring the child legally free for adoption
2.	Schedule II	Child Study Report
3.	Schedule III	Medical Examination Report and classification of special needs of the child
4.	Schedule IV	Medical test for children admitted into institutions and red flags of developmental milestones

5.	Schedule V	Deed of surrender
6.	Schedule VI	Online registration form and list of documents to be uploaded
7.	Schedule VII	Home study report of resident Indian or Overseas Citizen of India Cardholder or Foreign prospective adoptive parents living in India
8.	Schedule VIII	Pre-adoption foster care undertaking (in the form of an affidavit)
9.	Schedule IX	List of documents (Attested or Notarised) to be filed in the office of District Magistrate
10.	Schedule X	No Objection Certificate
11.	Schedule XI	Conformity Certificate
12.	Schedule XII	Post adoption follow-up report of the child
13.	Schedule XIII	Standards of child care in Specialised Adoption Agencies
14.	Schedule XIV	Timeline for Authorities and Agencies concerned
15.	Schedule XV	Adoption fees and their utilisation by Specialised Adoption Agencies or Child Care Institutions
16.	Schedule XVI	Foster Care Adoption
17.	Schedule XVII	Support Letter for Regional Passport Officer in case of in-country adoption
18.	Schedule XVIII	Classification of special needs children for the purpose of adoption
19.	Schedule XIX	Consent for the purpose of relative adoption
20.	Schedule XX	Consent of biological parents along with step-parent to obtain the permission of Child Welfare Committee for adoption of child or children by biological parent and the step-parent
21.	Schedule XXI	Family background report of the child and the biological parents
22.	Schedule XXII	Permission by Child Welfare Committee to the consent given by the guardian of the child for adoption by their relative (where biological parents are not alive or not able to give consent)
23.	Schedule XXIII	Affidavit by the chief functionary or authorised person of the Specialised Adoption Agency to District Magistrate in support of adoption of child
24.	Schedule XXIV	Affidavit of prospective adoptive parents in cases of in-country relative adoption in support of their financial and social status as per sub-regulation 4 of regulation 54
25.	Schedule XXV	Pre-Approval format in case of In-country relative or step adoption
26.	Schedule XXVI	Application from a Child Care Institution for recognition as a Specialised Adoption Agency
27.	Schedule XXVII	Format of minutes of the Adoption Committee in case of in-country adoption

28.	Schedule XXVIII	Model application in case of orphan or abandoned or surrendered child(ren) for in-country adoption
29.	Schedule XXIX	Model application in case of orphan or abandoned or surrendered child(ren) for inter-country adoption
30.	Schedule XXX	Model application for in-country relative adoption
31.	Schedule XXXI	Model application for inter-country relative adoption
32.	Schedule XXXII	Model application for adoption of child or children by step & biological parent
33.	Schedule XXXIII	Adoption order
34.	Schedule XXXIV	Adoption dissolution Order
35.	Schedule XXXV	Verification certificate in case of adoption concluded under the Hindu Adoptions and Maintenance Act(HAMA), 1956 (78 of 1956)
36.	Schedule XXXVI	Family background report under adoption concluded under the Hindu Adoptions and Maintenance Act(HAMA), 1956 (78 of 1956)

SCHEDULE I

[See regulations 2(5), 6(13) and 7(17)]

CERTIFICATE DECLARING THE CHILD LEGALLY FREE FOR ADOPTION

- In exercise of the powers vested in the Child Welfare Committee.....under section 38 of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021, child....., sex..... (Male or Female or Other), date of birth.....placed in the care of the Specialised Adoption Agency or Child Care Institution (name and address) vide order no.....dated..... of this Committee, is hereby declared legally free for adoption on the basis of the following:
 - Inquiry report of the Probation Officer or Child Welfare Officer or Social Worker or Case Worker or any other (as the case may be);
 - Deed of surrender executed by the biological parents or the legal guardian of the child before this Committee on (date);
 - Declaration submitted by District Child Protection Unit and the Child Care Institution or Specialised Adoption Agency concerned to the effect that they have made restoration efforts as required under section 40, the rules framed there under and the Adoption Regulations, but, nobody has approached them for claiming the child as biological parents or legal guardian as on date of the said declaration;
 - Consent of older child, in case applicable.
- This is to certify that:
 - The biological parents or legal guardian, wherever available, has or have been counselled and duly informed of the effects of their consent including the placement of the child or

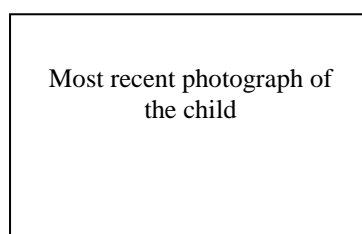
children in adoption which shall result in the termination of the legal relationship between the child and their family of origin;

- The biological parents or legal guardian have given their consent freely, in the required form, and the consent has not been induced by payment or compensation of any kind and the consent of the mother (where applicable), has been given only after the birth of the child;
- The Specialised Adoption Agency or the District Child Protection Unit to which the aforesaid child is entrusted shall arrange to post the photograph and other essential details of the child on the Designated Portal.

[**Note:** Strike out the box(es) which are not relevant to the case]

[**Note:** Only one certificate may be issued in case of siblings or twins stating the relationship]

[**Note:** To facilitate adoption in the best interest of the child, the Specialised Adoption Agency or District Child Protection Unit concerned, as the case may be, is permitted to post the profile of the child, including photograph, Child Study Report, Medical Examination Report and this certificate on the Designated Portal.]



Date and Place
Committee

Child Welfare

Signature of any three members of the Committee

Date & Stamp

To: Specialised Adoption Agency or District Child Protection Unit- to post this certificate on the Designated Portal

SCHEDULE II

[See regulations 2(6), 6(15), 7(18), 61(5)(a) and 61(6)(a)]

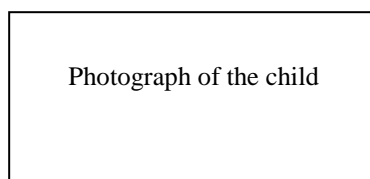
CHILD STUDY REPORT

Registration No. of the Child on the Designated Portal:

Aadhar Card No:

Name of the Specialised Adoption Agency or Child Care Institution:

[The detailed report on the child shall include identifying information supported by documents. Child Study Report should be prepared as soon as the child is declared legally free for adoption by the Child Welfare Committee.]



I. GENERAL INFORMATION:

1. Name of the Child. ----- (given by biological mother or parents or by the Specialised Adoption Agency or Child Care Institution or Child Welfare Committee)
2. Present age and date of birth:
3. Sex:
4. Place of Birth:
5. Religion (if known):
6. Type of child: Orphan or abandoned or surrendered
7. Date of admission of the child to the Specialised Adoption Agency or Child Care Institution:
8. Date of production before Child Welfare Committee:
9. Date declared as legally free for adoption by the Child Welfare Committee:

II. SOCIAL DATA

Please do not give identifying information about the natural parent.

1. How did the child come to your institution?
 - (a) Admitted directly by parent or any other guardian:
 - (b) Placed by Child Welfare Committee directly:
 - (c) Transferred from any other institution, if so, name of the institution:
 - (d) Any other source:
2. Reasons for seeking protection in the Institution:
3. Attitude of the child towards other children, if applicable:
4. Behaviour and relationship of the child towards staff and other adults including strangers:
5. General intelligence:
6. If the child is enrolled in school, give a detailed report about their standard, attendance, general interest in studies, progress, if any:
7. General personality and description of the child:
8. Play activity and any specific talent: Milestones of the child (for children below eighteen months). Please mark Yes or No (based on age appropriate responses)

Does the child:-

 - (a) Smile
 - (b) Turn on their sides
 - (c) Lift its head Grasp objects in its hand
 - (d) Crawl on its own
 - (e) Sit with full support or Sit without support
 - (f) Stand with support or Stand without support
 - (g) Walk with support or Walk without support
9. Dietary Habits:-
 - (a) Intake of liquid food:
 - (b) Semi-solid food:
 - (c) Solid food:
10. Developmental Assessment (language spoken, behaviour, basic play skills, physical activity and communication and social skills etc.):
11. Social Background (This should include their social history i.e. brief background of the

birth parents and circumstances necessitating the child's surrender or abandonment, etc. Please do not give identifying information such as name and address of birth parents or relatives.):

12. I _____ social worker or the staff nurse of the Specialised Adoption Agency or the superintendent of the Child Care Institution hereby certify that the information given in this form about child _____ is correct.

Name & Signature of Social worker or
Staff nurse of the Specialised Adoption Agency or
Superintendent of the Child Care Institution

We have read and understood the contents of the Child Study Report and are willing to accept as our adoptive child.

(Signature of the male applicant)

(Signature of the female applicant)

(Name of the male applicant)

(Name of the female applicant)

Place and Date:

Place and Date:

SCHEDULE III

[See regulations 2(16), 2(25), 6(15), 7(18), 8(2), 36(9), 37, 51(4), 61(5)(a) and 61(6)(a)]

MEDICAL EXAMINATION REPORT AND CLASSIFICATION OF SPECIAL NEEDS OF THE CHILD

[Part-A may be filled by the social worker, counsellor or the staff nurse of the Specialised Adoption Agency or the Superintendent of the Child Care Institution as the case may be. If any information is not available, please state "Not Available". A paediatrician should be consulted if the child is under the age of one year. In case any child is found to have special needs as provided in the Schedule XVIII and Part E of the Medical Examination Report, the visiting doctor has to refer the case to Chief Medical Officer of the district.]

Registration No. of the Child on the Designated Portal:

Health Status: Normal or Special Needs

Date of Admission:

Name of the Specialised Adoption Agency:

Name of the Child Care Institution:

Disclaimer-

Thalassemia carriers and sickle cell trait: Children with carrier state of Thalassemia are asymptomatic. Similarly children with thalassemia minor shall rarely require blood transfusion. Children with sickle cell trait do not have haematological abnormalities and sickling of RBCs may rarely occur only when exposed to high altitude and low oxygen pressure (Guidelines for assessment of Disability by Union Ministry of Social Justice and Empowerment, 2018, section 29.6 and 37.3).

High risk infants and children: Children with history of perinatal adverse events like birth asphyxia, neonatal hyperbilirubinemia, neonatal sepsis, hypoglycaemia, complications associated with preterm delivery like respiratory distress syndrome, intraventricular haemorrhage etc., are at risk for developing subsequent delay in attainment of developmental milestones, epilepsy, neuromotor impairment and behavioural abnormalities. Hence, these children need detailed neurodevelopmental evaluation for proper diagnosis and holistic management.

Hepatitis B: The clinical course of Hepatitis B virus infection is diverse among individuals with different host genome, viral strains, and host-viral interactions. The earlier the HBV acquisition age is, the more likely the lifelong infection results. The perinatal infection constitutes 90% of chronic HBV infection in early childhood. Minority (10%) of chronic HBV infected subjects shall have HBsAg seroconversion, and get rid of chronic infected status. Majority of such patients may be clinically asymptomatic with normal Alanine Aminotransferase (ALT) levels but with high viral loads, and presence of HBeAg. In majority of the patients, HBeAg seroconversion to its antibody (Anti-HBe) occurs during or after the adolescent stage, indicating decrement of active viral replication and hepatitis activity. Delayed HBeAg seroconversion with persistently high viremia. After the 4 decade of life indicates a higher risk of developing liver cirrhosis and hepatocellular carcinoma. Up to 10-25% of chronic HBV infected adult subjects may suffer from HBeAg negative hepatitis flare after HBeAg seroconversion, especially in those who experience late HBeAg Seroconversion and are associated with increased lifelong risk of liver cirrhosis and HCC.

Hepatitis C: Although HCV infections acquired during infancy are more likely to spontaneously resolve than those acquired as an adult, still about 80% remain chronically infected. Children who remained HCV RNA PCR positive during and after one year of age had a lower likelihood of clearance. As in adults with chronic HCV, fibrosis of the liver in paediatric patients tends to increase with age suggesting slow progressive histologic injury although at a slower pace. Progression to cirrhosis in childhood is extremely rare.

HIV: All HIV exposed infants should undergo HIV DNA PCR in Dried blood spot (DBS). If DBS is positive for HIV, then the test is to be repeated in whole blood. In six to eighteen months old children, HIV antibody testing by ELISA followed by DBS testing for HIV and if found to be positive, and then DNA PCR in whole blood HIV antibody testing is confirmatory after eighteen months (NACO guidelines, 2-16).

Part A- General Information

[A duly registered Special Adoption Agency should complete Part A. If any information is not available, please state "Not Available".]

1. Name Of the Child:
2. Sex :
3. Date Of Birth :
4. Place Of Birth :
5. Nationality :
6. Name of the Present Institution : Placed since :
7. Weight at Birth (Kgs) :
8. Current Weight (Kgs) :
9. Head Circumference (cm):
10. Current Head Circumference (cm) :
11. Length at Birth (cm):
12. Current Length (cm) :
13. Was the Pregnancy and Delivery normal?
14. APGAR Score, if applicable :
15. Attach Neuroimaging :
16. Where has the child been staying before admission? :
 - a. With the Mother: From To
 - b. With relatives: From To
 - c. In private care: From To
 - d. In institution or hospital: From To

(Please state the name of the institution or institutions concerned)

Note: In case of new born children, refer to Medical Test for different age groups provided in the **Schedule IV**.

Social worker or counsellor or
The staff nurse of the Specialised Adoption Agency or
The Superintendent of the Child Care Institution
[Name and designation of the staff ,
date with signature]

Part B - Medical Details

[A duly registered physician should complete the Part B. If any information is not available, please state “Not Available”. If the child is below 1 year, the child should be examined by Paediatrician. Medical Test for different age groups as provided in the Schedule IV of Regulations must be available.]

1. Has the Child had any disease during the past? Yes or No or Do not Know

a)Disease:

b)Age at the time of diagnosis (Months):

c)Remarks (any Complications):

2. Has the Child been vaccinated against any of the Following Disease? :

Yes or No or Do not know

Immunisation Details:

Tuberculosis (BCG)	Date of immunisation
Diphtheria	Date of immunisation
Tetanus	Date of immunisation
Whooping Cough	Date of immunisation
Poliomyelitis	Date of immunisation
Hepatitis A	Date of immunisation
Hepatitis B	Date of immunisation
MMR(Measles)	Date of immunisation

3. Description of Mental Development, Behaviour and Skill of the Child (if Possible).

- | | | |
|-----|-----------|---|
| i | Visual | When was the child able to fix? |
| ii | Aural | When was the child able to turn head to Sounds? |
| iii | Motor | When was the child able to sit by self? |
| | | When was the child able to stand with support? |
| | | When was the child able to walk without support? |
| iv | Language | When did the child start to speak monosyllables? |
| | | When did the child start to say single words? |
| | | When did the child start to speak sentences? |
| v | Contact | When did the child start to smile? |
| | | How does the child communicate with adult and Other children? |
| | | How does the child react towards strangers? |
| vi | Emotional | How does the child show emotions (anger, uneasiness, |

disappointment, joy)?

Part C- Medical Examination Details

[A duly registered physician should complete the Part C. If any information is not available, please state “Not Available”.]

1. Date of Medical Examination
2. Colour of Hair:
3. Colour of Eyes:
4. Colour of Skin:
5. Based on complete clinical examination of the child, I have observed the following evidence of disease, impairment or abnormalities (in case applicable).
 - (a) Head (Form of Skull; Hydrocephalus; Craniotabes; Any Other; No Disease, Impairment or Abnormalities):
 - (b) Mouth and Pharynx (Harelip or Cleft Palate, Teeth; Any Other ; No Disease, Impairment or Abnormalities):
 - (c) Eyes (Vision; Strabismus; Infections; Any Other; No Disease, Impairment or Abnormalities):
 - (d) Ears(Infections; Discharge; Reduced Hearing; Any Other; Deformity No Disease, Impairment or Abnormalities):
 - (e) Hearing Screening - At least one of these test is mandatory:-
 - a) Otoacoustic emissions (OAE):
 - b) Brainstem evoked response audiometry (BERA):
 - (f) Any Dysmorphic face? If yes, describe.
 - (g) Organs of the chest (Heart, Lungs, Any Other, No Disease, Impairment or Abnormalities):
 - (h) Lymphatic Glands (Adenitis: Any Other; No Disease, Impairment or Abnormalities):
 - (i) Abdomen (Hernia; Liver; Spleen; Any Other; No Disease, Impairment or Abnormalities):
 - (j) Genitals (Hypospadias; Testis Retention; Any Other; No Disease, Impairment or Abnormalities):
 - (k) Neurodevelopmental Disorder (Meningitis; Encephalitis; Epilepsy; Cerebral Palsy; Any Other; No Disease, Impairment or Abnormalities):
 - (l) Spinal Column (Kyphosis; Scoliosis; Any Other; No Disease, Impairment or Abnormalities):
 - (m) Extremities (Pes equines; Valgus; Pescalcaneovarus; Flexation of the Hip, Spasticity; Paresis; Any Other; No Disease, Impairment or Abnormalities):
 - (n) Skin (**Eczema; Infections; Parasites;** Any Other; No Disease, Impairment or Abnormalities):
 - (o) Any Other:
6. Tests
 - (a) Any Symptoms of Tuberculosis?
Result of Tuberculosis test made (date and year): Positive or Negative or Not done
 - (b) Any Symptoms of Hepatitis B?
Result of Test for Hbs Ag: Positive or Negative or Not done
Result of Test for Anti-HBs: Positive or Negative or Not done
Result of Test for HBeAg: Positive or Negative or Not done
Result of Test for Anti-HBe: Positive or Negative or Not done

- (c) Any Symptoms of Syphilis? Result of syphilis reaction made (date and year): Positive or Negative or Not done
Result of VDRL Test:
Note:
- (d) Any History of Jaundice and Blood Transfusion?
Result of HbSAg Test (date and year)
If Positive, whether specialist consultation taken? (Yes or no, date and year); and further tests or treatment undertaken (attach a copy of the documents)
7. Mandatory Test or Evaluation Reports (Provided in the **Schedule IV** of Regulations). If any of these screening tests is abnormal, further confirmatory tests and specialists opinion shall be mandatory.
- (a) HIV
- (b) Does the Urine Contain:
- i. Sugar
 - ii. Albumen
 - iii. Phenyl Ketone
- (c) Stools (diarrhoea, constipation)
Examination for Parasites: Positive or Negative or Not done
- (d) Is there any developmental delay or regression or neurobehavioral or neurodevelopmental disorders?
- (e) Give description of the developmental status and activities of daily living of the child.
- (f) Any Additional Comments?

Note:

Refer to Age one to three years and more than three years of Medical Test as provided in the Schedule IV.

Part D- Developmental Milestones Detail

[A duly registered physician should complete the Part D. If any information is not available, please state "Not Available". Wherever required, assistance may be taken from a special educator, psychologist, physiotherapist, speech therapist and the social worker concerning the psychological and social circumstances of the child.]

Please Check on each of the following: -

- 1. Activity with Toys (age appropriate as applicable):**
 - (a) The child's Eyes follow rattles or toys that are moved in front of the child.
 - (b) The child holds on to a rattle.
 - (c) The child plays with rattle (putting it in mouth, shaking it, moving it from one hand to other).
 - (d) The child put cubes on top of each other.
 - (e) The child plays purposely with toys, pushes cars, puts doll to bed, feeds doll, etc.).
 - (f) The child engages in role play with toys with other children.
 - (g) The child draws faces, human beings or animal with distinct features.
 - (h) The child co-operates in structured games with other children: ball games, card games, etc.
 - (i) The child likes to play more with inanimate objects other than toys.
- 2. Vocalisation or Language Development (age appropriate as applicable):**
 - (a) The child vocalises in contact with care giver.
 - (b) The child repeats different vowel-consonant combinations (ba-ba, da-da, ma-ma, etc).

- (c) The child uses single word to communicate.
- (d) The child speaks in sentences.
- (e) The child understands prepositions as: on top of, under, behind, etc.
- (f) The child uses prepositions as: on top of, under, behind, etc.
- (g) The child speaks in past tense.
- (h) The child writes their own name.
- (i) The child reads simple words.
- (j) The child repeats same word or phrase again and again.
- (k) Any other observation.
- 3. Motor Development (age appropriate as applicable):**
- (a) The child turns from back to stomach from age:
- (b) The child sits without support from age:
- (c) The child crawls or moves forward from age:
- (d) The child walks with support of furniture from age:
- (e) The child walks alone from age:
- (f) The child climbs up and down stairs with support from age:
- (g) The child climbs up and down stairs without support from age:
- 4. Contact with Adults (age appropriate as applicable):**
- (a) The child smiles in contact with a known caregiver.
- (b) The child is easily soothed when held by a known caregiver.
- (c) The child cries or follows known caregiver when caregiver leaves the room.
- (d) The child actively seeks known caregiver when he or she is upset or has hurt themselves.
- (e) The child seeks physical contact with all adults that come into the ward.
- (f) The child communicates their feeling in words to caregivers.
- 5. Contact with other children (age appropriate as applicable):**
- (a) The child shows interest in other children by looking or smiling at their activity.
- (b) The child enjoys playing besides other children.
- (c) The child engages actively in activities with other children.
- (d) The child prefers to stay alone most of the time.
- 6. General Level of Activity:**
1. Active 2. Overactive 3. Not Very Active
- 7. General Mood:**
- (a) Sober
- (b) Emotionally indifferent
- (c) Fussy, difficult to soothe
- (d) Happy, content
- 8. Overall Observation of the child. :**

9. Health status of the child :

- (a) If Normal, submit the report
 (b) In case the child needs further investigation, refer the case to the CMO

Signature of the Examinee Physician

Designation and Registration No.

Stamp

Date

Acceptance of Medical Examination Report by Prospective Adoptive Parents

We have read and understood the contents of the Medical Examination Report and are willing to accept _____ as our adoptive child.

(Signature of the male applicant)

(Signature of the female applicant)

(Name of the male applicant)

(Name of the female applicant)

Date:

Date:

Place:

Place:

Part E – Special Needs Condition

[Chief Medical Officer of the district shall complete the Part E maximum within a period of fifteen days. If any information is not available, please state “Not Available”. In case of child below one year, it should be examined and reported by a paediatrician of the district hospital which should be countersigned by Chief Medical Officer of the district. Children having deficiencies which are curable and treatable shall be given treatment for the same and the child shall accordingly be not included in the category of child with special needs. Details of classification of children having special needs are placed below:]

Does the child fall under any of these conditions?[Please mark ✓ where applicable]

1. Infants (birth to 12 months) Requiring Observation:

Infant with history of adverse perinatal events; e.g. birth asphyxia, neonatal jaundice, neonatal sepsis, low blood sugar, complication associated with preterm delivery and very low birth weight (less than 1500gms) etc. at the risk of developing neurodevelopment disorders, neuromotor conditions, epilepsy and behavioural abnormalities. These infants need close follow up and observation for diagnosis and further management. They can have developmental delay, stiffness or looseness of body convulsions and behavioural problems. They can be mildly (mild speech delay) to severely affected.

(a) Infants with history of :

- i. Birth Asphyxia:
- ii. Neonatal Sepsis:
- iii. Pathological:
- iv. Neonatal Hypoglycemia:

(b) Very low birth weight(less than 1500gms) wherever available or weight at time of placement to SAA or:

(c) Pre-term(less than thirty two weeks) wherever available or assessable at time of placement to SAA:

Detailed hospital discharged summary (if available)

NOTE: This category 1 of Infants requiring observation may be a temporary special needs categorisation. It shall require close follow up and evaluation of the special needs status periodically especially within the 1st year of life. Many of these may become typically developing

or normal children.

2. Neuromotor Conditions:

These are abnormalities resulting from damage to the brain, spinal cord or nervous system, which result in problems related to movement and posture. These conditions range from mild to severe stiffness or looseness of one or more limb and trunk. Due to stiffness or looseness, these children may have abnormal posture and gait. They can be mildly effected (e.g. stiffness of ankle) to severely affected (e.g. nonattainment of sitting or standing or walking etc.). They may or may not be independent in carrying out activities of daily living.

- (a) Cerebral Palsy:
- (b) Muscular Dystrophy:
- (c) Hereditary or Acquired Neuropathy:
- (d) Spinal Muscular Atrophy:
- (e) Neuropaediatric report:

3. Neurodevelopmental Disorders:

These are impairment of growth and development of the brain or central nervous system. This can include developmental brain dysfunction, which can manifest as neuropsychiatric problems or problems of learning, language, non-verbal communication etc. They can be mildly affected (e.g. mild speech delay) to severely affected (e.g. nonattainment of sitting or standing or walking, severe intellectual disability, severe autism spectrum disorder etc.)

- (a) Intellectual Disability:
- (b) Learning Disability:
- (c) Autism Spectrum Disorder:
- (d) Attention deficit hyperactivity disorder:

Formal Developmental Quotient & Intelligence Quotient Report with assessment by the clinical or child psychologist:

4. Skeletal or Orthopaedic Conditions:

These include impairments caused by congenital anomalies such as absence of member, clubfoot, Impairment caused by acquired diseases such as poliomyelitis or impairment for other causes to include amputation, fractures etc.

- (a) Amputation (Partial or Complete):
- (b) Post fracture deformity:
- (c) Upload X-Ray and Orthopaedic Report:

5. Vision Impairment and eye related Conditions:

Vision impairment is a decreased ability to see to a degree that causes problems not fixable by usual means such as glasses. It ranges from mild impairment to complete blindness. Other eye related problems include squint, cataract etc. These children may or may not be independent in activities of daily living depending on severity of condition.

- (a) Blind or Low vision:
- (b) Retinal Detachment:
- (c) Squint*:
- (d) Cataract*:
- (e) Ophthalmologist Report:

6. Hearing Impairment and speech and language:

Hearing impairment is a partial or total inability to hear. Speech and language conditions shall include speech dysfunction or dysphasia, severe stammering etc. These children may or may not be independent in activities of daily living depending on severity of condition.

- (a) Deaf or Hearing impairment or Hard of hearing :
- (b) Speech dysfunction or dysphasia:
- (c) Severe Stammering:
- (d) Speech therapy report:
- (e) ENT Report:

7. Birth Defects:

This category includes babies born with a part of the body that is missing or malformed. This includes a range of defects like skin, soft tissue, bone, cardiac etc. These may or may not be required intervention based on organ involved.

- (a) Ambiguous genitalia:
- (b) Undescended Testis:
- (c) Single Kidney:
- (d) Congenial Heart Defects:
- (e) Fetal Alcohol Syndrome:
- (f) Cleft lip or palate or both*
- (g) Pierre Robin Syndrome:
- (h) Hernia*:
- (i) Congenial Dislocation of Hip:
- (j) Finger or Toes Joined (syndactyly):
- (k) Disfiguring Birth Mark*:
- (l) Primary Microcephaly:
- (m) Clinical Report along the opinion of medical specialist:

8. Identical Genetic or Metabolic Conditions:

Inherit metabolic disorders are genetic conditions that result is metabolism problem. They may be treatable by dietary modifications or may require special diets.

- (a) Albinism:
- (b) Dwarfism:
- (c) Ectodermal Dysplasia:
- (d) Clinical Report along the opinion of medical specialist:

9. Blood related conditions:

Common blood related conditions include anaemia, bleeding disorders such as haemophilia etc. They require frequent blood transfusion or coagulation factor transfusion based on severity of disease.

- (a) Sickle Cell Anaemia:
- (b) Thalassemia:
- (c) Haemophilia:
- (d) Haematology Report:

10. Chronic Systemic Disorders:

These include chronic respiratory, cardiac, endocrine, gastrointestinal and neurological disorder. Due to chronicity, they may require long term or lifelong medications. Life span depends on type of underlying condition.

- (a) Respiratory Disorders:

- (i) Chronic Asthma:
- (ii) Bronchiectasis:
- Medical specialist report:
- (b) Cardiac Disorders:
 - (i) Rheumatic Heart Disease:
 - (ii) Any Other:
 - Medical specialist report:
- (c) Endocrinal Disorders:
 - (i) Diabetes Mellitus:
 - (ii) Hypo or Hyper Thyroidism:
 - Medical specialist report:
- (d) Neurological Disorders:
 - (i) Epilepsy:
 - (ii) Multiple Sclerosis:
 - (iii) Any Other:
 - Medical specialist report:
- (e) Gastrointestinal Disorders:
 - (i) Celiac Disease:
 - (ii) Inflammatory Bowel Disease:
 - Medical specialist report:
- (f) Others:
 - (i) Chronic Tonsillitis:
 - (ii) Chronic Otitis Media:
 - (iii) Any Other:
 - Medical specialist report:

11. Skin Conditions:

These includes non-infectious skin conditions like eczema, vitiligo etc. These children may need long term medication.

- (a) Burns*:
- (b) Ichthyosis:
- (c) Vitiligo:
- (d) Dermatologist Report:

12. Infectious Conditions:

These include congenial and acquired infection like Hepatitis B, Hepatitis C, HIV, Tuberculosis etc.

- (a) Congenial:
 - (i) Hepatitis B:
 - (ii) Hepatitis C:
 - (iii) HIV:
 - (iv) Tuberculosis:
 - Relevant Test Report along with opinion of medical specialist:
- (b) Acquired:

- (i) Hepatitis B:
 - (ii) Hepatitis C:
 - (iii) HIV:
 - (iv) Elephantiasis:
 - (v) Tuberculosis:
 - (vi) Leprosy (Active):
- Relevant Test Report along with opinion of medical specialist:

13. Nutritional Disorders and Deficiency States*:

These include nutrient deficiencies or excesses in the diet, malnutrition, obesity and eating disorders.

- (a) Malnutrition*:
 - (b) Obesity*:
 - (c) Eating Disorders*:
 - (d) Rickets*:
 - (e) Nutritional Anaemia*:
 - (f) Scurvy*:
- Relevant Test Report along with opinion of medical specialist:

14. Other Conditions:

These include the following.

- (a) Tumorous and Childhood Malignancies:
 - (b) Post Surgery (Colostomy, Ileostomy):
 - (c) Traumatic Injuries:
 - (d) Any Neuropsychiatric Illness:
 - (e) Any Other:
- Relevant Test Report along with opinion of medical specialist:

15. Multiple Co-existing Conditions:

In case combination of the above listed disorders or diseases are selected.

[Note- * This may be a temporary special needs categorisation. It shall require close follow up and evaluation of the special needs status periodically. Some of these may become typically developing or normal children.]

With the above profile, I conclude that the child is having special needs or not having special needs.

Signature of the Examinee CMO

Designation and Registration No.

Stamp
Date

Acceptance of Medical Examination Report by Prospective Adoptive Parents

We have read and understood the contents of the Medical Examination Report and are willing to accept _____ as our adoptive child.

(Signature of the male applicant)

(Signature of the female applicant)

(Name of the male applicant)

(Name of the female applicant)

Date:

Date:

Place:

Place:

SCHEDULE IV

[See regulations 30(1)(f), 30(1)(u) and 51(6)(a)]

MEDICAL TEST FOR CHILDREN ADMITTED INTO INSTITUTIONS & RED FLAGS FOR DEVELOPMENTAL MILESTONES

1. Medical test for a child admitted into an institution can be broadly divided into two categories:

- (a) To diagnose an illness or condition that requires specific treatment and thus testing shall help in restoring the health of the child.
- (b) To diagnose an illness or condition of a nature that implies that the child shall require special attention (medical and parental) beyond what a normal child needs, and therefore the family that adopts them should be aware of the condition.

2. Following shall be considered while conducting the medical test:

- (a) The interest of the child has to be foremost.
- (b) If the test results warrant further testing, specific therapy or consultation with specialists, should be undertaken by the Agency or Institution where the child is staying.

3. Medical Tests for different age groups:

3.1 Newly born:

- (a) Preterm newborns or those newborns weighing <2000g at birth or admission should be evaluated by a specialist neonatologist or paediatrician. These babies should undergo screening for Retinopathy of prematurity.
- (b) Screening for hypothyroidism by thyroid function test (T4, TSH)
- (c) Hearing screening: Otoacoustic Emissions (OAEs) or Brain stem evoked response audiometry (BERA)
- (d) Screening for critical congenital heart disease: Pulse oximetry
- (e) HBsAg

If any of these screening tests is abnormal, further confirmatory tests and specialist's opinion should be mandatory, before labelling the child as special needs.

3.2 Infants between 1 month to 1 year of age

- (a) Infants should be evaluated by a paediatrician
- (b) Screening for hypothyroidism by thyroid function test (T4, TSH)
- (c) Hearing screening: otoacoustic emission (OAE) or Brain stem evoked response audiometry (BERA)
- (d) Complete blood count, liver function test and renal function test (CBC, LFT and RFT)
- (e) HIV testing in children older than four-six weeks of age
- (f) HCV testing in children older than three months of age
- (g) HBsAg

If any of these screening tests is abnormal, further confirmatory tests and specialist's opinion should be mandatory, before labelling the child as special needs.

3.3 Age one to three years and more than three years

(a) In high risk areas (central and western states of India and tribal populations), screening for sickle cell anaemia is advised by complete blood count and either of these-haemoglobin electrophoresis or solubility testing for haemoglobin S or isoelectric focusing or high-performance liquid chromatography (HPLC).

If a child is found to be a carrier or trait for beta thalassemia or sickle cell anaemia on screening, he or she is unlikely to be affected or have transfusion requirement, and hence should not be considered as special needs.

(b) HIV - Procedure for diagnosis in infants and children below eighteen months of age:-

- (i) HIV serological testing is used for the diagnosis of HIV in adults and children above eighteen months of age.
- (ii) Serological tests are not reliable and difficult to interpret in infants and children below eighteen months of age because of passage of maternal HIV antibody across the placenta.
- (iii) In children younger than eighteen months, diagnosis of HIV infection is based on: a positive virological test for HIV or its components (HIV RNA or HIV DNA or ultrasensitive [Us] HIV p24 Ag) confirmed by a second virological test performed on a separate specimen taken more than four weeks after birth.
- (iv) The World Health Organisation guidelines strongly recommend that all HIV- exposed infants have HIV virological testing at four-six weeks of age or at the earliest opportunity thereafter.
- (v) If the child is older than nine months, an HIV serological test is recommended prior to any virological testing, and a virological test should be performed for those with a reactive HIV serological test.
- (vi) In the non-breastfed or never-breastfed infant, a negative serological test result at or above the age of nine months can be used to rule out HIV infection.
- (vii) In infants with an initial positive virological test result, it is strongly recommended that antiretroviral therapy be started without delay and, at the same time, a second specimen collected to confirm the result.
- (viii) All the infants with unknown or uncertain HIV exposure being seen in health-care facilities at or around birth or at the first postnatal visit (usually four–six weeks), or other child health visit, have their HIV exposure status ascertained.
- (ix) If the infant is seen <72 hrs after the delivery and HIV exposure is identified, post-exposure prophylaxis, counselling on safe breastfeeding and an HIV virological test at four–six weeks is recommended.
- (x) For infants first seen at four–six weeks or the earliest thereafter and in whom HIV exposure is documented, HIV virological testing should be performed and the mother should receive safe infant-feeding counselling.
- (xi) A negative HIV serological test in the mother does not per se exclude HIV exposure; the possibility of very recent incident infection of the mother during this pregnancy should be kept in mind.

[In infants and children less than eighteen months of age, a positive HIV serological test confirms HIV exposure but cannot definitively diagnose HIV. HIV serological testing can be used to exclude HIV infection.]

(c) HCV diagnosis in infants and children:-

- (i) Hepatitis C infection (HCV) is a chronic viral infection of the liver that affects 1-2% of adults and about 0.15 to 0.4% of children and adolescents.
- (ii) In children, the infection is mostly acquired from mothers (vertical transmission).
- (iii) Screening is by testing for HCV antibody in blood. The mother's HCV antibody crosses

the placenta and can stay in the blood of an infant for up to eighteen months. Thus the anti-HCV antibody test cannot be done to screen for HCV in infants <eighteen months of age.

- (iv) The American Academy of Paediatrics recommends testing with antibody test after eighteen months of age in high-risk children. Positive antibody test should be confirmed by HCV-PCR.
- (v) If the baby is born to a known HCV positive mother (or in babies in adoption homes), testing with the HCV-PCR can be done. This should be done after three months of age due to a high rate of temporarily positive tests in infants under three months of age. Two negative HCV-PCR tests separated by at least two to three months are needed to confirm that there is not an infection with the hepatitis C virus.
- (d) HBsAg
- (e) CBC, LFT and RFT

RED FLAGS FOR DEVELOPMENTAL MILESTONES:-

Age	Red flags for gross motor
9 months	No sitting without support
12 months	No standing with assistance
17 months	Unable to stand alone
18 months	Unable to walk alone
2 years	Unable to walk upstairs with help
4 years	Unable to jump

Age	Red flags for fine motor
5 months	Unable to hold rattle
12 months	No pincer grasp
20 months	Unable to remove socks or gloves
24 months	Unable to scribble
3 years	Cannot work with simple toys
5 years	Does not draw picture

Age	Red flags for socio adaptive
2 months	No social smile
12 months	No pointing
3 years	No pretend play
4 years	Does not respond to peers
5 years	Unusually withdrawn and not active

Age	Red flags for hearing
12 months	No babbling or vocal imitation
18 months	No use of single words
24 months	Single word vocabulary \leq 10 words
30 months	<100 words, No 2-word combination
36 months	<200 words, No telegraphic sentence
42 months	<600 words, No simple sentences

SCHEDULE V

[See regulation 7 (3)]

DEED OF SURRENDER

Case No.....

In Re.....

1. I or We, the undersigned..... (Family name or First name(s)) residing at , surrender my or our child(ren) (named) Aged....., having date of birth..... on our own and without any coercion, compulsion, threat, payment, consideration, compensation of any kind;

2. I or We have been counselled and informed:

- (a) about the implication that I or we can withdraw our consent until sixteenth day of this surrender deed after which my or our consent shall be irrevocable and I or we shall have no claim over the child or children.
- (b) have been made aware of the implications of surrender and are conscious of the fact that after the sixtieth day from date of the surrender deed, the legal parent-child relationship between my or our child or children and me or us shall be terminated.
- (c) understand that my or our child may be adopted by person(s) residing in India or abroad and give my or our consent for this purpose.
- (d) understand that the adoption of my or our child shall create a permanent parent-child relationship with the adoptive parents and then cannot claim back the child.

3. I or we wish or do not wish (please tick whichever is applicable) my or our identity and address to be disclosed to my or our child when he or she returns for root search.

4. I or we declare that I or We have read the above statements carefully and have fully understood the same.

Done at on.....

[Signature or Thumb Impression of
surrendering person(s)]

5. Declaration by Witnesses

We the undersigned have witnessed the above surrender.

(a) Signature, Name and Address of the first witness
.....
.....

(b) Signature, Name and Address of the second witness
.....
.....

6. Certification of Child Welfare Committee

We hereby certify that the person and the witness(es) named or identified above appeared before us this date and signed this document in our presence.

Done at on.....

Signature and Seal of Members or Chairperson Child Welfare Committee

SCHEDULE VI

[See regulations 10(1), 10(5), 16(3), 21(1), 45(3), 54(1), 55(1), 56(3), 59(3),59(4) and 59(5)]

ONLINE REGISTRATION FORM AND LIST OF DOCUMENTS TO BE UPLOADED

Date of Registration:		
Applicant category:	(i) Indians living in India, the prospective adoptive parents shall have to register themselves. (ii) In case of Overseas Citizen of India Cardholder or a foreign national habitually residing in India, the prospective adoptive parents have to register themselves. (iii) In cases of non- resident Indian, Overseas Citizen of India Cardholder or a foreign prospective adoptive parents habitually residing in a foreign country, registration shall be done by Authorised Foreign Adoption Agency or Central Authority or Foreign Government department concerned in the country of residence. (iv) In case of Non-Hague countries, Indian mission abroad can process the applications of non- resident Indian and Overseas Citizen of India Cardholder prospective adoptive parents.	
Applicant status:	Single-unmarried or widow or widower or divorcee or legally separated or Married couple (Date of marriage, place of marriage)	
	Male	Female
Name		
Date of Birth		
Nationality by Birth		
Current Nationality or Citizenship address		
Current residential address		
City or District		
State		
Country		
Zip or Pin code		
Phone no.		
Mobile no.		
Email		
Occupation Details		
Nature of occupation	Govt. job or Private job or Public sector job or Business or Non-profit organisation or Consultant or Professional or Others or Not working	
Place of Work		
Annual Income		
No. of Biological or Adopted Children	Total ()	

Identification Details (As applicable)	
PAN Number	
Aadhar Card Number	
Overseas Citizens of India Card Number	
Passport Number	
Preference for Adoption	
Sex	Boy or Girl or Other or No Choice
Child Category	Sibling or Single
Health Status	Normal or Special Needs
If opted for Child or Children with Special Needs , kindly mention the specific categories	
Age	0-2 years or 2-4 years or 4-6 years or 6-8 years or 8-10 years or 10-12 years or 12-14 years or 14-18 years
Preference for State	
Name of the Agency for Home Study Report	
Address of the Agency	
Motivation for Adoption (Max 200 characters)	
In case of resident Indians, Overseas Citizens of India Card holder or Foreign prospective adoptive parents habitually residing in India, the prospective adoptive parents shall have to register themselves with all relevant documents.	<p>Documents to be uploaded at the time of registration</p> <p>1. In-country Adoption (Indians residing in India)</p> <ol style="list-style-type: none"> (1) Current family photograph or Photograph of person adopting a child (2) Aadhar Card or Passport or Voter card or Driving License of the prospective adoptive parents or Birth Certificate or Overseas Citizen of India card of the prospective adoptive parents (if applicable) and PAN card(if applicable). (3) Birth certificate or Proof of date of birth of the parents (In the event of a married couple, upload the applicant's respective medical certificates.) (4) Proof of residence (Aadhar card or voter card or passport or current electricity bill or telephone bill) (5) Proof of income of last year (salary slip or income certificate issued by Govt. department or income tax return) (6) Certificate from a medical practitioner certifying that the prospective adoptive parents do not suffer from any chronic, contagious or fatal disease and they are fit to adopt (In the event of a married couple, upload the applicant's respective medical certificates.) (7) Marriage certificate or Divorce Decree or Declaration from the competent court or affidavit on oath pertaining to divorce in case of divorce governed by personal law where decree of divorce is not mandatory or Death certificate of spouse whichever is applicable (8) Undertaking from the relative in case single prospective adoptive parents (if applicable) (9) Consent of the older child or children in the adoptive family <p>2. Inter-country Adoption in cases of non- resident Indian or Overseas Citizens of India Cardholder and Foreign prospective adoptive parents</p> <ol style="list-style-type: none"> (1) Current family photograph or Photograph of person adopting a child (2) Home Study Report of prospective adoptive parents (in case of Overseas Citizens of India Cardholder and foreign prospective adoptive parents
In case of non- resident Indian or Overseas Citizens of India card holder or Foreign prospective adoptive parents	

<p>residing abroad, registration shall be done by Authorised Foreign Adoption Agency or Central Authority or Government department or through Indian Mission (in cases of Indian citizens and Overseas Citizen of India Cardholders) only after completion of Home Study Report.</p>	<p>residing in India to be uploaded later after registration)</p> <ol style="list-style-type: none"> (3) Passport (Male prospective adoptive parent) (4) Passport (Female prospective adoptive parent) (5) Overseas Citizen of India card of the prospective adoptive parents (if applicable) (6) Birth Certificate (Male prospective adoptive parent) (7) Birth Certificate (Female prospective adoptive parent) (8) Proof of Residence of prospective adoptive parent (9) Proof of income of last year (e.g. salary slip or income certificate issued by Government department or Income tax return) (10) Certificate from a medical practitioner certifying that the prospective adoptive parents do not suffer from any chronic, contagious or fatal disease and they are fit to adopt (11) Police Clearance certifying the antecedents of male prospective adoptive parent (12) Police Clearance certifying the antecedents of female prospective adoptive parent (13) Marriage Certificate (in case of couple) (14) Copy of divorce decree or Declaration from the competent court or affidavit on oath pertaining to divorce in case of divorce governed by personal law where decree of divorce is not mandatory or death certificate of the spouse (if applicable) (15) Undertaking from the relative in case of single prospective adoptive parent (if applicable) (16) In case of Overseas Citizen of India Cardholder or Foreign prospective adoptive parents living in India, a copy of No Objection Certificate from their Embassy or High Commission for adoption (17) First Reference Letter from a respected member of the society known to the prospective adoptive parents (18) Second Reference Letter from a respected member of the society known to the prospective adoptive parents (19) Consent of the older child or children in the adoptive family for such adoption <p><u>Other documents to be uploaded after referral</u></p> <ol style="list-style-type: none"> (1) Consent of the older child or children to be adopted (2) Permission of the receiving country as provided in Article 5 or 17 of The Hague Adoption Convention (applicable in case of Hague ratified country) (3) In case of prospective adoptive parents residing abroad, undertaking from the prospective adoptive parents to allow personal visits by the representative of the Authorised Foreign Adoption Agency or Central Authority or concerned Government department or Indian Mission, as the case may be, for follow-up of the progress of the child as required under the Adoption Regulations (4) In case of Overseas Citizen of India Cardholder or Foreign prospective adoptive parents living in India, undertaking from the concerned Specialised Adoption Agency to provide post adoption follow-up (5) In case of Overseas Citizen of India Cardholder or Foreign prospective adoptive parents living in India, undertaking to allow personal visits of the representative of the Specialised Adoption Agency or District Child Protection Unit or State Adoption Resource Agency at least for a period of two years from the date of adoption (6) Undertaking from the Authorised Foreign Adoption Agency to provide progress report of the child for a period of two years and make alternate arrangement in case of disruption
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	(7) Undertaking for permitting home visit to the social worker during post-adoption follow up
In case of Non- resident Indian and Overseas Citizen of India Cardholder prospective adoptive parents residing abroad, registration shall be done by the concerned authority, i.e. Authorised Foreign Adoption Agency or Central Authority or Government department or Indian Mission(in cases of Indian citizens) for the purpose of relative adoption only after completion of Home Study Report.	<p>3. Inter-country Relative Adoption</p> <p>At the time of registration, all requisite documents to be uploaded on the Designated Portal as stated above in cases of inter-country Adoption[(1)-(19)] along with</p> <ol style="list-style-type: none"> (1) a recent photograph of the child or children to be adopted. (2) Recent family photographs of the child with adoptive parents and biological parents. (3) Consent of the older child to be adopted. (4) Consent of the older child or children in the biological family. (5) Relationship of the prospective adoptive parents to the relative child (family tree), as per section 2(52) of the Act. <p><u>To be uploaded at the later stage of registration</u></p> <ol style="list-style-type: none"> (6) Permission of the receiving country as provided in Article 5 or 17 of The Hague Adoption Convention (applicable in case of Hague ratified country) (7) Consent of the biological family as provided in the Schedule XIX. (8) Permission from the Child Welfare Committee to the legal guardian to surrender the child in adoption with the relative as provided in the Schedule XXII (if applicable). (9) Family background report by District Child Protection Unit as provided in the Schedule XXI duly recommended by concerned State Adoption Resource Agency.
In case of In-country Relative Adoption, the prospective adoptive parents have to register for such adoptions on the Designated Portal and handover relevant documents to District Child Protection Unit to upload in the Designated Portal.	<p>4. In-country Relative Adoption</p> <p>At the time of registration, all requisite documents to be uploaded on the Designated Portal as stated above in cases of in-country Adoption[(1)-(9)] alongwith</p> <ol style="list-style-type: none"> (1) A recent photograph of the child or children to be adopted (2) Consent of the older child to be adopted (3) Consent of the older child or children in the biological family (4) Consent of the biological parents (as provided in the Schedule XIX of the Adoption Regulations) (5) Permission from the Child Welfare Committee to the legal guardian to surrender the child in adoption with the relative as provided in the Schedule XXII (if applicable) (6) Affidavit by prospective adoptive parents in support of their relationship, financial and social status as provided in the Schedule XXIV of the Adoption Regulations (7) Relationship of the prospective adoptive parents to the relative child (family tree), as per section 2(52) of the Act
In case of Adoption of child or children by step-parent, the biological and step parents have to register on the Designated Portal and provide relevant documents by uploading the same online through the Designated Portal.	<p>(5) Adoption of child or children by step-parent</p> <p>At the time of registration, all requisite documents to be uploaded on the Designated Portal as stated above in cases of in-country Adoption[(1)-(9)] alongwith</p> <ol style="list-style-type: none"> (10) A recent photograph of the child or children to be adopted (11) Consent of the older child to be adopted (12) Proof of both parents (biological and step-parent) being legally wedded (13) Consent of the biological parents, spouse adopting the child or children as provided in the Schedule XX of the Adoption Regulations alongwith relevant documents mentioned thereof

SCHEDULE VII

[See regulations 2(14), 10(8) and 21(2)]

HOME STUDY REPORT OF RESIDENT INDIAN PARENT OR OVERSEAS CITIZEN OF INDIA CARD HOLDER OR FOREIGNER LIVING IN INDIA

Mr. -

Ms. -

Status of prospective adoptive parents – Single or Married or Divorced or Separated or Widow or Any Other

All prospective adoptive parents are required to register on the Designated Portal and adopt from the authorised institutions.

DESIGNATED PORTAL REGISTRATION NO.	
DATE OF REGISTRATION	
PAN CARD NO. (MALE APPLICANT) PAN CARD NO. (FEMALE APPLICANT)	
AADHAR CARD NO. (MALE APPLICANT) AADHAR CARD NO. (FEMALE APPLICANT)	
PASSPORT NO., IF APPLICABLE (MANDATORY IN CASE OF FOREIGN OR OCI PROSPECTIVE ADOPTIVE PARENTS)	
NAME OF THE SOCIAL WORKER	
NAME OF THE SPECIALISED ADOPTION AGENCY OR DISTRICT CHILD PROTECTION UNIT	
ADDRESS OF THE SPECIALISED ADOPTION AGENCY OR DISTRICT CHILD PROTECTION UNIT	
CONTACT NO. OF THE SOCIAL WORKER	
E-MAIL ID	
DATE OF HOME VISIT	

Part-1 of the report is to be filled up by the prospective adoptive parents. The Home Study Report helps build a strong proposal for the prospective adoptive parent (s) to adopt, and therefore, prospective adoptive parents are expected to provide all information to the best of their knowledge. The prospective adoptive parents are solely responsible for the authenticity of the information provided in the template and are required to sign below on each page of Part 1. Any difficulty faced by the prospective adoptive parents in filling up Part 1 may be shared with the social worker during the home visit.

Part-2 of the template is to be filled up by the professional social worker engaged by the Specialised Adoption Agency or District Child Protection Unit or State Adoption Resource Agency. The Home Study Report helps assess the suitability of the prospective adoptive parents to adopt. During the home study, the Social Worker shall assess the financial, employment, health, lifestyle, home and neighbourhood environments of the prospective adoptive parents; their parenting styles or attitude(s) towards parenting; motivation for adoption; commitment towards adoption and their overall readiness-cum-maturity to adopt. The social worker is also responsible for providing pre-adoption counselling to the prospective adoptive parents.

Each and every page of the Home study report needs to be duly attested by the concerned social worker.

Part-1

To be filled (printed) by the prospective adoptive parents**A. Familiarity with Adoption**

[This section can be filled up by either of the prospective adoptive parents]

- (1) What is your motivation behind adopting a child?
- (2) Will you be able to support an older child, a child with an addressable medical condition or a child with special needs? Yes or No.
If yes, kindly elaborate on the motivating factors for the same.
- (3) Have you met any adoptive families or children who were adopted – if yes, how was your experience and response
- (4) Are there any areas where you may need counselling or professional help in supporting the child you wish to adopt – please provide details.
- (5) Please describe how the adoption shall affect other members residing with you and extend support to the child.

B. Family background information:

Particulars	Male Applicant	Female Applicant
Name (underline Family name)		
Date of birth		
Place of birth		
Citizenship*		
Address		
Email ID		
Contact Phone No. and Mobile No.		
Religion		
Language(s) spoken at home		
Date of marriage		
Date of earlier marriage (if any)		
Date of divorce (if any)		
Educational Qualification		
Employment or Occupation		
Name and Address of the present Employer or Business concern		
Annual Income		
Health Status		

**Incase of foreign citizenship, it is mandatory to mention details and attach copy of the passport. In such cases, the No Objection Certificate from their Diplomatic Mission in India shall be required.*

Photograph of the prospective adoptive parents
--

(1) Provide following information about your parents.

Details about Parents of the Applicants	Male Applicant		Female Applicant	
	Father	Mother	Father	Mother
Name in full				
Age				
Nationality or Citizenship				
Occupation				
Previous occupation				
Presently residing with prospective adoptive parent (Indicate Yes or No)				

(2) Please complete the following table with the details of each of your respective children (adopted and biological).

Name of the Child	Biological or Adopted	Gender	Date of Birth	Educational Status

(3) Please provide age, gender, occupation, and nature of the relationship of other family member(s) residing with prospective adoptive parents.

Name	Nature of Relationship	Age	Gender	Education	Occupation

(4) Please provide details of any other non-related adults or children living in the home(e.g. househelp, staff, outside personnel etc):

C. Professional or Employment Details (Professional career details for last five years): Please complete

the following table with details relating to your professional career.

Male Applicant			
Organisation	Employer Details (Name and Address)	Job Title	From To

Female Applicant			
Organisation	Employer Details (Name and Address)	Job Title	From To

D. Financial Status: (Give a short description of your income from all sources, savings, investments, expenditures, debts and liabilities).

Please provide your most recent tax invoices, bank statements etc. of both of you.

Do you have any outstanding debts, mortgages etc.

- (1) If yes, please provide supporting documentation:
- (2) No

E. Current marital relationship (if applicable): (Give details about the marriage, legal separation, if any, reasons for such separation, present marital life and decision making procedures).

- (1) Please specify your marital status:
- (2) Please describe the procedures you and your spouse use to reach a decision.

F. Attitude of grand parents or extended family members, other relatives and significant others towards the present adoption: (Give a short description about the opinion of other important persons towards adoption who shall have impact in the child rearing process when the child arrives in the receiving country.)

G. Anticipated Plans of the prospective adoptive parents for taking care of the child:

- (1) Please describe how you will manage caring for the adopted child and other life commitments such as work.
- (2) Who shall be responsible for caring for the child when you are at work, or absent from the familial home (domestic help, grandparents and spouse).
- (3) In case the adopted child demonstrates adjustment difficulties, please describe the steps that you plan to take to ease their transition into the family?

H. Preparation and Training for Adoption: (Give details about the pre-adoption counselling sessions or training and or experiences related to child care, handling of needs of children, parenting children having special needs, if any.)

Put a tick (✓) on the following as applicable

- (1) Understanding about adoption procedure:
- (2) Reading of reference materials:
- (3) Learning from friends or relatives:
- (4) Interaction with adoptive parents groups:
- (5) Learning through counseling from professionals:
- (6) Video Modules on Adoption

I. Possible Rehabilitation Plan for the child in case of any eventuality with prospective adoptive

parents: (Give a short description about your plan for the security of the child in case you face any short or long term eventuality.

- (1) Does your work require you to travel?
- (2) Who shall care for the child in your absence? Please provide a brief description including their age, gender, occupation and relationship:
- (3) In the event of unforeseen misfortune do you have someone who could take legal guardianship of child? If so, Please provide a brief description including their age, gender, occupation and relationship and contact details:
- (4) In case you are a single prospective adoptive parent, please give a short description about the close relative who shall be giving undertaking for the security of the child.

J. Health Status (Emotional and Physical):

- (1) Do you or your spouse suffer from any medical condition? If so, kindly provide details?
- (2) Are you or your spouse currently being treated by a psychologist or psychiatrist?
- (3) Are you currently taking any prescribed medication?
- (4) Are there currently any child(ren) in your house being treated for a severe medical condition?
- (5) Does everyone in your family including you and your spouse have health and hospitalisation insurance coverage for all family members?

K. Self-declaration

I or We certify that we are physically, mentally, emotionally and financially capable, and do not have any life threatening medical condition and have not been convicted in criminal act of any nature or accused in any case of child rights violation.

Name of the prospective adoptive parents

Signature of the prospective adoptive parents

Date

Place

PART 2

(To be filled up by the social worker preparing the Home Study Report)

As far as possible, the Home Study Report has to be completed within a period of two months from the date of uploading valid documents on the Designated Portal.

The social worker should attempt to put the prospective adoptive parents at ease by opening the conversation with a warm-up question. The social worker should employ non-verbal cues such as inclining the head and nodding to indicate that the prospective adoptive parents are actively listening. After each question, the social worker may provide the prospective adoptive parents with sufficient time to respond. Any verbal response by the social worker to an answer by the prospective adoptive parents should be neutral and non-judgmental. The social worker should attempt to establish eye contact as much as possible between reading the question and jotting down the response of the prospective adoptive parents to demonstrate empathy. The social worker should try to avoid interrupting the prospective adoptive parents unless they do not understand a response.

(The information or facts filled in the template shall be kept confidential by the agencies or authorities.)

1. Factual Assessment:

- (i) Have you verified the contents of the facts mentioned in Part I of the template?
Yes or No
- (ii) Are you satisfied about the facts mentioned in the documents vis-à-vis observation during interviews and visits?
Yes or No

2. Psycho-social Assessment:

2.1 Interaction with the prospective adoptive parents

- (i) Have you interacted with the prospective adoptive parents individually and or jointly?
- (ii) Are the prospective adoptive parents well prepared for adoption? In case of single prospective adoptive parent, please mention about family support system.
- (iii) Do you think that prospective adoptive parents have expressed their genuine feeling for parenting?
- (iv) Do you want to refer the prospective adoptive parents for further counselling for their preparedness?
Yes or No

2.2 Home visit findings:

- (i) When did you visit the home of the prospective adoptive parents? Who were the members present during your visit?
- (ii) Whom did you interact during the home visit?
- (iii) Have you met any neighbour or relative? Give a detailed description about the interaction?
- (iv) Whether the home environment is conducive for the child? If no, what steps can be taken to improve the situation? Have you advised the prospective adoptive parents?
- (v) Did the prospective adoptive parents have any doubt about parenting issues or any other issues? Have you cleared their doubts?
- (vi) Are the prospective adoptive parents well prepared for adoption?
- (vii) Do you think that prospective adoptive parents have expressed their genuineness during the interaction?

2.3 Interaction with the family members:

- (i) Have you interacted with other family members of the prospective adoptive parents? What is their opinion about the proposed adoption? Are they positive about the adoption?
- (ii) Are there any other family member(s) whom you could not interact but they might have a larger role in the proposed adoption? If so, how did you do their assessment? Did you take their views subsequently?
- (iii) Have you interacted with older child(ren) present in the home of the prospective adoptive parents? Are they positive about the adoption? If yes, have they provided their consent? Yes or No.
- (iv) Have you noticed any adverse remarks from the family members? If so, how far those remarks may have an impact on the adoption process?

2.4 Financial capacity:

- (i) What is your opinion about the financial status of the prospective adoptive parents? Are they financially sound to welcome another member into their family?
- (ii) Have you observed any financial situation which is not disclosed in Part-I?

2.5 Physical and emotional capacity:

- (i) Are the prospective adoptive parents in a good physical and emotional state to take care of a child?
- (ii) Have you observed any physical or psychological issues with the prospective adoptive parents or any other family member that is going to affect the life of the upcoming child? If so, give details.
- (iii) Provide details of number of rooms in the house and if there is adequate space for the child to

- be supported.
- (iv) Are the prospective adoptive parents emotionally equipped enough to take care of a child?
3. Views and readiness of the prospective adoptive parents on sharing the fact of adoption with the adopted child and the Root Search.
4. As per your assessment do the prospective adoptive parents meet the criteria for adoption of the child in their expected age criteria? Yes or No
In case No, the reason(s) for the same

5. Recommendation for adoption.

- (i) Do you recommend the prospective adoptive parents for adoption? Put your views and rationale for recommending the prospective adoptive parents for adoption including the parent's suitability. (Attach additional sheets, if required)
- (ii) In case you do not recommend the prospective adoptive parents for adoption, appropriate reasons for taking such decision must be given in detail.
- (iii) Documents which have been posted on the Designated Portal by the prospective adoptive parents have been duly verified.

Name of Social Worker

Signature of Social Worker

Name of Agency or District Child Protection Unit

Signature and Seal of chief functionary of the Specialised Adoption Agency or District Child Protection Unit

SCHEDULE VIII

[See regulations 12(1) and 17(2)]

PRE-ADPTION FOSTER CARE UNDERTAKING (IN THE FORM OF AN AFFIDAVIT)

I or We, Mr., aged..... Years, citizen of and Mrs, aged years, citizen of, permanently residing at present address being proposed Adopter(s) of child (new full name) @ (old name) born on presently in the care of (name and address of the Specialised Adoption Agency), do solemnly hereby declare as follows:-

1. I or We are taking the above mentioned child in pre-adoption foster care, pending the adoption order by the District Magistrate.
2. I or We understand that until the final adoption order from the District Magistrate concerned is received, the said child shall be under the authority and guardianship of _____(name of Specialised Adoption Agency) and we shall only remain the foster parents of the child.
3. The child placed with me or us shall be given all necessary education, medical care, attention, nutrition and treatment required.
4. In case of any untoward incident with the child, I or we shall report the same to the Specialised Adoption Agency immediately.
5. The institution shall be kept informed about the development of the child once a month till the final adoption order is issued by the District Magistrate.
6. I or We shall attend to the Adoption hearing before the District Magistrate as and when asked to do so.
7. I or We undertake to bring-up the child or children as my or our own.

8. I or We shall allow the authorised social worker or functionary of the Specialised Adoption Agency or District Child Protection Unit or State Adoption Resource Agency to visit our home for undertaking post- adoption follow up to ascertain the progress and well-being of the child or children in my or our family.
9. I or We further undertake to inform any change of place of our residence (other than as stated in this application), to the Specialised Adoption Agency, District Child Protection Unit and the State Adoption Resource Agency concerned for the purpose of post adoption follow-up.

Mr Prospective Adoptive Father Date: Witness: Name: Signature: Address:	Ms Prospective Adoptive Mother Date: Witness: Name: Signature: Address:
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SCHEDULE IX

[See regulations 11(6), 12(2), 13(1), 16(14), 38(16), 59(4) and 59(5)]

LIST OF DOCUMENTS (ATTESTED OR NOTARISED) TO BE FILED IN THE OFFICE OF DISTRICT MAGISTRATE

1. In-country Adoption of Orphan, Abandoned and Surrendered children

All prospective adoptive parents related documents to be obtained by the Specialised Adoption Agency as indicated in the **Schedule VI** of the Adoption Regulations.

All child related documents to be arranged by the Specialised Adoption Agency:-

1. Child Study Report signed by the prospective adoptive parents along with recent photograph of the child.
2. Medical Examination Report of the child signed by the prospective adoptive parents.
3. Certificate of Child Welfare Committee declaring the child 'legally free for adoption'.
4. Home Study Report of the prospective adoptive parents along with their recent family photograph.
5. Recognition certificate of the agency as Specialised Adoption Agency.
6. Consent of the older child or children to be adopted.
7. Decision of the Adoption Committee (only in case of In-country adoption).
8. Affidavit by the Chief Functionary of the Specialised Adoption Agency in support of adoption of child.
9. Pre-adoption foster care affidavit.(wherever required)

2. Adoption of Orphan, Abandoned and Surrendered children by non- resident Indian or Overseas Citizen of India Cardholder or Foreign prospective adoptive parents residing in a foreign country

All prospective adoptive parents related documents are to be obtained by the Specialised Adoption Agency from the Authorised Foreign Adoption Agency or Central Authority or Government department concerned or Indian Mission abroad as indicated in the **Schedule VI** of the Adoption Regulations including the Power of Attorney in favour of the authorised functionary of the Specialised Adoption Agency to file the adoption application on their behalf before the District Magistrate.

All child related documents to be arranged by the Specialised Adoption Agency:-

1. Child Study Report signed by the prospective adoptive parents along with recent photograph of the child.
2. Medical Examination Report of the child signed by the prospective adoptive parents.
3. Certificate of Child Welfare Committee declaring the child 'legally free for adoption'.
4. Recognition certificate of the agency as Specialised Adoption Agency
5. Consent of the older child or children to be adopted
6. Affidavit by the Chief Functionary of the Specialised Adoption Agency in support of adoption of child.
7. Pre-adoption foster care affidavit (wherever required)
8. No Objection Certificate issued by Central Adoption Resource Authority
9. In case of Overseas Citizen of India Cardholder or Foreign prospective adoptive parents living in India, a copy of **No Objection Certificate** from their Embassy or High Commission for the proposed adoption shall be required.

3. Inter-country Relative Adoption

The prospective adoptive parents shall file the adoption application alongwith documents (as indicated in the **Schedule VI** of the Adoption Regulations) and Pre-approval letter issued by Central Adoption Resource Authority before the District Magistrate concerned through their power of attorney, where the child resides with the biological parents or guardians. The concerned District Child Protection Unit shall be approached to take up the matter with the District Magistrate.

4. In-country Relative Adoption

The prospective adoptive parents shall file the adoption application alongwith documents (as indicated in the **Schedule VI** of the Adoption Regulations) and pre-approval letter (**Schedule XXV**) before the District Magistrate concerned, where the child resides with biological parents or guardians. The concerned District Child Protection Unit shall be approached to take up the matter with the District Magistrate.

5. Step-child Adoption

The prospective adoptive parents shall file the adoption application alongwith documents (as indicated in the **Schedule VI** of the Adoption Regulations) and pre-approval letter (**Schedule XXV**) before the District Magistrate concerned, where the child resides with biological parents or guardians. The concerned District Child Protection Unit shall be approached to take up the matter with the District Magistrate.

NOTE: Only the above mentioned list of certificates or documents as applicable are required to be filed. Infertility certificate is NOT required in any case of adoption.

SCHEDULE X

[See regulation 17(1)]

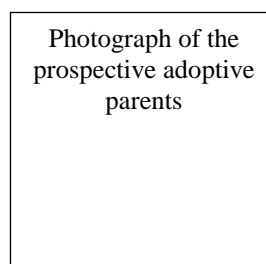
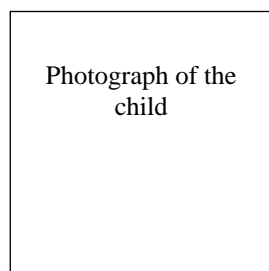
CENTRAL ADOPTION RESOURCE AUTHORITY

(A Statutory Body of Ministry of Women and Child Development)

Certificate Number:

Date:

NO OBJECTION CERTIFICATE



Certified that the Central Adoption Resource Authority, the Central Authority of India on adoption

matters, under the Ministry of Women and Child Development, Government of India, has 'NO OBJECTION' to the adoption of the child or children with the prospective adoptive parents as per the details mentioned below:-

S. No.	Name of the child	Sex of Child	Date of Birth	Name and Address of the prospective adoptive parents

2.This No Objection Certificate is issued as per Adoption Regulations, 2022 and Article 17 (c) of the Hague Convention on the Protection of Children and Cooperation in respect of inter-country Adoption, 1993.

3.The Specialised Adoption Agency and the Authorised Foreign Adoption Agency or Central Authority or concerned Foreign Government department or Indian Diplomatic Mission have been authorised to process this adoption case.

4.The Specialised Adoption Agency shall file the adoption application before the District Magistrate concerned.

Signature and Seal of Authorised Signatory

To:

- (1) Name and address of the Specialised Adoption Agency.
- (2) Name and address of the State Adoption Resource Agency or concerned State Government department.
- (3) Name and address of District Magistrate.
- (4) Name and address of Authorised Foreign Adoption Agency or concerned Foreign Government department or Indian Diplomatic Mission.
- (5) Diplomatic Mission of the Receiving Country in India.
- (6) Central Authority of the Receiving Country
- (7) Foreigner's Regional Registration Officer

SCHEDULE XI

[See regulation 19(1), 60]

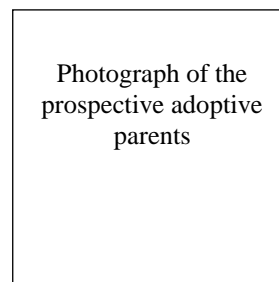
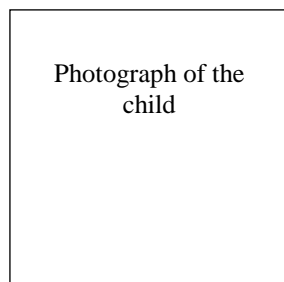
CENTRAL ADOPTION RESOURCE AUTHORITY

Certificate Number:

Date:

CONFORMITY CERTIFICATE

(Under Article 23 of the Hague Convention on Protection of Children and Co-operation in respect of inter-country Adoption, 1993)



1. The undersigned authority:
(Name and address of the competent authority of the State of adoption)
.....
.....
2. Hereby certifies that the child:
Family name:
First name(s):
Sex: Male [] Female []
Date of birth: day()month()year()
Place of birth:
Habitual residence:
3. Was adopted according to the decision of the following Authority:
Date of the decision:
Date at which the decision became final:
(If the adoption was made otherwise than by a decision of an authority, please specify the equivalent details)
4. By the following person(s):
(a) Family name of the adoptive father:
First name(s):
Date of birth: day () month () year ()
Place of birth:
Habitual residence at the time of the adoption:
(b) Family name of the adoptive mother:
First name(s):
Date of birth: day()month()year()
Place of birth:
Habitual residence at the time of the adoption:
5. The undersigned Authority certifies that the adoption was made in accordance with the Convention and that the agreements under Article 17, sub-paragraph c, were given by:
(a) Name and address of the Central Authority of the State of origin
.....
.....
.....Date of the agreement:
- (b) Name and address of the Central Authority of the receiving State:
.....
.....
.....Date of the agreement:
6. The adoption had the effect of terminating the pre-existing legal parent- child relationship.
Or
The adoption did not have the effect of terminating the pre-existing legal parent-child relationship.

Signature and Seal of Authorised Signatory

To:

- (1) Name and address of the Specialised Adoption Agency.
- (2) Name and address of the State Adoption Resource Agency or State Government concerned department.
- (3) Name and address of Regional Passport Office.
- (4) Name and address of Authorised Foreign Adoption Agency or concerned Foreign Government department or Indian Diplomatic Mission.
- (5) Diplomatic Mission of the Receiving Country in India.
- (6) Central Authority of the Receiving Country.
- (7) Foreigner's Regional Registration Officer.

SCHEDULE XII

[See Regulations 14(1), 20(1) and 21(5)]

POST-ADOPTION FOLLOW-UP REPORT OF THE CHILD

Report No:

Date:

Photograph of the
child and the
prospective adoptive
parents

[First post-adoption follow-up report to be completed within three months of the pre adoption foster care and thereafter on half-yearly basis in case of In-country adoption]

I post-adoption follow-up report	II post-adoption follow-up report	III post-adoption follow-up report	IV post-adoption follow-up report
Date	Date	Date	Date

*In cases of adoption by non- resident Indian, Overseas Citizens of India Cardholder and foreign adoptive parents habitually residing abroad, there shall be six follow up reports on a quarterly basis during the first year and on six monthly basis in the second year.

1. Identifying Information:

- (a) Child's Name (initial and given. If any):
- (b) Surname or family name:
- (c) Child's date of birth:

2. Contact Details of the Adoptive Parents:

3. Child's Adjustment:

- (a) **Current height and weight**
- (b) **Results of physical examinations or doctor visits**
- (c) **Eating and sleeping habits**
- (d) **Emotional, physical and social development**

- (e) Attachment of family members
- (f) Child's enrolment in school (if applicable)
- (g) Language(s) spoken (if applicable)

4. Adjustment Between Adoptive Family and The Child:

5. Significant Changes In Family Structure or Dynamics, If Any:

(Change of residence, employment, work responsibilities, illness etc.)

6. Observations And Recommendations of Social Worker

(Signature)

Social Worker's Name:

Agency Name and Date:

Note: Online updating of post-adoption follow-up report is mandatory.

SCHEDULE XIII

[See regulations 25(1) (f)]

STANDARDS OF CHILD CARE IN SPECIALISED ADOPTION AGENCIES

1. The agencies are required to ensure that the following facilities are provided to the children in the institution:

(a) Physical facilities:

- i. Physical surroundings in which the children are cared for must be clean. Sanitation and hygiene maintained at the agency must be adequate since a majority of children at the institution are small and suffer from numerous ailments. Children below the age of one year should be in a room with an attached bathing room and milk room. Children between the age of one to three years should be kept in a room with an attached bathing and bathroom. The older children need to be separated into two boy's room and girl's room. Each room must have attached baths, and toilets.
- ii. There should be a separate washing area and a large kitchen and dining hall for the older children. Good lighting, ventilation and adequate space must be mandatory.
- iii. The home should be neat, clean, particularly bathrooms, toilets and kitchen. Walls and surroundings must be bright and stimulating. For visual stimulation the rooms should be well painted and decorated with toys, animal cut outs, etc.

(b) Medical facilities:

Regular medical inspection must be done, preferably every alternate day by a registered medical practitioner. The child specialist is best trained to diagnose and treat children who are at risk and highly vulnerable.

- i. Infants and children on admission to institutions should be in quarantine and observation for a week at least.
- ii. Weight, height and head circumference may be noted along with any other details available on the child at admission.
- iii. A medical record should be maintained and a doctor must assess the child as soon as possible, preferably within twenty-four hours of their admission.
- iv. Each child below the age of six months should be photographed every month, from six months to three years every three months and thereafter, every six months.
- v. Immunisation should be regularly given and monitored.
- vi. Emergency kits should be available at all times in the Home and there should be a doctor on call.
- vii. General health measures viz hygiene, dental, skin care and diet to be supervised.

- viii. Stimulation is very important for the proper development of the child. This could be achieved by increasing awareness amongst the nurses, helpers by introducing simple stimulation techniques in the daily routine. It is also advised to have a physiotherapist visit the children on a regular basis.

(c) Staff:

- i. The agency must have adequate staff for child care, preferably in the ratio of 4:1 for children below one year, 5:1 for children in the age group one to three years and 8:1 for older children.
- ii. Adoption Homes need personnel who are sensitised to the issues of the children. They need to be “educated” in caring for the children. It is recommended to conduct workshops for nurses, helpers, care takers and other staff to enable them to recognize the special status of these children who are under their care.
- iii. As committed staff is an integral part of good child care, the motivational levels of the staff should be kept high.
- iv. Staff to be immunised as well.

(d) Clothing: It is important that the children in a home are dressed in clean, comfortable and well-kept clothes at all times, not just during the visit of the adoptive parents.

(e) Food: The food in the institution should be hygienically cooked, nourishing and tasty. The menu should be varied. The need of children on a special diet should be attended to. This shall help overcome the problems of malnutrition faced by children entering a home. Feeding charts with indication of the formulas may be displayed and followed.

(f) Education: The Specialised Adoption Agency should be able to provide informal education through a qualified teacher, and a special educator, or tie up with a school that shall take the child or children on a temporary basis.

2. While providing child care, the following issues are important:

- (a) A child’s neurological growth is complete within the first few years of their early childhood and determines the brain’s capabilities throughout the rest of their life. Moreover, a child needs to have experienced secure attachment by the age of 3 in order to develop cognitively, physically, socially, and emotionally. Hence, every effort shall be made by the Specialised Adoption Agency to expeditiously find alternate family for such children so that they develop secure attachment and proper bonding experiences during infancy itself.
- (b) It is very essential to talk, hug, hold, play, tell stories and sing to the child to give it a sense of security. Though this should be done regularly by the staff, it is also advisable to encourage volunteers to take up this activity.
- (c) Quality child care (early childhood care) means providing adequate health care, immunisation, feeding and nutrition, creating a safe environment so that infants and young children can play and socialize with their peers, promoting school readiness and preparing children for primary school and focusing on total development during early years of childhood.
- (d) It should be ensured that there is no instance of child abuse and neglect while the child is in the institution.

Note: All adoption agencies shall adhere to the standards of child care prescribed under the Juvenile Justice (Care and Protection of Children) Model Rules, 2022.

SCHEDULE XIV*[See regulation 46 and 50]***TIMELINE FOR AUTHORITIES AND AGENCIES CONCERNED****A. Timeline for the processes relating to children:**

S.No.	Regulations	Action	Time
1.	6(2)	Child Care Institution or Specialised Adoption Agency to produce an abandoned child before the Child Welfare Committee along with a report containing their photograph and particulars.	Within twenty four hours (excluding journey period).
2.	6(5) and 7(10)	Specialised Adoption Agency to enter the details of the child along with their photograph online on the Designated Portal.	Within three days from the time of receiving the child.
3.	6(7)	District Child Protection Unit to advertise the particulars and photograph of an abandoned child in a national level newspaper having wide circulation, local cable networks, wherever existing and also ensure entry of data in the Track Child portal or <i>KhoyaPaya</i> .	Within three days from the time of receiving the child.
4.	6(9)	District Child Protection Unit to submit a report to the Child Welfare Committee on the efforts made by it for tracing out the biological parents or legal guardian of an abandoned child, including the outcome of the advertisement.	Within thirty days from the date of production of the child before the Child Welfare Committee for the same.
5.	6(10)	Specialised Adoption Agency or Child Care Institution to submit a report to the Child Welfare Committee about any information revealed by the child during their short term placement and details of persons whosoever approached for claiming the child, if any.	Immediately after thirty days from the date of production of the child before the Child Welfare Committee.
6.	6(13)	Declaring the orphan or abandoned Child legally free for adoption by Child welfare Committee.	Within a period of three days after the expiry of two or four months, from the date of production of the child before the Child Welfare Committee, in case of a child upto two or above two years of age respectively.
8	6(15),7(18),30(1) (e)(f),and 38(2)	Specialised Adoption Agency to upload the Child Study Report and Medical Examination Report along with latest photograph of the child.	Within ten days from the date of declaration of the child as legally free for adoption by Child Welfare Committee.
9	7(3)	Signing of surrender deed by the biological parents	On the day of production of the child.
10	7(10)	Details of the surrendered child or children to be uploaded on the	Within three days from the time of receiving the child.

		Designated Portal by the Specialised Adoption Agency.	
11	7(11) and 7(16)	The reconsideration period or reclaiming of the surrendered child by the biological parent or legal guardian.	Sixty days of the date of surrender.
12	30(1)(d)	Specialised Adoption Agency shall upload the certificate, issued by the Child Welfare Committee, declaring the child legally free for adoption on the Designated Portal.	Within forty-eight hours from the receipt of such certificate.
13	36(8)	In cases of children having health issues or suspected special needs conditions, the District Magistrate shall refer the child to the Chief Medical Officer of the District.	Within twenty four hours as soon as information about such children is received from the Specialised Adoption Agency or Child Care Institution with the help of the District Child Protection Unit concerned.
14.	36(9) and 37	The Chief Medical Officer shall examine the health status of the child and assess whether the child is having any ailment or special needs.	Within a period of fifteen days from the date of receiving the case.

B. Timeline for Adoption by resident Indians as well as Overseas Citizens of India Cardholder or Foreigners living in India:

S. No.	Regulations	Action	Time
1.	10 (1)	The prospective adoptive parents should upload documents after their registration.	Within a stipulated period of thirty days.
2.	10(8),30(3)(d) and 38(14)	Home Study Report of the prospective adoptive parents to be completed by the social worker.	Within sixty days from the date of submission of required documents on the Designated Portal.
3.	10(9)	Uploading of Home study Report on the Designated Portal by the Specialised Adoption Agency.	Within three days from the date of completion of the Home Study Report.
4.	11(3) and 21(3)	Prospective adoptive parents to reserve one child.	Within forty-eight hours from the date and time of referral.
5.	11(9)	Process of matching of the reserved child by the Specialised Adoption Agency and acceptance by prospective adoptive parents.	Within thirty days from the date of reserving the child.
6.	12 (1)	Child to be taken in pre-adoption foster care.	Within ten days from the date of matching after signing the pre-adoption foster care undertaking.
7.	30(5)(a) and 18(2)	Specialised Adoption Agency to submit application to District Child Protection Unit for scrutiny.	Within five days from the date of matching of the child by the prospective adoptive parents.

8.	18(2), 30(5)(a) and 38(16)	District Child Protection Unit to submit the application along with the requisite documents to District Magistrate after scrutiny.	Within five days of receiving the application from Specialised Adoption Agency.
9.	13(6),18(1) and 36(2)	Disposal of the adoption application by the District Magistrate.	Within sixty days of receiving the Adoption application.
10.	13(8)	Forwarding the certified copy of adoption order to Prospective adoptive parents obtained by Specialised Adoption Agency.	Within ten days from the issuance of the adoption order.
11.	13(9)	Specialised Adoption Agency shall apply for the birth certificate of the child.	Within five days from the date of issuance of the adoption order.
12.	13(9),19(5) and 40	Birth certificate issuing Authority shall issue the certificate based on the adoption order and other requisite documents.	Within five days of receiving the application from the concerned Specialised Adoption Agency.
13.	14(1) and 14(3)	Specialised Adoption Agency or District Child Protection Unit shall prepare post-adoption follow-up report.	Within ten days from the conduction of post-adoption follow up report.
14.	62 (2)	Appeal in case of in-country adoption to State Adoption Resource Agency.	Within seven days from the date of opinion or decision.
15.	62(3)	Redressal of the grievance or complaint by State Adoption Resource Agency.	Within fifteen days from the receipt of application.
16.	62(5)	Appeal to Central Adoption Resource Authority in case the aggrieved is unable to get suitable response within the stipulated period of fifteen days from State Adoption Resource Agency.	Within forty-eight hours of receiving the response from the State Adoption Resource Authority.
17.	62(5)	Redressal of the grievance or complaint by Central Adoption Resource Authority.	Within fifteen days from the date of receipt of the application.

C. Timeline for Adoption from India by non- resident Indian or Overseas Citizen of India Cardholder or Foreign prospective adoptive parents not living in India:

S. No.	Regulations	Action	Time
1.	16(7)	Reservation of a child or children by the prospective adoptive parents from the Designated Portal through the Authorised Foreign Adoption Agency or Central Authority or Government department or Indian Mission.	Within ninety-six hours of getting the referral.
2.	16(10)	Acceptance of the child by the prospective adoptive parents.	Within thirty days of reserving the child.

S. No.	Regulations	Action	Time
3.	17(1) and 58	No Objection Certificate by Central Adoption Resource Authority.	Within ten days from the date of receipt of requisite documents including acceptance of the child by the prospective adoptive parents and approval of the Central Authority wherever required.
4.	19(1) and 60	Central Adoption Resource Authority shall issue conformity certificate under Article 23 of the Hague Adoption Convention.	Within three days from the date of availability of adoption order.
5.	19(3)	To obtain Indian passport for the adopted child, the Specialised Adoption Agency shall submit the application to the Regional Passport Officer.	Within three days from the date of receipt of the adoption order.
6.	19(4) and 42	The Regional Passport office shall issue passport for the adopted child.	Within ten days from the date of receipt of application, in accordance with the circulars regarding issuance of passport to inter-country adopted children, issued by the Ministry of External Affairs of the Central Government from time to time.

SCHEDULE XV

[See regulation 25(1)(e), 29(1), 49(1)]

ADOPTION FEES AND THEIR UTILISATION BY SPECIALISED ADOPTION AGENCIES OR CHILD CARE INSTITUTIONS

1. In-Country Adoption (Fees etc.): Applicable in cases of adoptions processed under the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 for resident Indians or Overseas Citizens of India Cardholder or Foreigners habitually residing in India.

a)	Home Study Report (HSR) or Family Background Report of the prospective adoptive parents in India by social worker.	Rs. 6,000/ (inclusive of travel expenses)
b)	Adoption Fee, for the purpose of preparing the Child Study Report, Medical Examination Report, child care and maintenance, and other administrative costs.	Rs. 50,000/*
c)	Post-adoption follow-up visits and counselling (four times within a period of two years).	Rs. 2,000/ per visit or report (inclusive of travel expenses)
d)	Revalidation of Home Study Report wherever required.	Rs. 2,000or- per visit or report (inclusive of travel expenses)

*In cases of In-country adoptions, the adoption fees in cases of siblings have been prescribed as Rs.10,000/ per additional child.

2. Inter-Country Adoption (Fees etc.): Applicable in cases of adoptions processed under the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 for non- resident Indians or Overseas Citizen of India Card holders or Foreigners habitually residing in a foreign country.

a) Home Study Report of the prospective adoptive parents by the authorised social worker.	As per the norms of the receiving country.
b) Adoption Fee, for the purpose of preparing the Child Study Report, Medical Examination Report, child care and maintenance, and other administrative costs.	5,000 US \$**
c) Post-adoption follow-up visits and counselling (Six times within a period of two years)	As per the norms of the receiving country.

**In cases of Inter-country adoptions, the adoption fees in cases of siblings have been prescribed as US\$ 1000 per additional child.

In case of inter-country adoption of a child with normal health conditions, the adoption fee shall be as that of in-country adoption.

3. Standard Utilisation Pattern

All specialised adoption agencies shall adhere to the following standard utilisation pattern for fees received for conducting of home study, adoption fee and post-adoption follow-up:

- (a) All cost for conduct of medical tests and treatment of children including getting the Medical Examination Report prepared as prescribed in the standardised Government hospital rates fixed by respective state authorities;
 - (b) Expenditure in obtaining birth certificates of children;
 - (c) Expenditure in obtaining passports of the children;
 - (d) Counselling of older children not exceeding five percent of the total amount received during the financial year;
 - (e) Cognitive development of children which includes brain development, development of knowledge, skills, problem solving and dispositions, which help children to think about and understand the world around them not exceeding 10% of the total amount received during the financial year (Toy and teaching – Learning material for Children etc.);
 - (f) Medical Insurance covers for the children living in Specialised Adoption Agency or Child Care Institution till they are placed in adoption;
 - (g) Medical emergency as per actual bill on case to case basis;
 - (h) Child care and maintenance of such children who do not get support from the government under Mission Vatsalya Child Protection Scheme or through any other sources;
 - (i) Physiotherapy facilities for the children.
4. The Specialised Adoption Agencies or linked Child Care Institutions shall utilize the amounts received as adoption fee only for the welfare of children in the respective homes and shall utilise the funds as drawn above and maintain details of accounts during each financial year and the unspent balance can be credited to the next financial year.
 5. As per Regulation 26(2) of Adoption Regulations 2022, misuse or diversion of adoption fee or grant received from the Government can be one of the grounds for suspension of recognition of a Specialised Adoption Agency.
 6. The Specialised Adoption Agencies or Child Care Institutions should maintain proper accounts including the utilisation of adoption fee and government grant under other government notified schemes to be audited by a chartered accountant as per regulation 29(2) of Adoption Regulations - 2022. Further, all expenditure incurred should be supported by bills and vouchers and the same should be audited by a Chartered Accountant without fail.
 7. In case of Government run Specialised Adoption Agency, approval at appropriate level shall be taken for utilizing such funds for the welfare of children.
 8. In case an agency is de-recognised, and a decision is taken by the State Government to shift the children of that agency to another agency or agencies, then the balance available in the adoption fee account shall be transferred to such agency or agencies receiving the children in the ratio of the number of children transferred.
 9. The Specialised Adoption Agency shall maintain a separate bank account for the adoption fees received along with separate record or register of receipts or payments or expenditure or accounts and the account should be audited at the end of the financial year by a Chartered Accountant who shall certify that the fees have been used as stipulated in para 3 above.

10. Where a Specialised Adoption Agency has processed the adoption case of a child belonging to another Child Care Institution, the Specialised Adoption Agency shall obtain the bank account details of the Child Care Institution concerned and provide the same to the Authorised Foreign Adoption Agency or prospective adoptive parents concerned, as the case may be, to pay fifty percent of the adoption fee via electronic transfer to the concerned Child Care Institution and in such cases, the Child Care Institution is also required to follow the same pattern of utilisation of the adoption fees excluding those that are not applicable.
11. Those agencies that have not received grants under the Mission Vatsalya Child Protection Scheme may utilise the funds solely for child care and under the aforementioned heads.

SCHEDULE XVI

[See regulation 53(2)]

FOSTER CARE ADOPTION

(1) Children available for family foster care and later adopted by the foster parents.—

- (a) **Category-1:** Children legally free for adoption who do not get a family either in in-country adoption or in inter-country adoption as stipulated in rule 44 of the Juvenile Justice Rules 2022 and Guidelines on Foster Care notified by the Government from time to time.
- (b) **Category-2:** Hard to place children also called children available for immediate placement as provided in clause (13) of regulation 2 of the Adoption Regulations 2022, who do not get a family either in in-country adoption or in inter-country adoption after they are declared legally free for adoption by Child Welfare Committee.

(2) Eligibility of foster parents.—

- (a) The prospective foster parents shall be physically, mentally, emotionally and financially capable, and they shall not have any life threatening medical condition and they should not have been convicted in criminal act of any nature or accused in any case of child rights violation.
- (b) The prospective foster parents should also be eligible as per criteria mentioned in the Juvenile Justice Rules 2022 and Foster Care Guidelines notified by the Government from time to time.

(3) Procedure to be followed.—

- (a) The prospective foster parents shall register in the Designated Portal and the District Child Protection Unit shall ascertain their suitability as required.
- (b) The District Child Protection Unit shall complete matching of the child with the prospective foster parents and while selecting foster care givers, priority shall be given to extended family relations followed by neighbourhood care and group foster care.
- (c) The child shall be placed in foster care with the foster parents in the same socio-cultural milieu keeping in view the interest of the child.
- (d) In case the foster parents wish to adopt the particular child or children, the same can be permitted after a period of two years and in such case, the foster parents have to register online in the designated portal for adoption subject to satisfactory follow-up reports.

(4) Procedure in other cases.—

- (a) In cases, where a child is not legally free and has been placed with a foster family for temporary period following due procedure, such foster family can adopt the particular child provided the child attains the legally free status followed by satisfactory follow-up reports for a period of at least two years.
- (b) Further the State Adoption Resource Agency with the help of the District Child Protection Unit concerned shall upload the relevant information in the Designated Portal.

SCHEDULE XVII

[See regulation 41(17)]

Support Letter for Regional Passport Officer in case of in-country adoption

This is to certify that Mr. _____ and Mrs. _____ (Registration No. on the Designated Portal-----), have undertaken a valid In-country adoption of child _____ (Male or Female or Other), _____ (Date of birth) through Central Adoption Resource Authority via adoption order no. _____ dated _____ issued by the District Magistrate _____ (name of the District) under Juvenile Justice (Care and Protection of Children) Amendment Act, 2021.

2. As per section 63 of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021, "A child in respect of whom an adoption order is issued by the District Magistrate, shall become the child of the adoptive parents, and the adoptive parents shall become the parents of the child as if the child had been born to the adoptive parents, for all purposes, including intestacy, with effect from the date on which the adoption order takes effect", which is applicable in this case.

3. It is further intimated that the adoptions under Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 and Adoption Regulations, 2022, provide the mandatory follow ups of the adopted child for the duration of two years from the date of pre-adoption foster care. So far, in the instant case _____ post adoption follow up report(s) have been completed till _____ and _____ are remaining. In case adoptive parents desire to relocate abroad permanently or for long duration (over three months) the balance of the post adoption follow ups shall be conducted by Indian Diplomatic Mission concerned through the professional social worker. The onus of getting the balance of post adoption follow up is with the adoptive parents through the professional social worker as identified by the Indian Diplomatic Mission or the Authority. **(Copy of undertaking by adoptive parents attached).**

4. The above support letter is being issued for the purpose of getting the passport issued for the child with the approval of the competent authority based on the request received from _____ (name of the adoptive parents).

Yours faithfully,

Assistant Director, CARA

To
(Prospective Adoptive Parents)

Email: _____

Copy to
RPO _____

Email: _____

Undertaking by PAPs to complete Follow Up Procedure

I or We, the adoptive parents _____ having _____ as Registration Number on the Designated Portal) have adopted the child _____ (name of the child or children) from the Specialised Adoption Agency _____ on _____, do hereby declare that, I or We am or are travelling to _____ for the time period of _____ from _____ to _____ with our family.

It is hereby declared that the onus of getting the balance of post adoption follow up shall be ours through the professional social worker as identified by the Indian Diplomatic Mission (Address of IDM concerned) or the Authority _____

(Adoptive Father)

(Adoptive Mother)

Dated: _____

SCHEDULE XVIII

[See regulations 2 (25), 8 (2), 36(9), 37, 51(4)]

CLASSIFICATION OF SPECIAL NEEDS CHILDREN FOR THE PURPOSE OF ADOPTION [TO BE CONSIDERED AS PER THE SCHEDULE PROVIDED IN THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016 AND AS PER PART E OF THE SCHEDULE-III]**1. Physical disability**

A. Locomotor disability (a person's inability to execute distinctive activities associated with movement of self and objects resulting from affliction of musculoskeletal or nervous system or both), including.—

- (a) "leprosy cured person" means a person who has been cured of leprosy but is suffering from—
- (i) loss of sensation in hands or feet as well as loss of sensation and paresis in the eye and eye-lid but with no manifest deformity;
 - (ii) manifest deformity and paresis but having sufficient mobility in their hands and feet to enable them to engage in normal economic activity;
 - (iii) extreme physical deformity as well as advanced age which prevents him or her from undertaking any gainful occupation, and the expression —leprosy cured shall construed accordingly;
- (b) "cerebral palsy" means a Group of non-progressive neurological condition affecting body movements and muscle coordination, caused by damage to one or more specific areas of the brain, usually occurring before, during or shortly after birth;
- (c) "dwarfism" means a medical or genetic condition resulting in an adult height of 4 feet 10 inches (147 centimeters) or less;
- (d) "muscular dystrophy" means a group of hereditary genetic muscle disease that weakens the muscles that move the human body and persons with multiple dystrophy have incorrect and missing information in their genes, which prevents them from making the proteins they need for healthy muscles. It is characterised by progressive skeletal muscle weakness, defects in muscle proteins, and the death of muscle cells and tissue;
- (e) "acid attack victims" means a person disfigured due to violent assaults by throwing of acid or similar corrosive substance.

B. Visual impairment

- (a) "blindness" means a condition where a person has any of the following conditions, after best correction—
- (i) total absence of sight; or
 - (ii) visual acuity less than 3 or 60 or less than 10 or 200 (Snellen) in the better eye with best possible correction; or
 - (iii) limitation of the field of vision subtending an angle of less than 10 degree.
- (b) "low-vision" means a condition where a person has any of the following conditions, namely:—
- (i) visual acuity not exceeding 6 or 18 or less than 20 or 60 upto 3 or 60 or upto 10 or 200 (Snellen) in the better eye with best possible corrections; or
 - (ii) limitation of the field of vision subtending an angle of less than 40 degree up to 10 degree.

C. Hearing impairment—

- (a) "deaf" means persons having 70 DB hearing loss in speech frequencies in both ears;
- (b) "hard of hearing" means person having 60 DB to 70 DB hearing loss in speech frequencies in both ears;

D. “Speech and language disability” means a permanent disability arising out of conditions such as laryngectomy or aphasia affecting one or more components of speech and language due to organic or neurological causes.

2. Intellectual disability, a condition characterised by significant limitation both in intellectual functioning (reasoning, learning, problem solving) and in adaptive behaviour which covers a range of every day, social and practical skills, including—

- (a) “specific learning disabilities” means a heterogeneous group of conditions wherein there is a deficit in processing language, spoken or written, that may manifest itself as a difficulty to comprehend, speak, read, write, spell, or to do mathematical calculations and include such conditions as perceptual disabilities, dyslexia, dysgraphia, dyscalculia, dyspraxia and developmental aphasia;
- (b) “autism spectrum disorder” means a neuro-developmental condition typically appearing in the first three years of life that significantly affects a person's ability to communicate, understand relationships and relate to others, and is frequently associated with unusual or stereotypical rituals or behaviours.

3. Mental behaviour

“Mental illness” means a substantial disorder of thinking, mood, perception, orientation or memory that grossly impairs judgment, behaviour, capacity to recognise reality or ability to meet the ordinary demands of life, but does not include retardation which is a condition of arrested or incomplete development of mind of a person, specially characterised by sub normality of intelligence.

(a) Disability caused due to chronic neurological conditions, such as—

- (i) “multiple sclerosis” means an inflammatory, nervous system disease in which the myelin sheaths around the axons of nerve cells of the brain and spinal cord are damaged, leading to demyelination and affecting the ability of nerve cells in the brain and spinal cord to communicate with each other;
- (ii) “parkinson's disease” means a progressive disease of the nervous system marked by tremor, muscular rigidity, and slow, imprecise movement, chiefly affecting middle-aged and elderly people associated with degeneration of the basal ganglia of the brain and a deficiency of the neurotransmitter dopamine.

(b) Blood disorder—

- (i) “haemophilia” means an inheritable disease, usually affecting only male but transmitted by women to their male children, characterised by loss or impairment of the normal clotting ability of blood so that a minor wound may result in fatal bleeding;
- (ii) “thalassemia” means a group of inherited disorders characterised by reduced amounts of haemoglobin;
- (iii) “sickle cell disease” means a haemolytic disorder characterised by chronic anaemia, painful events, and various complications due to associated tissue and organ damage; “haemolytic” refers to the destruction of the cell membrane of red blood cells resulting in the release of haemoglobin.

4. Multiple Disabilities (more than one of the above specified disabilities) including deafblindness which means a condition in which a person may have combination of hearing and visual impairments causing severe communication, developmental, and educational problems.

5. Any other category as may be notified by the Central Government.

6. Exact nature of special needs of the child concerned to be examined by the Chief Medical Officer of the District in the light of Schedule III (Part E)

I or We, the undersigned:

- (i) give my or our consent to adopt the child or children mentioned at part A above, out of my or our freewill.
- (ii) understand that the adoption of the child or children shall create a permanent and legal parent-child relationship with me or us with all the rights and duties associated with such relationship.
- (iii) Declare that I or we have fully understood the above statements.

Signed aton.....

(Signature or Thumb Impression of the prospective adoptive parents)

Adoptive Father

Adoptive Mother

Photograph of biological parents	Photograph of prospective adoptive parents
----------------------------------	--

D. Declaration by Witnesses

I or We the undersigned have witnessed the above.

- (a) Signature, Name and Address of the first Witness with Identity Document proof
- (b) Signature, Name and Address of the second Witness with Identity Document proof

Signed at on

(Photographs of the child or children to be adopted, the biological parents or guardians and the witnesses are required to be pasted and attested in front.)

E. Certification of Child Welfare Committee.

Based on the above consents and supporting documents including the family tree, the Child Welfare Committee (name of the District) hereby confirms it to be a case of relative adoption.

Signed at..... On

Seal of Child Welfare Committee

Signature of three members of Child Welfare Committee

SCHEDULE XX

[See regulations 7(22), 55(2), and 55(9)]

CONSENT OF BIOLOGICAL PARENTS ALONG WITH STEP-PARENT TO OBTAIN THE PERMISSION OF CHILD WELFARE COMMITTEE FOR ADOPTION OF CHILD OR CHILDREN BY BIOLOGICAL PARENT AND THE STEP-PARENT

A. I or We the undersigned

Biological Father	Biological Mother
Family name:	Family name:
First name:	First name:
Date of birth: day () month () year ()	Date of birth: day () month () year ()
Permanent Address:	Permanent Address:

<p>(i) hereby relinquish or surrender my or our natural right or claim with my or our child or children.....(name, gender, date of birth).</p> <p>(ii) understand that the adoption of this child shall create a permanent and legal parent-child relationship with the step-parent & the biological parent adopting the child.</p> <p>(iii) certify that the child or children has or have given their or their consent for the said adoption and is or are willing to accept the step-parent adopting the child or children as father or mother(strike out which is not applicable).</p> <p>(iv) certify that my or our consent above is given out of freewill and has not been induced by payment or compensation of any kind.</p> <p>(v) Declare that I or we have fully understood the above statements.</p> <p style="text-align: center;">Signed at on.....</p> <p style="text-align: center;">(Signature or Thumb Impression of the biological parents)</p> <p style="text-align: center;">Biological Father</p> <p style="text-align: center;">Biological Mother</p>
<p>B. Consent of the child or children at A(i), if completed five years of age before Child Welfare Committee:</p> <p style="text-align: center;">Countersigned by Biological Parents</p>
<p>C. Step Parent & the Biological Parent Adopting the Child or Children.</p> <p>Family name: First name(s): Date of birth: day()month()year()Permanent Address:</p> <p>We, the undersigned:</p> <p>(i) give our consent to adopt the child or children mentioned at A (i) above, out of our freewill.</p> <p>(ii) understand that the adoption of the child or children shall create a permanent parent-child relationship with all the rights and duties associated with such relationship.</p> <p>(iii) Declare that we have fully understand the above statements.</p> <p style="text-align: center;">Signed at on.....</p> <p style="text-align: center;">(Signature or Thumb Impression of the step parent and the biological parent)</p> <p style="text-align: center;">Step Parent Biological Parent</p>

D. Declaration by Witnesses

We, the undersigned have witnessed the above.

- (a) Signature, Name and Address of the first Witness with Identity Document proof
- (b) Signature, Name and Address of the second Witness with Identity Document proof

Signed at on

Note:-

- (i) Death Certificate of the biological parent to be attached in case he or she is not alive.
- (ii) Photographs of the child or children to be adopted, the biological parents, spouse adopting the child or children and the witnesses are required to be pasted and attested in the form.
- (iii) In case children are being relinquished or surrendered by both the spouses from their respective earlier marriages for adoption, separate consent forms shall be filled up.
- (iv) Only the parents having full custodian rights of the child or children shall give consent.

Photograph of biological father or mother	Photograph of child	Photograph of stepparent
---	---------------------	--------------------------

E. Certification of Child Welfare Committee.

Based on the above consents and supporting documents, the Child Welfare Committee (name of the District) hereby declares the child or children mentioned at A (i) as legally free for adoption by (step-parent) and (one of the biological parents) subject to issue of adoption order by the District magistrate.

Signed at..... on
.....
Seal of Child Welfare
Committee

Signature of three members of
Child Welfare Committee

SCHEDULE XXI

[See regulation 55(9), 57(1) and 68(5)]

FAMILY BACKGROUND REPORT OF THE CHILD AND THE BIOLOGICAL PARENTS

(Signature with Stamp of the officer concerned from District Child Protection Unit on each page.)

DATE OF THE HOME VISIT:

NAME OF THE REPRESENTATIVE FROM THE DCPU:

1. Personal particulars about the child

- 1.1 Full name of the child:
- 1.2 Sex: Male Female Other
- 1.3 Date of birth (Birth Certificate of the child to be attached):
- 1.4 Place of birth:
- 1.5 Religion:
- 1.6 Language spoken (if applicable):
- 1.7 Order of birth in the family:
- 1.8 Present educational status:
- 1.9 General Personality and description of the child:
- 1.10 Social and educational background of the child:

2. Details about the biological parents of the child or guardian of the child, as the case may be.

Details of the father or guardian		Details of the mother or guardian	
Date of birth and age		Date of birth and age	
Religion		Religion	
Nationality		Nationality	
Present and Permanent Address		Present and Permanent Address	
Educational Qualifications		Educational Qualifications	
Present Occupation		Present Occupation	
Total income per month (proof to be given)		Total income per month (proof to be given)	
Whether suffering from any disease (if yes, details to be given)		Whether suffering from any disease (if yes, details to be given)	

3. Details about other family members living with the biological parents or guardians (Other individuals who reside in the household or outside)

Name in full	Age and Sex	Occupation details	Marital status	Relationship with the child

4. Opinion about the proposed adoption by each member of the family.

5. The relationship between the biological family and the adoptive family. (Please attach Family tree)

6. Remarks of District Child Protection Unit:

[The District Child Protection Unit is required to provide counselling to the biological parents about the effects of adoption and give reasons for proposing the child in adoption. Further, the District Child Protection Unit has to mention if the adoptive parents have already interacted with the child, if yes when, reason or motivation for adoption. District Child Protection Unit may also describe about home of the biological family, whether the parents of the child or children are in touch with the prospective adoptive parents, and description of living accommodation and photograph of the child with adoptive family, etc.]

The District Child Protection Unit may come out with details on the following:

- a) Whether the child is adoptable as per the law of the country and the reason(s) for the particular adoption?
- b) Whether the biological parents have been counselled about the effects of adoption that the adoption shall result in the termination of the legal relationship between the child and their or her family of origin?
- c) Consent of the biological parents in the required legal form mentioning the fact that it has not been induced by payment or compensation of any kind.
- d) Whether the child has been counselled thoroughly about the effects of adoption?
(Not applicable in case the child is below five years old)
- e) Who has provided counselling to the child?
Parents or Guardian or Child Welfare Committee or Social Worker or Counsellor or Teacher or Uncle or Aunt or Sibling or Grandparents, Any other (Specify)
- f) Consent of the child if it is above five years in the required legal form mentioning that the child has been counselled without any inducement and is fully informed of the effects of the adoption.
- g) Disability or special needs (if any to be reflected in the Medical Examination Report)
- h) Whether the child knows about the legal termination of parent-child relationship due to the adoption?(Not applicable in case the child is below five years old)
- i) The reason for not placing the child in in-country adoption, if applicable?
- j) Justification of separation of child from biological family.(100 words min.)

7. Whether the envisaged placement is in the best interest of the child:

Name of the District Child Protection Officer
Signature and Seal of the District Child Protection Officer
with Date

Documents to be attached with the Report

A. Biological Parent related documents:

1. Proof of residence of the biological family or guardian
2. Proof of date of birth of the biological family or guardian
3. Medical certificate in case the biological parents have any medical condition
4. Affidavit stating consent of the biological parents

B. Child related documents:

1. Proof of date of birth of the child
2. Medical Examination Report of the child to be adopted
3. Affidavit stating consent of the adoptive child, in case the child is above five years
4. Photograph of the child with biological family
5. Photograph of the child with adoptive family

SCHEDULE XXII

[See regulation 54(2)]

PERMISSION BY CHILD WELFARE COMMITTEE TO THE CONSENT GIVEN BY THE GUARDIAN OF THE CHILD FOR ADOPTION BY THEIR RELATIVE [WHERE BIOLOGICAL PARENTS ARE NOT ALIVE OR NOT ABLE TO GIVE CONSENT]

A. I or We, the undersigned give the following declaration before the Child Welfare Committee (District):

Male Guardian	Female Guardian
Name: Surname: Father's name: Date of birth: Day () Month () Year () Permanent Address: Present Address:	Name: Surname: Father's name: Date of birth: Day () Month () Year () Permanent Address: Present Address:
Declare that:	
<p>The child (name).....(Surname).....Sex: Male[] Female [] Other [], Date of birth: Day()Month()Year(), Place of birth....., daughter or son of....., permanent resident of And presently residing at is under my or our custody due to death of their parents (both). The natural parents of the above mentioned child or children is or are my or our..... (please specify the relation and attach proof of supporting documents).</p> <p>I or We</p> <p>(i) give consent to the surrender of the child named ----- to my or our relative for adoption;</p> <p>(ii) hereby terminate the legal guardian-ward relationship with the said child or children;</p> <p>(iii) understand that the said child shall be adopted by _____ their relative residing in India or abroad;</p> <p>(iv) understand that the adoption of this child shall create a permanent parent-child relationship with the adoptive parents;</p> <p>(v) shall have no claim over the child;</p> <p>(vi) declare that I or we have fully understood the above statements carefully;</p> <p>(vii) have information about the effects of my or our consent:</p> <p>(viii) am or are making the statement without coercion or threat and without receiving any payment or compensation of any kind.</p> <p>Signed at on.....</p> <p style="text-align: center;">[Signature or Thumb Impression of the Guardian(s)]</p>	

B. Acceptance of child's relative adopting the child.

Adoptive Father	Adoptive Mother
Family name: First name: Date of birth: day () month () year () Permanent Address:	Family name: First name: Date of birth: day () month () year () Permanent Address:

I or We

- (i) accept and understand that the adoption of this child shall create a permanent parent-child relationship with us.
- (ii) Certify that the consent have not been induced by payment or compensation of any kind.
- (iii) Declare that or we have fully understood the above statements.

Signed at on.....

[Signature or Thumb Impression of the adoptive parents]

Adoptive Father

Adoptive Mother

C. Declaration by Witnesses

I or we the undersigned know the guardian of the child or children very well and have witnessed the above statement of consent or surrender.

- a) Signature, Name and Address of the first Witness
- b) Signature, Name and Address of the second Witness

Photograph of the guardian	Photograph of child	Photograph of prospective adoptive parents
----------------------------	---------------------	--

D. Certification of Child Welfare Committee

Name (s):

Designation:

The Child Welfare Committee(name of the district) hereby certifies that the person and the witness (es) named above appeared before the Committee and signed this document in our presence.

Signed at on.....

**Signature and Seal
Child Welfare Committee**

SCHEDULE XXIII

[See regulation 13(10)]

AFFIDAVIT BY THE CHIEF FUNCTIONARY OR AUTHORISED PERSON OF THE SPECIALISED ADOPTION AGENCY TO DISTRICT MAGISTRATE IN SUPPORT OF ADOPTION OF CHILD

1. Affidavit of _____ working as _____ in _____ located at _____

2. I do hereby state of solemn affirmation as under:

- (a) That details of the child _____ (Name, Sex and Date of Birth) have been entered on the Designated Portal. The unique registration number assigned to the child through the Designated Portal is _____.
- (b) That the Child Welfare Committee _____ (name of the district) has declared the child as legally free for adoption on _____.
- (c) That the child was referred to waiting prospective adoptive parents in the online child referral system through the Designated Portal and the child has been accepted by the present prospective adoptive parents (Regd. No and Name) _____ following the procedure as provided in regulation _____ of the Adoption Regulations.
- (d) That the Home Study Report of the prospective adoptive parents, prepared by _____ is found to be suitable.
- (e) That the Adoption Committee constituted under paragraph of the Adoption Regulations has taken decision in favour of the proposed adoption and accordingly the adoption application is being filed in the office of the District Magistrate.

Or

That No Objection Certificate for the proposed inter-country adoption has been issued by the Central Adoption Resource Authority on dated ----- (strike out the one which is not applicable).

- (f) That the adoption procedure followed in this case complies section _____ of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 and paragraph _____ of the Adoption Regulations.
- (g) That our organisation _____ has been recognised by the State Government of _____ as a Specialised Adoption Agency vide no. _____ dated _____ which is valid till _____.
- (h) That the Specialised Adoption Agency has received adoption fee of Rs. _____ only as stipulated by Central Adoption Resource Authority.
- (i) That I commit myself not to receive any donation in any form from the adoptive parents or their relatives or through their sponsoring agency during the adoption process or after completion of the adoption process.
- (j) That facts stated above are genuine to the best of my knowledge and belief and I do hereby declare that in case the facts mentioned above are found non-genuine, I shall be liable for the consequences.

VERIFICATION

That I _____, the deponent above, do hereby verify that the contents of the above affidavit are true and correct.

Name and Signature of the Chief functionary or
Authorised person of the Specialised Adoption Agency

Verified at

Sworn and signed before me on _____ in my presence.

SCHEDULE XXIV

[See regulation 54(4)]

AFFIDAVIT OF PROSPECTIVE ADOPTIVE PARENTS IN CASE OF IN-COUNTRY RELATIVE ADOPTION IN SUPPORT OF THEIR FINANCIAL AND SOCIAL STATUS AS PER SUB-REGULATION (4) OF REGULATION 54

Affidavit of Mr..... and Mrs.....Resident of , about socio-economical and financial status to adopt the child.....from the relative family Mr.and Mrs..., residing at

- 1..... That I or we am or are Indian nationals residing insince----- years.
2. That the child proposed to be adopted is mywhich fulfils the relations criteria as provided in section 2(52) of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021.
3. That my or our total annual income from all source is per annum, which is adequate to raise the child in our family in the local living standards where we reside.

VERIFICATION

That I or We, the Applicant above , do hereby verify that the contents of the above affidavit are true and correct.

Applicant
(Prospective Adoptive Parents in case of
in-country relative adoption)

Verified at

Sworn and signed before me on..... in my presence.

SCHEDULE XXV

[See regulations 54(6) and 55(5)]

PRE- APPROVAL LETTER IN CASE OF IN-COUNTRY RELATIVE OR STEP ADOPTION**Date:****Format 1- Pre- Approval Letter (Relative Adoption)**

1. Pre-Approval Letter in the matter of Relative Adoption of the Child__(Male or Female or Other)_____(Date of Birth)by their Relatives _____ and ____ (Designated Portal reg. No.)_____ and date of registration_____.
2. That the prospective adoptive parents wish to adopt the child ____ (F or M), daughter or son of _____ (Biological Parents) and _____ (Adoptive Mother and Father) is the _____ (specify the relation with the child or children) of the child----- (name of the child or children), and hence is a 'Relative' for the purpose of adoptions under section 2(52) of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021.
3. That the prospective adoptive parents have registered on the Designated Portal for Relative Adoption as per provisions of regulation 54(1) of the Adoption Regulations, 2022.

4. That the consent letter from the biological parents or permission of the Child Welfare Committee has been obtained as per provisions of Regulation 54(2) of Adoption Regulations, 2022, and in the prescribed format at **Schedule XIX or XXII** of Adoption Regulations, 2022.
5. That the Affidavit of the prospective adoptive parents, declaring their social and financial status, as required under the Regulation 54 (4) of Adoption Regulations, 2022 has been furnished in the prescribed format, i.e. **Schedule XXIV** of the Adoption Regulations, 2022 and has been duly verified and found to be satisfactory by the District Child Protection Unit.
6. That the prospective adoptive parents may approach the concerned District Magistrate through District Child Protection Unit as per Regulation 54(5) of the Adoption Regulations, 2022, as they have complied with all the requirements for undertaking the In-Country Relative Adoption, under the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021.
7. That the District Magistrate concerned may issue the adoption order as per regulation 36(3)(d) based on the application as provided in **Schedule XXX** of the Adoption Regulations, 2022.

Authorised Officer
(State Adoption Resource Agency)

To:-Prospective Adoptive Parents, District Child Protection Unit & Central Adoption Resource Authority.

Date:

Format 2- Pre- Approval Letter (Step-Parent Adoption)

Pre-Approval Letter in the matter of Step-Parent Adoption of the Child _____ (Male or Female or Other) _____ (Date of Birth) by the step-parent _____ (Designated Portalreg. No.) _____ and date of registration _____ .

2. That the _____ Biological mother or father, _____ and the Step father or Stepmother _____ had solemnised their marriage on _____ (Date of marriage).

3. That the Step and Biological parents have obtained clearance from Child Welfare Committee as per **Schedule XX** of the Adoption Regulations, 2022.

4. That the Step parent and Biological parent have uploaded the requisite documents on the Designated Portal.

5. That the District Child Protection Unit _____ (Name of the District) as per regulation 55(4) has performed the verification checks and has stated that the information provided therein and the documents are true and correct.

6. That the Step parent and Biological parent may approach the District Magistrate _____ (name of the District) as per regulation 59(5) of the Adoption Regulations, 2022 through the office of the District Child protection Unit.

7. That the District Magistrate concerned may issue the adoption order as per regulation 36(3)(d) based on the application as provided in **Schedule XXXII** of the Adoption Regulations, 2022.

Authorised Officer
(State Adoption Resource Agency)

To:-Prospective Adoptive Parents, District Child Protection Unit & Central Adoption Resource Authority.

SCHEDULE XXVI

[See regulation 24(1)]

APPLICATION FROM A CHILD CARE INSTITUTION FOR RECOGNITION AS A SPECIALISED ADOPTION AGENCY

1.	About the Institution:	
1.1	Name of the Institution or Organisation.	
1.2	Registration number and date of registration of the Institution or Organisation under the relevant Act (Relevant documents of registration and bye-laws, memorandum of association to be annexed).	
1.3	Registration number and date of Registration of the Institution or Organisation as a Child Care Institution (Annex copy of the Registration Certificate).	
1.4	Period of validity to run the Child Care Institution.	
1.5	Complete address of the Applicant or institution or Organisation.	
1.6	STD code or Telephone No.	
1.7	STD code Fax No.	
1.8	E-mail address.	
1.9	If the Organisation is of all India character, give address of its branches, in other States.	
1.10	If the Child Care Institution had been denied recognition or registration as a Specialised Adoption Agency earlier? Yes or No If Yes (a) Ref. No. of application which resulted in denial of recognition as Child Care Institution: (b) Date of denial: (c) Which department has denied therecognition: (d) Reason for denial of recognition as Specialised Adoption Agency:	
2.	Infrastructure:	
2.1	No. of rooms (mention with measurement)	
2.2	No. of toilets (mention with measurement)	
2.3	No. of Kitchen (mention with measurement)	
2.4	No. of sick room	
2.5	Copy of blue print of the building (authentic sketch plan of building) to be attached.	

2.6	Arrangement to deal with unforeseen disaster; also mention the kind of arrangement made: (a) Pest control (b) Waste disposal (c) Storage area (d) Any other arrangement	
2.7	Rent agreement or building maintenance estimate (whichever is applicable) (Annex: copy of Rent agreement)	
3.	Capacity of the Institution or Organisation:	
3.1	No. of children present in the home. (a) 0-5 years (b) 5-11 years (c) 11-18 years	
4.	Facilities Available for Children:	
4.1	Educational facility	
4.2	Health Check-up arrangement, frequency of check-up, type of check-ups proposed to be Done.	
4.3	Any other facility having impact on the overall development of the child.	
5.	Staffing:	
5.1	Details staff list (to be annexed)	
5.2	Name of partner Organisations	
6.	Background information about the Child Care Institution:	
6.1	Major activities of the Organisation in last years. (Annex copy of Annual Report for last two years)	
6.2	An updated list of members of the management committee or governing body (Please annex resolution of the executive body of the institution supporting decision to run an adoption agency)	
6.3	List of assets or infrastructure of the Organisation. (to be annexed)	
6.4	If the Organisation registered under the Foreign Contribution (Regulation) Act, 1976 (49 of 1976). (Certificate to be annexed)	
6.5	Details of foreign contribution received last two years. (Annex: relevant documents)	

6.6	List of other sources of grant-in-aid funding(if any) with the name of the scheme or project, purpose amount, etc.	
6.7	Details of existing bank account of the agency indicating branch code accountnumber.	
6.8	Whether the institution agrees to open a separate bank account for the grant proposed.	

I have read and understood The Juvenile Justice (Care and Protection of Children) Amended Act, 2021 and the Juvenile Justice (Care and Protection of Children) Model Rules, 2022.

I declare that no person associated with the Organisation has been previously convicted or has been involved in any immoral act or in any act of child abuse or employment of child labor and that the Organisation has not been blacklisted by the Central or the State Government at any point of time.

_____ (Name of the Organisation or Institution) has complied with all the requirements to be registered as a Specialised Adoption Agency under the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 and The Juvenile Justice (Care and Protection of Children) Rules, 2022.

I undertake to regularly update data on the Designated Portal and to have facilities for the same.

I undertake to abide by all the conditions laid down by the Central or State Act, Rules, Adoption Regulations and notifications in this regard.

Name and Signature of the Chief Functionary:

Designation:

Address:

District:

Date:

Office stamp:

Signature of:

Witness No.1:

Witness No.2:

SCHEDULE XXVII

[See regulation 11(4)]

FORMAT OF MINUTES OF THE ADOPTION COMMITTEE IN CASE OF IN-COUNTRY ADOPTION

Name and Address of the Specialised Adoption Agency:

1. Following are the members of the Adoption Committee as per sub-regulation (4) of regulation 10 of the Adoption Regulations notified by Central Government.

S. No	Name	Designation
(1)		
(2)		
(3)		

[In case of adoption through Specialised Adoption Agency-Child Care Institution linkage, the members shall be in accordance with regulation 61 (8) of the Adoption Regulations. The quorum of the Committee shall be as per para 11(5) of the regulations]

2. The undersigned members of the Committee have scrutinised all requisite documents (attested or notarised) required for filing adoption application before the District Magistrate concerned as mentioned below:

- (1) Current family photograph or Photograph of person adopting a child.
- (2) PAN Card of the parents
- (3) Birth certificate or Proof date of birth of the parents (In case of married couple, upload Birth Certificate of both the applicants).
- (4) Proof of residence (aadhar card or voter card or passport or current electricity bill or telephone bill).
- (5) Proof of income of last year (salary slip or income certificate issued by Govt. department or income tax return).
- (6) Certificate from a medical practitioner certifying that the prospective adoptive parents do not suffer from any chronic, contagious or fatal disease and they are fit to adopt (In case of married couple, upload Medical Certificate of both the applicants).
- (7) Marriage certificate or Divorce Decree or Declaration from the competent court or affidavit on oath pertaining to divorce in case of divorce governed by personal law where decree of divorce is not mandatory or Death certificate of spouse whichever is applicable.
- (8) Two reference letters from acquaintances or relatives in support of adoption.
- (9) Copy of divorce decree or Declaration from the competent court or affidavit on oath pertaining to divorce in case of divorce governed by personal law where decree of divorce is not mandatory or death certificate of the spouse (if applicable).
- (10) Copy of consent of the older child or children in the family.

3. Decision of the Adoption Committee.

(1) It has been decided by the Committee that the prospective adoptive parents..... having Registration No. have been considered suitable to adopt the child (Date of Birth)

having Registration No.

(2) In case the prospective adoptive parents are not considered suitable, reasons for the same:

(.....
.....)

Member1

(Name and Designation)

(.....
.....)

Member2

(Name and Designation)

(.....
.....)

Member3

(Name and Designation)

SCHEDULE XXVIII

[See section 56(1), 58, 61 & regulation 13(2)]

MODEL APPLICATION IN CASE OF ORPHAN OR ABANDONED OR SURRENDERED CHILD (REN) FOR IN-COUNTRY ADOPTION

[To be filed by the Specialised Adoption Agency before the District Magistrate at _____]

1. Application No. _ /Year
2. Regd. Number of prospective adoptive parents on the Designated Portal:
3. Name and address of the District Child Protection Unit:
4. Application in the matter of adoption of the child:
.....(male or female or other), DOB:

.....) under section 58(3) of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 read with regulation 13 (2) of the Adoption Regulations.

Applicant (s)

1. Name and address of the Specialised Adoption Agency concerned on behalf of the Prospective Adoptive Parents:
2. Name and address of the Child Care Institution concerned, if the Adoption Application is being filed in a linkage case:

Prospective Adoptive Parents

Mr.....S/o.....Aged about Years, Citizen of, Occupation:..... Permanent Residential address:.....

Mrs.W/o..... Aged about Years, Citizen of, Occupation:..... Permanent Residential address:.....

The Applicant most respectfully submits before the District Magistrate as under:-

1. That the Applicant is a recognised Specialised Adoption Agency under section 65 of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 (hereinafter referred to as **Juvenile Justice Act**) by the State Government of for rehabilitating orphan, abandoned and surrendered children through adoption in accordance with the provisions of the Juvenile Justice Act and Adoption Regulations.
2. That the Applicant is having the care and custody of the child----- (male or female or other, DOB:-----) desires to place the child in adoption with the above named prospective adoptive parents.
3. That the Co-Applicant is a registered Child Care Institution, which is having the care and custody of the child_____ (male or female or other, DOB:_____) desires to place the child in adoption with the above named prospective adoptive parents through the applicant Specialised Adoption Agency as per the provision of section 66 of the Juvenile Justice Act.
[Note: This paragraph shall be mentioned in case the Adoption Application is being filed in a linkage case.]
4. That the child or children _____, (male or female or other, DOB:-----) has or have been declared legally free for adoption by the Child Welfare Committee _____ (Name of the District) (copy of order annexed), as per the provisions of section 38 of the **Juvenile Justice Act** and the said child is registered on the Designated Portal with the Registration No-----, for the purpose of adoption as envisaged in section 56(1) of the **Juvenile Justice Act**.
5. That, the above named prospective adoptive parents are resident Indians, presently living at----- (_____ complete address).
6. That they have been found eligible and suitable to adopt the above named child or children as per the criteria mentioned in section 57 of the Juvenile Justice Act and regulation 5 of the Adoption Regulations, and based upon their Home Study Report annexed.

7. That the prospective adoptive parents have also been found suitable by the Adoption Committee to adopt the above named child or children. A true copy of the decision of the Adoption Committee is also annexed.
8. That the above named child or children has or have been reserved by the said prospective adoptive parents through the Designated Portal and has been accepted by the said prospective adoptive parents by signing the Child Study Report and the Medical Examination Report on-----.
9. That the child or children has or have been given in pre-adoption foster care to the said prospective adoptive parents on-----, after obtaining a pre-adoption foster care Affidavit (true copy annexed), as per the provisions of Section 58(3) of Juvenile Justice Act and regulation 12(1) of the Adoption Regulations.
10. That the Adoption Committee vide its meeting dated-----has decided to place the child or children in adoption with the prospective adoptive parents.
11. That the prospective adoptive parents have undertaken in the said pre-adoption foster care Affidavit that they shall allow the authorised social worker or functionary of the Specialised Adoption Agency or District Child Protection Unit or State Adoption Resource Agency to visit their home for undertaking post-adoption follow-up to ascertain the progress and well-being of the child in the adoptive family [as envisaged under section 58(5) of Juvenile Justice Act].
12. That the prospective adoptive parents have further undertaken to inform any change in the place of their residence (other than as stated in this application), to the Applicant(s), State Adoption Resource Agency and the District Child Protection Unit concerned for the purpose of post adoption follow-up.
13. That the prospective adoptive parents have also undertaken to upbringing the said child or children as their own and to accord the same status or rights or privileges to the child or children at par with the natural born child as provided in pre-adoption foster care affidavit annexed.
14. That the conditions laid down in section 61 (1) of the Juvenile Justice Act have been complied with in this adoption case.
15. That the giver(s) and taker(s) have no interest directly or indirectly adverse to that of the child or children.
16. That the District Magistrate has jurisdiction to pass adoption order as per the provisions of section 2 (23), 58 (3) and 61 of the Juvenile Justice Act.
17. That the prospective adoptive parents understand that the adopted child shall become their lawful child with all the rights, privileges and responsibilities that are attached to a biological child.
18. That the Applicant(s) have not filed any other Application for the adoption of the said child in any other office of District Magistrate.
19. The Applicant(s), therefore, pray that:
 - (a) The above named Prospective Adoption Parents may please be given the said child or children in adoption and be declared as the parents of the said minor for all purposes allowed by the law.
 - (b) The Birth Certificate Issuing Authority (name and place) may please be directed to issue Birth Certificate for the said child or children within five days from the date of application, as per the provisions of regulation 40 of the Adoption Regulations.

Place & Date:

Applicant No 1

Applicant No 2(if applicable)

Photograph of the Child	Photograph of the adoptive Parents
-------------------------	------------------------------------

VERIFICATION

I Mr.or Ms.,Adoption In-charge or social worker of Applicant No. 1 do hereby state on oath and solemnly affirm that the contents of this Application are true and correct to the best of my or our knowledge and belief and the information and documents presented with this Application are genuine.

Applicant no. 1(Name & signature with seal)

Date

Index

Sr. No.	Documents to be annexed as provided in Schedule VI & IX of the Adoption Regulations	Reference	PageNo.

Application has been scrutinised and submitted for perusal of the District Magistrate

District Child Protection Office
(Name & signature with seal,
Place & date)

SCHEDULE XXIX

[See section 56(4), 59 & regulation 18(2)]

MODEL APPLICATION IN CASE OF AN ORPHAN OR ABANDONED OR SURRENDERED CHILD (REN) FOR INTER-COUNTRY ADOPTION**[To be filed by the Specialised Adoption Agency]**

1. Application No./Year
2. Regd. Number of prospective adoptive parents on the Designated Portal:
3. Name and address of the District Child Protection Unit:
4. Application in the _____ matter of adoption of the child:.....(male or female or other), DOB:(under section 59(7) of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 read with regulations 18 (2) of the Adoption Regulations.

Applicant (s)

1. Name and address of the Specialised Adoption Agency concerned on behalf of the Prospective Adoptive Parents:
2. Name and address of the Child Care Institution concerned, if the Adoption Application is being filed in a linkage case:

Prospective adoptive parents

Mr.....S/o.....Aged _____ about _____ Years, Citizen of _____, Occupation:..... Permanent Residential address:.....

Mrs.W/o..... Aged _____ about _____ Years, Citizen of _____, Occupation:..... Permanent Residential address:.....

The Applicant most respectfully submits before the District Magistrate as under:

1. That the Applicant is a recognised Specialised Adoption Agency under section 65 of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021(hereinafter referred to as Juvenile Justice Act) by the State Government of _____, for rehabilitating orphan, abandoned and surrendered children through adoption in accordance with the provisions of the Juvenile Justice Act and Adoption Regulations.
2. That the Applicant is having the care and custody of the child.....(male or female or other, DOB:.....desires to place the child in adoption with the above named prospective adoptive parents.
3. That the Co-Applicant is a registered Child Care Institution, which is having the care and custody of the child:(male or female or other, DOB:.....) intends to give this child in adoption to the above named Prospective Adoption Parents through the applicant Specialised Adoption Agency as per the provision of section 66 of the Juvenile Justice Act.
[Note: This paragraph shall be mentioned in case the Adoption Application is being filed in a linkage case.]
4. That the child or children..... (male or female or other, DOB:.....) has or have been declared legally free for adoption by the Child Welfare Committee, District (copy of order annexed), as per the provisions of section 38 of the Juvenile Justice Act and the said child is registered on the Designated Portal with the Registration No....., for the purpose of adoption as envisaged in section 56 (1) of the Juvenile Justice Act.
5. That, the above named prospective adoptive parents are non-resident Indians or Overseas Citizens of India Card holder or Foreigner, presently living at..... (complete address).

6. That the prospective adoptive parents have been found eligible and suitable to adopt by the Authorised Foreign Adoption Agency or Central Authority (name and address), and based upon their Home Study Report annexed and as per the law of the country of their residence.
7. That the prospective adoptive parents have been registered on the Designated Portal with the Registration No and they have been found eligible by the Central Adoption Resource Authority as per the criteria mentioned in section 57 of the Juvenile Justice Act and regulation 5 of the Adoption Regulations.
8. That the above named child or children has or have been reserved by the said prospective adoptive parents online on the Designated Portal and has or have been accepted by the said prospective adoptive parents by signing the Child Study Report and the Medical Examination Report on
9. That the prospective adoptive parents have undertaken through the Authorised Foreign Adoption Agency or Central Authority concerned that they shall allow the authorised social worker or functionary of the Authorised Foreign Adoption Agency or Central Authority or concerned Government department to visit their home for undertaking post-adoption follow up to ascertain the progress and well-being of the child in the adoptive family, as envisaged under section 59 (11) of the Juvenile Justice Act.
10. That the prospective adoptive parents have also undertaken to up-bring the said child or children as their own and to accord the same status or rights or privileges to the child or children at par with the natural born child.
11. That the conditions laid down in section 61 (1) of the Juvenile Justice Act have been complied with, in this adoption case.
12. That the giver(s) and taker(s) have no interest directly or indirectly adverse to that of the child or children.
13. That the applicant (s) are within the jurisdiction of the District Magistrate, hence the Magistrate has jurisdiction to pass the adoption order as per the provisions of sections 2 (23), 59 (7) and 61 of the Juvenile Justice Act.
14. That Central Adoption Resource Authority has issued a No Objection Certificate for the proposed adoption as provided in regulation 17 of the Adoption Regulations.
15. That the Applicant(s) have not filed any other Application for the adoption of the said child in any other office of the District Magistrate.
16. That the giver(s) and taker(s) have no interest directly or indirectly adverse to that of the child or children.
17. **The Applicant(s), therefore, pray that:**
 - (a) The above named prospective adoption parents may please be declared as parents of the said child or children for all purposes allowed by the law and may be allowed to be taken to the country of their residence for upbringing the child or children as their own.
 - (b) The Birth Certificate Issuing Authority (name and place) may please be directed to issue a Birth Certificate for the said child or children within five days from the date of application, as per the provisions of regulation 19(5) and regulation 40.
 - (c) The Regional Passport Office concerned may please be directed to issue the Passport for the said child or children within ten days from the date of application, as per regulation 42.

Place:

APPLICANT NO. 1

Date:

APPLICANT NO. 2

Photograph of the Child	Photograph of the adoptive Parents
-------------------------	------------------------------------

VERIFICATION

I Mr. or Ms., Adoption In-charge or social worker of Applicant No.1 do hereby state on oath and solemnly affirm that the contents of this Application are true and correct to the best of my knowledge and belief and the information and documents presented with this Application are genuine.

Applicant no. 1(Name & signature with seal)

Date:

Index

Sr. No	Documents to be annexed as provided in Schedule VI & IX of the Adoption Regulations	Reference	Page No.

Application has been scrutinised and submitted for perusal of the District Magistrate.
District Child Protection Officer(Name & signature with seal, Place & date)

[Note: In cases of foreign citizens residing in India, the application format has to be suitably modified]

SCHEDULE XXX

[See section 2(52), 56(2) & regulation 54(8)]

MODEL APPLICATION FOR IN-COUNTRY RELATIVE ADOPTION

[To be filed by the prospective adoptive parents]

1. Application No.–/ Year
2. Regd. Number of prospective adoptive parents on the Designated Portal:
3. Name and address of the District Child Protection Unit:
4. Application in the matter of adoption of the child:.....(male or female or other, DOB:) under section 56(2) of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 read with regulation 54 of the Adoption Regulations.

Prospective adoptive parents(Applicants)

Mr.....S/o.....Aged about.....
Years, Citizen of, Occupation:..... Permanent Residential
address:.....

Mrs.W/o..... Aged about.....
Years, Citizen of, Occupation:..... Permanent Residential
address:.....

Natural or Biological Parents

Mr.....S/o.....Aged about.....
Years, Citizen of, Occupation:..... Permanent Residential
address:.....

Mrs.W/o..... Aged about.....
Years, Citizen of, Occupation:..... Permanent Residential
address:.....

The Applicants most respectfully submit before the District Magistrate as under :-

1. That the Applicants are prospective adoptive parents and are relative to natural or biological parents of the child___(male or female or other)under section 2(52)of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 (hereinafter referred to as Juvenile Justice Act).
2. That the Applicants are paternal uncle or aunt or a maternal uncle or aunt, or paternal grandparent or maternal grandparents of the child_.
3. That the child___was born to the natural parents on_____and they are resident of_____.
4. That the natural parents are desirous of placing the child in adoption for the reason_____.
5. That prospective adoptive parents are desirous of adopting the child for the reason_____.
6. That the Applicants and the natural parents have given consent to the proposed adoption which is annexed with the Application. (In case, the natural parents are not alive, document related to permission for adoption from the Child Welfare Committee shall be annexed as provided in the Adoption Regulations.)
7. That the child proposed to be adopted is a minor (below five years) who is notable to express their views.

Or

That the child proposed to be adopted has also given his or her consent for the said adoption and is willing to accept the Applicants as parents.

8. That the adoption of the child by the prospective adoptive parents from the natural parents shall be of the paramount welfare and they shall treat the child as their own with all rights and responsibilities.
9. That neither the applicants have given or agreed to give, nor have the natural parents or guardians of the child received or agreed to receive any payment to reward in consideration of the adoption.
10. That the conditions laid down in section 61 (1) of the Juvenile Justice Act have been complied with in the case of proposed adoption.
11. That the giver(s) and taker(s) have no interest directly or indirectly adverse to that of the child or children.
12. That the child ordinarily resides within the jurisdiction of the District Magistrate and hence the Magistrate has jurisdiction to pass adoption order as per the provisions of section 61 of the Juvenile Justice Act.
13. That the Applicant(s) have not filed any other Application for the adoption of the said child in any other office of District Magistrate.
14. That the Applicants understand that the adopted child shall become the lawful child of the applicants with all the rights, privileges and responsibilities that are attached to a biological child.

15. The Applicant(s), therefore, pray that:

- (a) The above named child may please be given in adoption to the applicants and the applicants be declared as the parents of the said minor for all purposes allowed by the law.
- (b) The Birth Certificate Issuing Authority (name and place) may please be directed to issue a Birth Certificate for the said child or children within five days from the date of application, as per the provisions of regulation 19(5) and regulation 40.

VERIFICATION

I or We, Mr. or Mrs., do hereby state on oath and solemnly affirm that the contents of this Application are true and correct to the best of my or our knowledge and belief and the information and documents presented with this Application are genuine.

PROSPECTIVE ADOPTIVE PARENTS		
NAME		SIGNATURE
Photograph of the biological parents	Photograph of the child	Photograph of the adoptive parents

Index

Sr. No.	Documents to be annexed as provided in Schedule VI & IX of the Adoption Regulations	Reference	Page No.

Application has been scrutinised and submitted for perusal of the District Magistrate.

District Child Protection Officer
(Name & signature with seal, Place & date)

SCHEDULE XXXI

[See section 2(52), 60 & regulation 59(4)]

MODEL APPLICATION FOR INTER-COUNTRY RELATIVE ADOPTION

[To be filed by the prospective adoptive parents]

1. Application No. _____/Year _____
2. Regd. Number of prospective adoptive parents on the Designated Portal:
3. Name and address of the District Child Protection Unit:
4. Application in the matter of adoption of the child:.....(male or female or other , DOB:) under section 60 of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 read with regulation 56,57,58 and 59 of the Adoption Regulations.

Prospective adoptive parents (Applicants)

Mr.....S/o.....Aged about
..... Years, Citizen of, Occupation:..... Permanent
Residential address:.....

Mrs.W/o..... Aged about.....
Years, Citizen of, Occupation:..... Permanent Residential
address:.....

Natural or Biological Parents

Mr.....S/o.....Aged about
..... Years, Citizen of, Occupation:..... Permanent
Residential address:.....

Mrs.W/o..... Aged about
..... Years, Citizen of, Occupation:..... Permanent

Residential address:.....

The Applicants most respectfully submit before the District Magistrate asunder:-

1. That the Applicants are prospective adoptive parents and are relative to natural or biological parents of the child_____ (male or female or other gender) under section 2(52) of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 (hereinafter referred to as Juvenile Justice Act).
2. That the Applicants are paternal uncle or aunt or a maternal uncle or aunt, or paternal grandparent or maternal grandparents of the child_____.
3. That the Applicants are residents of_____.
4. That the child ----- was born to the natural parents on ----- and they are resident of-----.
5. That the natural parents are desirous of placing the child in adoption for the reason_____.
6. That prospective adoptive parents are desirous of adopting the child for the reason_____.
7. That the Applicants and the natural parents have given consent to the proposed adoption which is annexed with the Application. (In case, the natural parents are not alive, document related to permission for adoption from the Child Welfare Committee shall be annexed as provided in the Adoption Regulations).
8. That the child proposed to be adopted is a minor (below five years) who is not able to express their views.

Or

That the child proposed to be adopted has also given his or her consent for the said adoption and is willing to accept the Applicants as parents.

9. That the adoption of the child by the applicants from the natural parents shall be of the paramount welfare and the applicants shall treat the child as their own with all rights and responsibilities.
10. That neither the applicants have given or agreed to give, nor have the natural parents or guardians of the child received or agreed to receive any payment or reward in consideration of the adoption.
11. That the conditions laid down in section 61 (1) of the Juvenile Justice Act have been complied within the case of proposed adoption.
12. That the giver(s) and taker(s) have no interest directly or indirectly adverse to that of the child or children.
13. The child ordinarily resides within the jurisdiction of the District Magistrate and hence the Magistrate has jurisdiction to pass adoption order as per the provisions of section 61 of the Juvenile Justice Act.
14. That the Applicant(s) have not filed any other Application for the adoption of the said child in any other office of District Magistrate.
15. That permission from the receiving country (Article 5 or 17 of the Hague Adoption Convention) are already enclosed in the application.
16. That the Central Adoption Resource Authority has already issued Pre-approval letter on --- (copy enclosed)
17. That the Applicants understand that the adopted child shall become the lawful child of the applicants with all the rights, privileges and responsibilities that are attached to a biological child.

18. The Applicant(s), therefore, pray that:

- (a) The above named child may please be given in adoption to the applicants and the applicants be declared as the parents of the said minor for all purposes allowed by the law.
- (b) Birth Certificate Issuing Authority (name and place) may please be directed to issue Birth Certificate for the said child or children within five days from the date of application, as provided in regulation 40 of the Adoption Regulations.
- (c) The Regional Passport Office concerned may please be directed to issue Passport for the said child or children within ten days from the date of application, as per the provisions of regulation 19(4) and 42 of Adoption Regulations.

VERIFICATION

I or We, Mr. or Mrs., do hereby state on oath and solemnly affirm that the contents of this Application are true and correct to the best of my or our knowledge and belief and the information and documents presented with this Application are genuine.

PROSPECTIVE ADOPTIVE PARENTS	
NAME	SIGNATURE

Photograph of the biological parents	Photograph of the child	Photograph of the adoptive parents
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Index

S. No.	Documents to be annexed as provided in Schedule VI & IX of the Adoption Regulations	Reference	Page No.

Application has been scrutinised and submitted for perusal of the District Magistrate.

District Child Protection Officer (Name & signature with seal, Place & date)

SCHEDULE XXXII

[See section 39(1), 56(1) & regulation 55(7) and 59(5)]

MODEL APPLICATION FOR ADOPTION OF CHILD (REN) BY STEP & BIOLOGICAL PARENT**[To be filed by the biological and step parent]**

1. Application No. _____ / Year
2. Regd. Number of prospective adoptive parents on the Designated Portal:
3. Name and address of the District Child Protection Unit:
4. Application in the matter of adoption of the child:.....(male or female or other, DOB:) under section 56(1), 39(1) and 57(5) of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 read with regulations 55 and 59 (5) of the Adoption Regulations.

Prospective adoptive parents (Applicant)

Mr.....S/o.....Aged
about..... Years, Citizen of, Occupation:.....
Permanent Residential address:.....

Mrs.....W/o..... Aged
about..... Years, Citizen of, Occupation:.....
Permanent Residential address:.....

Natural or Biological Parents (Applicant)

Mr.....S/o.....Aged about
..... Years, Citizen of, Occupation:..... Permanent
Residential address:.....

Mrs.W/o..... Aged about
..... Years, Citizen of, Occupation:..... Permanent
Residential address:.....

[please strike out which is not applicable.]

The Applicants most respectfully submit before the District Magistrate as under:-

1. That the Applicants are biological parent and step-parent (legally wedded spouse of the biological parent) of the child or children with details as given in **Schedule XX**.
2. That the Applicants are resident of _____.
3. That the child or children _____ (Male or Female or Other)
and Date of Birth(s) _____ was or were born to the natural parents (biological parent) _____ and _____ on _____ and they are resident of _____.
4. That the biological parent is desirous of sharing the legal relationship of the child or children with the spouse adopting the child or children, being legally married to him or her.
5. That the consent of the other biological parent has been obtained or the other biological parent is deceased. (Strike out whatever is not applicable)
6. That the biological parent and step-parent adopting the child or children understand that the adoption of the child or children shall create a permanent parent-child relationship with them.
7. That the consent(s) as required for adoption in **Schedule XX** of the Adoption Regulations are annexed with the Application.
8. That the child(ren) proposed to be adopted is a or are minor(s) (below five years) who

is or are not able to express their or their views.

Or

That the child proposed to be adopted has also given his or her consent for the said adoption and is willing to accept the Applicants as parents.

9. That the conditions laid down in section 61 (1) of the Juvenile Justice Act (2 of 2016) have been complied with in the case of the proposed adoption.
10. That there is no litigation for custody of the said child or children in any Court of Law within the country or overseas.
11. That the Applicants have not filed any other Application for the adoption of the said child or children in any other office of District Magistrate within the country.
12. That the Applicants understand that the adopted child or children shall become the lawful child or children of the applicants with all the rights, privileges and responsibilities that are attached to a biological child or children.
13. The child ordinarily resides within the jurisdiction of the District Magistrate and hence the Magistrate has jurisdiction to pass adoption order as per the provisions of section 61 of the Juvenile Justice Act.
14. **The Applicant(s), therefore, pray that:**
 - (a) The legal relationship of father or mother of above named child or children may please be transferred to the step-parent (applicant) adopting the child or children along with the biological mother or father (applicant) and they be declared as the parents of the said minor for all purposes allowed by the law.
 - (b) The Birth Certificate Issuing Authority (name and place) may please be directed to issue or modify the Birth Certificate for the said child or children within five days from the date of application, as provided in regulation 40 of Adoption Regulations.

Place:

APPLICANTS

Date:

Photograph of the biological mother or father or both as the case may be	Photograph of the child	Photograph of the adoptive mother or father or both as the case may be

VERIFICATION

I or We, Mr. or Mrs., do hereby state on oath and solemnly affirm that the contents of this Application are true and correct to the best of my or our knowledge and belief and the information and documents presented with this Application are genuine.

PROSPECTIVE ADOPTIVE PARENTS (Biological Parent and Step-Parent)	
NAME	SIGNATURE

Index

S. No.	Documents to be annexed as provided in Schedule VI & IX of the Adoption Regulations	Reference	PageNo.

Application has been scrutinised and submitted for perusal of the District Magistrate.

District Child Protection Officer(Name & signature with seal, Place & date)

SCHEDULE XXXIII

[See regulations 36(2)]

FORMAT OF ADOPTION ORDER

Office of the District Magistrate

District:

State:

Before the District Magistrate at_____.

Adoption Application No._____Year_____

Regd. Number of prospective adoptive parents on the Designated Portal:

Type of adoption order (Please put a ✓ mark)

1. In-country adoption of orphan or abandoned or surrendered child or children under section 56(1), 58 and 61 of Juvenile Justice (Care and protection of Children) Amendment Act, 2021 read with regulations 10,11,12 and 13 of the Adoption Regulations 2022.
2. Inter-country adoption of orphan or abandoned or surrendered child or children under section 56(4), 59, and 61 of the Juvenile Justice (Care and protection of Children)Amendment Act, 2021 read with regulations15, 16, 17 and 18 of the Adoption Regulations 2022.
3. In-country adoption of a relative under section 2(52),56(2) and 61 of the Juvenile Justice (Care and protection of Children)Amendment Act, 2021 read with regulation 54 of the Adoption Regulations 2022.
4. Inter-country relative (family or step) adoption under section 2(52), 60 and 61 of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 read with Regulations 56, 57, 58 and 59 of the Adoption Regulations 2022.
5. In-country step child adoption under section 39(1), 56(1) and 57(5) and 61 of the Juvenile Justice(Care and protection of Children)Amendment Act, 2021 read with regulation 55 of the Adoption Regulations 2022.

Part 1

- (a) Name & address of the Applicant(s) [Prospective adoptive parents]:
- (b) Appointed Power of Attorney holder in cases of inter-country adoption(if applicable):
- (c) Name and address of the recognised Specialised Adoption Agency (not applicable incase of relative or step child adoption):
- (d) Name and address of the Child Care Institution in case it is linked with therecognised Specialised Adoption Agency (wherever applicable):
- (e) Name & address of the biological parents in cases of relative or step child adoption (if applicable):

- (f) Name & address of the District Child Protection Unit:
 (g) State Adoption Resource Agency:
 (h) Name & address of the Authorised Adoption Foreign Agency or Central Authority or Govt. Deptt or Indian Mission in cases of inter-country adoption:

Part 2

- (a) That the adoption application has been filed by the Specialised Adoption Agency----- through the District Child Protection Unit-----on -----and ----- documents stipulated in the check list as provided in **Schedule IX** read with **Schedule VI** of the Adoption Regulations have been duly verified. **[In case of relative or step child adoption, the application has to be directly moved by the District Child protection Unit.]**
- (b) That the applicants have filed an affidavit to give a new name to the child and the name suggested is----- and accordingly the child shall be known by the name ----- instead of----- (if applicable).
- (c) That the adoption is complete now in all respect and accordingly I allow the adoption in the case of child----- (Male or Female or Other) DOB----- (Certified by the Child Welfare Committee as Legally Free for Adoption) with the prospective adoptive parents having registration number -----:
- (i) The prospective adoptive parents namely----- have been found eligible and suitable to adopt [on the basis of Adoption Committee minutes in the case of in-country adoption or No Objection Certificate issued by the Central Adoption Resource Authority, New Delhi in the case of adoption of non-resident Indian, Overseas Citizen of India Cardholder, or Foreign prospective adoptive parents];
 - (ii) Due consideration has been given to the wishes of the child (in case the child is over five years);
 - (iii) Due procedure has been followed as provided in the Juvenile Justice (Care & Protection of Children) Amendment Act 2021 and the Adoption Regulations 2022.
 - (iv) As per section 63 of the Juvenile Justice Care & Protection of Children) Amendment Act 2021, the child----- by name ,DOB----- in respect of whom an adoption order is issued today, i.e.-----, shall become the child of the adoptive parents-----, and the adoptive parents shall become the parents of the child as if the child had been born to the adoptive parents, for all purposes, including intestacy, with effect from the date on which the adoption order takes effect, and on and from such date all the ties of the child in the family of their birth shall stand severed and replaced by those created by the adoption order in the adoptive family.
 - (v) The local registrar notified under the Registration of Births and Deaths Act 1969 (18 of 1969) is directed to issue birth certificate within five days in favour of the adopted child on an application filed by the Specialised Adoption Agency or adoptive parents, incorporating the names of the adoptive parents as parents and the date of birth of the child as mentioned in the adoption order, in accordance with circulars issued from time to time by the Registrar General of India.
 - (vi) In case the child is an orphan, abandoned or surrendered child, the status of the child must be updated on the Designated Portal by the Specialised Adoption Agency or District Child protection Unit while in all other cases the order has to be uploaded by the District Child Protection Unit concerned.

Signature

Name of the District Magistrate

Date:

Office address & Seal

Copy to all concerned

[In case of relative adoption or step-parent adoption, application shall be filed by District Child Protection Unit only and the adoption order can be modified accordingly)

SCHEDULE XXXIV

[See regulations 36(10)]

FORMAT OF ADOPTION DISSOLUTION ORDER**Office of the District Magistrate**

District:

State:

Before the District Magistrate at_____.

Adoption Application No._____Year_____.

Regd. Number of prospective adoptive parents on the Designated Portal:

Type of adoption order (Please put a ✓ mark)

1. In-country adoption of orphan or abandoned or surrendered child or children under section 56(1), 58 and 61 of Juvenile Justice (Care and protection of Children) Amendment Act, 2021 read with regulations 10,11,12 and 13 of the Adoption Regulations 2022.
2. Inter-country adoption of orphan or abandoned or surrendered child or children under section 56(4), 59, and 61 of the Juvenile Justice(Care and protection of Children)Amendment Act, 2021 read with regulations15,16, 17 and 18 of the Adoption Regulations 2022.
3. In-country adoption of a relative under section 2(52),56(2) and 61 of the Juvenile Justice (Care and protection of Children)Amendment Act, 2021 read with regulation 54 of the Adoption Regulations 2022.
4. Inter-country relative (family or step) adoption under section 2(52), 60 and 61 of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 read with Regulations 56, 57, 58 and 59 of the Adoption Regulations 2022.
5. In-country step child adoption under section 39(1) , 56(1) and 57(5) and 61 of the Juvenile Justice(Care and protection of Children)Amendment Act, 2021 read with regulation 55 of the Adoption Regulations 2022.

Part 1

- (a) Name & address of the Applicant(s) [Prospective adoptive parents]:
- (b) Power of Attorney holder in cases of inter-country adoption(if applicable):
- (c) Name and address of the Specialised Adoption Agency (not applicable in case of relative or step child adoption):
- (d) Name and address of the Child Care Institution in case it is linked with the Specialised Adoption Agency (wherever applicable):
- (e) Name & address of the biological parents in cases of relative or step child adoption(if applicable):
- (f) Name & address of the District Child Protection Unit:
- (g) State Adoption Resource Agency:
- (h) Name & address of the Authorised Adoption Foreign Agency or Central Authority or Govt. Deptt or Indian Mission in cases of inter-country adoption:

Part 2

- (a) The adoptive parents____adopted the child____(Name), (Male or Female or Other),

_____ (Date of Birth) vide adoption order dated _____ from _____ (the name of the Specialised Adoption Agency and the Child Care Institution in case the child happens to be an orphan or abandoned or surrendered child), and have filed an adoption termination application on-----.

- (b) The adoptive parents have been counselled on ---- and ----- and they appeared before me on _____ with reference to their adoption dissolution application.
- (c) The reasons of dissolution can be attributed to the fact that-----

- (d) I terminate the adoption order issued on ---- as the adoptive relationship is no longer in the child’s best interest and the adoptive parents and the child are not pulling on well.
- (e) The prospective adoptive parents Mr.----- & Mrs.----- are not recommended to adopt another child for the reason stated below:

- (f) In case the child is an orphan, abandoned or surrendered child, the status of the child must be updated on the Designated Portal by the Specialised Adoption Agency or District Child protection Unit within a period of three days after completion of necessary counselling [In all other cases the order has to be uploaded by the District Child Protection Unit concerned].

Signature Name of the District Magistrate
Date Office Address with Seal
Contact No:

Copy to all concerned

SCHEDULE XXXV

[See regulations 67(1), 67(2) and 69(4)]

VERIFICATION CERTIFICATE IN CASE OF ADOPTION CONCLUDED UNDER THE HINDU ADOPTIONS AND MAINTENANCE ACT, 1956 (78 OF 1956)

Office of the District Magistrate

District:

State:

Sub.: Verification Certificate as required under the Regulations for inter-country adoptions under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956) in respect of child _____, sex (Male or Female or other), DoB-_____

This is to certify that as per the adoption deed registered under the Registration Act, 1908 (16 of 1908), the child _____ by name has been adopted by-----, who are habitually _____ residing in _____ from the biological parents or guardian-----resident of-----.

2. That after examining the parties and the witnesses, I conclude the following:

- (a) The adoption recorded in the deed of adoption has been made in accordance with the provisions of the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956) including the sourcing of the child, the eligibility and suitability of the adoptive parents.
- (b) The adopted child or the biological parents are not under any duress while giving the child in adoption.
- (c) The adoption had been concluded with mutual consent of all parties concerned.

- (d) There has been no monetary consideration involved in the adoption process and the adoption is in the best interest of the child.
3. I have verified requisite information supporting the adoption and recommend the case to Central Adoption Resource Authority for necessary action.

Name of the District Magistrate
Office Address with Seal
Contact No:

Director (Programme)
Central Adoption Resource Authority
West Block- 8, RK Puram, New Delhi- 110066

Copy for information:

1. District Registrar of Birth and Death
2. State Adoption Resource Agency
3. District Child Protection Unit

SCHEDULE XXXVI

[See regulations 68(5) and 69(4)]

FAMILY BACKGROUND REPORT UNDER THE HINDU ADOPTIONS AND MAINTENANCE ACT, 1956 (78 OF 1956)

Check list for District Magistrate for verification of adoption done under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956) (Please put \surd mark on the box as indicated below)

1. **Biological parents are Hindus (As per section 2 of the Hindu Adoptions and Maintenance Act, 1956):**
2. **Adoptive parents are Hindu (As per section 2 of the Hindu Adoptions and Maintenance Act, 1956) :**
3. **Eligibility of adoptive male Hindu (As per section 8 of the Hindu Adoption and Maintenance Act, 1956):**
 - is of sound mind
 - is not a minor.
 - has the capacity to take a son or a daughter in adoption.
 - consent of his wife has been taken (unless the wife has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind).
4. **Eligibility of adoptive female Hindu (As per section 8 of the Hindu Adoptions and Maintenance Act, 1956) :**
 - (a) is of sound mind.
 - (b) is not a minor.
 - (c) has the capacity to take a son or a daughter in adoption.
 - (d) not married, or if married, whose marriage has been dissolved or whose husband is dead or has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind, has the capacity to take a son or daughter in adoption.
5. **Capable of giving in adoption under HAMA (As per section 9 of the Hindu Adoptions and Maintenance Act, 1956):**

- (a) **Father** with consent of the mother unless the mother has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind.
- (b) **Mother** if the father is dead or has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind.
- (c) **Guardian** of a child shall have the capacity to give the child in adoption.

6. Eligibility of Child for adoption (As per section 10 of the Hindu Adoptions and Maintenance Act, 1956) :

- (a) he or she is a Hindu.
- (b) he or she has not already been adopted.
- (c) he or she has not been married, unless there is a custom or usage applicable to the parties which permits persons who are married being taken in adoption.
- (d) he or she has not completed the age of fifteen years, unless there is a custom or usage applicable to the parties which permits persons who have completed the age of fifteen years being taken in adoption.

7. Other conditions for a valid adoption (As per section 11 of the Hindu Adoptions and Maintenance Act, 1956) :

- (a) if the adoption is of a son, the adoptive father or mother by whom the adoption is made must not have a Hindu son, son's son or son's son's son (whether by legitimate blood relationship or by adoption) living at the time of adoption.
- (b) if the adoption is of a daughter the adoptive father or mother by whom the adoption is made must not have a Hindu daughter or son's daughter (whether by legitimate blood relationship or by adoption) living at the time of adoption.
- (c) if the adoption is by a male and the person to be adopted is a female, the adoptive father is at least twenty-one years older than the person to be adopted.
- (d) if the adoption is by a female and the person to be adopted is a male, the adoptive mother is at least twenty-one years older than the person to be adopted.
- (e) the same child is not adopted by any other person.
- (f) the child to be adopted must be actually given and taken in adoption by the parents or guardians concerned under their authority with intent to transfer the child from the family of its birth.

Signature

Date

Name of the District
Magistrate

Address with Seal

Contact No.

[F. No. CW-II-26/37/2021-CW-II]

TRIPTI GURHA, Jt. Secy.



केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण Central Adoption Resource Authority



महिला एवं बाल विकास मंत्रालय, भारत सरकार
Ministry of Women & Child Development, Government of India

प्रक्रिया: देश के भीतर दत्तक-ग्रहण (अनाथ, परित्यक्त एवं अभ्यर्पित बच्चे) PROCEDURE: IN-COUNTRY ADOPTION (ORPHAN, ABANDONED AND SURRENDERED CHILDREN)

01

भावी दत्तक माता-पिता (PAPs) द्वारा अभिहित पोर्टल (CARINGS) पर पंजीकरण करना और 30 दिनों के भीतर दस्तावेज अपलोड करना (अनुसूची VI भाग-1)।

Registration by PAPs on Designated Portal & uploading of documents within 30 days (Schedule VI Part-1)

विशिष्ट दत्तक-ग्रहण अभिकरण (SAA)/ जिला बाल संरक्षण इकाई (DCPU) द्वारा 60 दिनों के भीतर भावी दत्तक माता-पिता (PAPs) की गृह अध्ययन रिपोर्ट (HSR) तैयार करना और उसे पोर्टल पर अपलोड करना (अनुसूची VII)

Home Study of PAPs by SAA/ DCPU within 60 days & uploading the same on portal (Schedule VII)

02

03

भावी दत्तक माता-पिता (PAPs) को बच्चे का ऑनलाइन रेफरल भेजा जाएगा, जिसे वे 48 घंटों के भीतर आरक्षित कर सकते हैं।

{भावी दत्तक माता-पिता (PAPs) इन 3 टैब से बच्चे सीधे तौर पर आरक्षित कर सकते हैं: (i) तत्काल प्लेसमेंट (ii) विशेष आवश्यकता वाले बच्चे (iii) निवासी भारतीय (RI) / अनिवासी भारतीय (NRI) / भारत के प्रवासी नागरिक कार्डधारक (OCI) के लिए 7 दिन}

Online referral of child to PAPs which is to be reserved by PAPs within 48 hours.

{PAPs can also reserve child directly through Immediate Placement/Special Needs/Seven Days for RI/NRI/OCI PAPs Tab}

दत्तक-ग्रहण समिति की बैठक : आरक्षित किए गए बच्चे के साथ भावी दत्तक माता-पिता (PAPs) की उपयुक्तता का आकलन करना। बैठक का कार्यवृत्त अनुसूची XXVII के अनुसार तैयार किया जाना।

Adoption Committee Meeting: Assessment of suitability of PAPs with the child reserved. Minutes of the meeting as per Schedule XXVII

04

05

बच्चे को आरक्षित करने की तिथि से 30 दिनों के भीतर पोर्टल पर भावी दत्तक माता-पिता (PAPs) का आरक्षित बच्चे से मिलान एवं उनके द्वारा बच्चे को स्वीकृत किया जाना।

दत्तक-पूर्व पोषण देखरेख (PAFC) : भावी दत्तक माता-पिता (PAPs) द्वारा बच्चे को अपने साथ ले जाना (अनुसूची VIII)

Matching of reserved child & acceptance by PAPs on Portal within 30 days from date of reservation of child.

PAFC: Physical custody of child (Schedule VIII)

विशिष्ट दत्तक-ग्रहण अभिकरण (SAA) द्वारा 5 दिनों के भीतर दत्तक-ग्रहण के आवेदन को दाखिल करना और जिला बाल संरक्षण इकाई (DCPU) द्वारा 5 दिनों के भीतर उसकी जांच करना (अनुसूची IX भाग-1 और अनुसूची XXVIII)

Filing of Adoption Application by SAA within 5 days & scrutiny by DCPU within 5 days (Schedule IX Part-1 & Schedule XXVIII)

06

07

जिला मजिस्ट्रेट द्वारा 60 दिनों के भीतर दत्तक-ग्रहण आदेश जारी करना (अनुसूची XXXIII)।

जिला बाल संरक्षण इकाई (DCPU) द्वारा दत्तक-ग्रहण आदेश को पोर्टल पर अपलोड करना।

DM issues Adoption Order within 60 days (Schedule XXXIII)

DCPU uploads Adoption Order on Portal

दत्तक-पूर्व पोषण देखरेख (PAFC) की तिथि से 2 वर्ष तक विशिष्ट दत्तक-ग्रहण अभिकरण (SAA)/ जिला बाल संरक्षण इकाई (DCPU) द्वारा अनुवर्ती कार्रवाई (अनुसूची XII)

Post Adoption Follow-up by SAA/ DCPU for 2 years w.e.f. the date of PAFC (Schedule XII)

08

संदर्भ : दत्तक-ग्रहण विनियम, 2022 का अध्याय III

Reference: Chapter III of Adoption Regulations, 2022

अभिहित पोर्टल : बाल दत्तक-ग्रहण संसाधन सूचना और मार्गदर्शन प्रणाली (केयरिंग्स)

Designated Portal: Child Adoption Resource Information and Guidance System (CARINGS)

DCPU: District Child Protection Unit | DM: District Child Protection Unit | NRI: Non-Resident Indian
OAS: Orphan, Abandoned or Surrendered | OCI: Overseas Citizen of India | PAP: Prospective Adoptive Parents | SAA: Specialised Adoption Agency

पश्चिमी खंड-8, विंग-2, द्वितीय तल, रामकृष्ण पुरम, नई दिल्ली-110066 (भारत)

West block - 8, Wing - 2, 2nd Floor, R.K. Puram, New Delhi - 110066 (India)

कारा हेल्पलाइन नंबर: 1800-11-1311 [सोमवार से शुक्रवार प्रातः 8:00 बजे से रात्रि 8:00 बजे तक (राजपत्रित अवकाश को छोड़कर)] टोल फ्री नंबर: 011-267604-71/72/73/74

CARA Helpline No: 1800-11-1311 [Available between 8:00 AM to 8:00 PM (Mon-Fri, Except Gazetted Holidays)]; Tollfree No: 011-267604-71/72/73/74

ई-मेल / E-mail: carahdesk.wcd@nic.in, वेबसाइट / Website: https://cara.wcd.gov.in, CARINGS : https://carings.wcd.gov.in



केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण Central Adoption Resource Authority



महिला एवं बाल विकास मंत्रालय, भारत सरकार
Ministry of Women & Child Development, Government of India

प्रक्रिया: अंतर-देशीय दत्तक-ग्रहण (अनाथ, परित्यक्त एवं अभ्यर्पित बच्चे)

PROCEDURE : INTER-COUNTRY ADOPTION (ORPHAN, ABANDONED AND SURRENDERED CHILDREN)

01

प्राधिकृत विदेशी दत्तक-ग्रहण अभिकरण (AFAA) / केंद्रीय प्राधिकरण (CA) / भारतीय राजनयिक मिशन (IDM) द्वारा अनिवासी भारतीय (NRI), भारत के प्रवासी नागरिक कार्डधारक (OCI) और विदेशी भावी दत्तक माता-पिता (Foreign PAPs) का गृह अध्ययन (Home Study) और उनका अभिहित पोर्टल (CARINGS) पर पंजीकरण करना।

Home Study & registration of NRI, OCI & Foreign PAPs on Designated Portal by AFAA/CA/IDM

प्राधिकृत विदेशी दत्तक-ग्रहण अभिकरण (AFAA) / केंद्रीय प्राधिकरण (CA) / भारतीय राजनयिक मिशन (IDM) द्वारा पोर्टल पर दस्तावेज अपलोड करना (अनुसूची VI- भाग 2)

AFAA/CA/IDM uploads documents on Portal (Schedule VI- Part 2)

02

03

केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण (CARA) द्वारा भावी दत्तक माता-पिता (PAPs) के दस्तावेजों की जांच करना और उनका अनुमोदन करना।

Scrutiny of documents & approval of PAPs by CARA

प्राधिकृत विदेशी दत्तक-ग्रहण अभिकरण (AFAA) / केंद्रीय प्राधिकरण (CA) / भारतीय राजनयिक मिशन (IDM) के माध्यम से भावी दत्तक माता-पिता (PAPs) को बच्चे का ऑनलाइन रेफरल भेजा जाएगा, जिसे 96 घंटे के भीतर आरक्षित और 30 दिनों भीतर स्वीकार किया जा सकता है।

{भावी दत्तक माता-पिता (PAPs) प्राधिकृत विदेशी दत्तक-ग्रहण अभिकरण (AFAA) / केंद्रीय प्राधिकरण (CA) / भारतीय राजनयिक मिशन (IDM) के माध्यम से इन 3 टैब के द्वारा बच्चों को सीधे तौर पर आरक्षित कर सकते हैं :

(i) तत्काल फ्लेसमेंट (ii) विशेष आवश्यकता वाले बच्चे (iii) भारतीय निवासी (RI) / अनिवासी भारतीय (NRI) / भारत के प्रवासी नागरिक कार्डधारकों (OCI) के लिए 7 दिन}

Online referral of the child to PAPs through AFAA/CA/IDM and the child to be reserved within 96 hours & accepted within 30 days on the Portal.

{PAPs through AFAA/CA/IDM can also reserve child directly through Immediate Placement/ Special Needs/ Seven Days for RI/NRI/OCI PAPs Tab}

04

05

प्राधिकृत विदेशी दत्तक-ग्रहण अभिकरण (AFAA) / केंद्रीय प्राधिकरण (CA) / भारतीय राजनयिक मिशन (IDM) द्वारा हेग अभिसमय के अनुच्छेद 5/17 के अनुसार निर्धारित पत्र को अपलोड करना।

AFAA/CA/IDM uploads documents as per Article 5/17 of Hague Convention.

केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण (CARA) द्वारा 10 दिनों के भीतर अनापत्ति प्रमाण-पत्र जारी करना, बशर्ते सभी आवश्यक दस्तावेज प्राप्त हो चुके हों (अनुसूची X)

CARA issues NOC within 10 days subject to receiving of requisite documents (Schedule X)

06

07

विशिष्ट दत्तक-ग्रहण अभिकरण (SAA) द्वारा 5 दिनों के भीतर दत्तक-ग्रहण के आवेदन को दाखिल करना और जिला बाल संरक्षण इकाई (DCPU) द्वारा 5 दिनों के भीतर उसकी जांच करना। (अनुसूची IX भाग-2 और अनुसूची XXIX)

Filing of Adoption Application by SAA within 5 days & scrutiny by DCPU within 5 days (Schedule IX Part-2 & Schedule XXIX)

जिला मजिस्ट्रेट द्वारा 60 दिनों के भीतर दत्तक-ग्रहण आदेश जारी करना (अनुसूची XXXIII).

जिला बाल संरक्षण इकाई (DCPU) द्वारा दत्तक-ग्रहण आदेश को पोर्टल पर अपलोड करना।

DM issues Adoption Order within 60 Days (Schedule XXXIII).

DCPU uploads Adoption Order on Portal

08

09

केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण (CARA) द्वारा 3 दिनों के भीतर पुष्टि प्रमाण-पत्र (Conformity Certificate) जारी करना (अनुसूची XI)

CARA issues Conformity Certificate within 3 days (Schedule XI)

बच्चे के लिए पासपोर्ट और निकास वीजा।

Passport & Exit Visa for the child

10

11

प्राप्तकर्ता देश में बच्चे के आने की तिथि से 2 वर्ष तक प्राधिकृत विदेशी दत्तक-ग्रहण अभिकरण (AFAA) / केंद्रीय प्राधिकरण (CA) / भारतीय राजनयिक मिशन (IDM) द्वारा अनुवर्ती कार्रवाई (अनुसूची XII)

Post-Adoption Follow-up by AFAA/CA/IDM for 2 years w.e.f. the date of arrival of child in receiving country (Schedule XII)

• संदर्भ / Reference : दत्तक-ग्रहण विनियम, 2022 का अध्याय IV (Chapter IV of Adoption Regulations, 2022)

• अभिहित पोर्टल/ Designated Portal : बाल दत्तक-ग्रहण संसाधन सूचना और मार्गदर्शन प्रणाली (केयरिंग्स)

Child Adoption Resource Information and Guidance System (CARINGS)



केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण Central Adoption Resource Authority



महिला एवं बाल विकास मंत्रालय, भारत सरकार
Ministry of Women & Child Development, Government of India

प्रक्रिया: देश के भीतर रिश्तेदारी में दत्तक-ग्रहण PROCEDURE: IN-COUNTRY RELATIVE ADOPTION

01 भावी दत्तक माता-पिता (PAPs) द्वारा अभिहित पोर्टल (CARINGS) पर पंजीकरण करना और दस्तावेज अपलोड करना (अनुसूची VI- भाग 4)

Registration by PAPs on Designated Portal and uploading of documents (Schedule VI- Part 4)

जिला बाल संरक्षण इकाई (DCPU) द्वारा पोर्टल पर पारिवारिक पृष्ठभूमि रिपोर्ट के साथ सत्यापन अपलोड करना (अनुसूची XXI)

02

DCPU uploads verification along with Family Background Report on Portal (Schedule XXI)

03 राज्य दत्तक-ग्रहण संसाधन अभिकरण (SARA) द्वारा आवेदन को फिर से सत्यापित करना और उसे पोर्टल पर अपलोड करना।

SARA re-verifies application and uploads it on Portal

केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण (CARA) द्वारा अनुमोदन-पूर्व पत्र (Pre-Approval Letter) जारी करना और उसे अपलोड करना (अनुसूची XXV प्रारूप-1)

04

CARA issues & uploads Pre-Approval Letter (Schedule XXV Format-1)

05 भावी दत्तक माता-पिता (PAPs) द्वारा [जिला बाल संरक्षण इकाई (DCPU) के माध्यम से] दत्तक-ग्रहण का आवेदन दाखिल करना (अनुसूची IX भाग-4 और अनुसूची XXX)

The PAPs (through DCPU) file adoption application (Schedule IX Part-4 & Schedule XXX)

जिला मजिस्ट्रेट द्वारा 60 दिनों के भीतर दत्तक-ग्रहण आदेश जारी करना (अनुसूची XXXIII)
जिला बाल संरक्षण इकाई (DCPU) द्वारा दत्तक-ग्रहण आदेश को पोर्टल पर अपलोड करना।

06

DM issues Adoption Order within 60 days (Schedule XXXIII)

DCPU uploads Adoption Order on Portal

- संदर्भ: दत्तक-ग्रहण विनियम, 2022 का विनियम 54
Reference : Regulation 54 of Adoption Regulations, 2022
- अभिहित पोर्टल: बाल दत्तक-ग्रहण संसाधन सूचना और मार्गदर्शन प्रणाली (केयरिंग्स)
Designated Portal: Child Adoption Resource Information and Guidance System (CARINGS)

CARA: Central Adoption Resource Authority | DCPU: District Child Protection Unit | DM: District Magistrate |

PAP: Prospective Adoptive Parents | SARA: State Adoption Resource Agency |

पश्चिमी खंड-8, विंग-2, द्वितीय तल, रामकृष्ण पुरम, नई दिल्ली-110066 (भारत)

West block - 8, Wing - 2, 2nd Floor, R.K. Puram, New Delhi - 110066 (India)

कारा हेल्पलाइन नंबर: 1800-11-1311 [सोमवार से शुक्रवार प्रातः 8:00 बजे से रात्रि 8:00 बजे तक (राजपत्रित अवकाश को छोड़कर)] टोल फ्री नंबर: 011-267604-71/72/73/74

CARA Helpline No: 1800-11-1311 [Available between 8:00 AM to 8:00 PM (Mon-Fri, Except Gazetted Holidays)]; Tollfree No: 011-267604-71/72/73/74

ई-मेल / E-mail: carahdesk.wcd@nic.in, वेबसाइट / Website: <https://cara.wcd.gov.in>, CARINGS : <https://carings.wcd.gov.in>



केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण Central Adoption Resource Authority



महिला एवं बाल विकास मंत्रालय, भारत सरकार
Ministry of Women & Child Development, Government of India

प्रक्रिया: अंतर-देशीय रिश्तेदारी में दत्तक-ग्रहण PROCEDURE: INTER-COUNTRY RELATIVE ADOPTION

01

प्राधिकृत विदेशी दत्तक-ग्रहण अभिकरण (AFAA) / केंद्रीय प्राधिकरण (CA) / भारतीय राजनयिक मिशन (IDM) द्वारा अनिवासी भारतीय (NRI) एवं भारत के प्रवासी नागरिक कार्डधारक (OCI) भावी दत्तक माता-पिता (PAPs) का गृह अध्ययन (Home Study) करना और अभिहित पोर्टल (CARINGS) पर उनका पंजीकरण करना।

Home Study & Registration of NRI & OCI PAPs by AFAA/CA/IDM

प्राधिकृत विदेशी दत्तक-ग्रहण अभिकरण (AFAA) / केंद्रीय प्राधिकरण (CA) / भारतीय राजनयिक मिशन (IDM) द्वारा पोर्टल पर दस्तावेज को अपलोड करना (अनुसूची VI – भाग-3)।

AFAA/CA/IDM uploads documents on Portal (Schedule VI-Part 3)

02

03

केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण (CARA) द्वारा दस्तावेजों की प्रारंभिक जांच करना।

Initial Scrutiny of documents by CARA

जिला बाल संरक्षण इकाई (DCPU) द्वारा पोर्टल पर पारिवारिक पृष्ठभूमि रिपोर्ट के साथ सत्यापन रिपोर्ट अपलोड करना (अनुसूची XXI)

DCPU uploads verification report along with Family Background Report (Schedule XXI)

04

05

राज्य दत्तक-ग्रहण संसाधन प्राधिकरण (SARA) द्वारा आवेदन का फिर से सत्यापन करना और उसे पोर्टल पर अपलोड करना।

SARA re-verifies application & uploads it on Portal

केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण (CARA) द्वारा अनुमोदन-पूर्व पत्र (Pre-Approval Letter) जारी करना और उसे अपलोड करना।

CARA issues and uploads Pre-Approval Letter

06

07

प्राधिकृत विदेशी दत्तक-ग्रहण अभिकरण (AFAA) / केंद्रीय प्राधिकरण (CA) / भारतीय राजनयिक मिशन (IDM) द्वारा हेग अभिसमय के अनुच्छेद 5/17 के अनुसार निर्धारित पत्र को अपलोड करना।

AFAA/CA/IDM uploads Documents as per Articles 5/17 of Hague Convention.

भावी दत्तक माता-पिता (PAPs) द्वारा [जिला बाल संरक्षण इकाई (DCPU) के माध्यम से] दत्तक-ग्रहण का आवेदन दाखिल करना (अनुसूची IX भाग-3 और अनुसूची XXXI)।

PAPs (through DCPU) files Adoption Application (Schedule IX Part-3 & Schedule XXXI)

08

09

जिला मजिस्ट्रेट द्वारा 60 दिनों के भीतर दत्तक-ग्रहण आदेश जारी करना (अनुसूची XXXIII)

DM issues Adoption Order within 60 Days (Schedule XXXIII)

केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण (CARA) द्वारा अनापत्ति प्रमाण-पत्र (NOC) और पुष्टि प्रमाण-पत्र (Conformity Certificate) जारी करना।

CARA issues NOC & Conformity Certificate

10

11

बच्चे के लिए पासपोर्ट और निकासी वीज़ा।

Passport & Exit Visa for child

- संदर्भ: दत्तक-ग्रहण विनियम, 2022 का विनियम 56-60
Reference: Regulation 56-60 of Adoption Regulations, 2022
- अभिहित पोर्टल: बाल दत्तक-ग्रहण संसाधन सूचना और मार्गदर्शन प्रणाली (केयरिंग्स)
Designated Portal: Child Adoption Resource Information and Guidance System (CARINGS)

AFAA: Authorised Foreign Adoption Agency | CA: Central Authority | CARA: Central Adoption Resource Authority
DCPU: District Child Protection Unit | Designated Portal: Child Adoption Resource Information and Guidance System (CARINGS)
DM District Magistrate | IDM: Indian Diplomatic Mission | NOC: No Objection Certificate | NRI: Non-Residents of India
OCI: Overseas Citizen of India | PAPs: Prospective Adoptive Parents | SARA: State Adoption Resource Agency

पश्चिमी खंड-8, विंग-2, द्वितीय तल, रामकृष्ण पुरम, नई दिल्ली-110066 (भारत)

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CARA Helpline No: 1800-11-1311 [Available between 8:00 AM to 8:00 PM (Mon-Fri, Except Gazetted Holidays)]; Tollfree No: 011-267604-71/72/73/74

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75
Azadi Ka
Amrit Mahotsav

केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण Central Adoption Resource Authority

महिला एवं बाल विकास मंत्रालय, भारत सरकार
Ministry of Women & Child Development, Government of India



प्रक्रिया : सौतेले माता-पिता द्वारा दत्तक-ग्रहण PROCEDURE: ADOPTION BY STEP PARENT

01

सौतेले माता-पिता द्वारा अभिहित पोर्टल (CARINGS) पर पंजीकरण करना और दस्तावेज अपलोड करना (अनुसूची VI-भाग-5)

Registration by Step Parent on Designated Portal & uploading of documents (Schedule VI-Part 5)

जिला बाल संरक्षण इकाई (DCPU) द्वारा सत्यापन रिपोर्ट को पोर्टल पर अपलोड करना।
DCPU uploads verification report on Portal

02

03

राज्य दत्तक-ग्रहण संसाधन प्राधिकरण (SARA) द्वारा आवेदन को फिर से सत्यापित करना और उसे पोर्टल पर अपलोड करना।

SARA re-verifies application and uploads it on Portal

केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण (CARA) द्वारा अनुमोदन-पूर्व पत्र (Pre-Approval Letter) जारी करना (अनुसूची XXV प्रारूप-2)।
CARA issues a Pre-Approval Letter (Schedule XXV Format-2)

04

05

भावी दत्तक माता-पिता (PAPs) द्वारा [जिला बाल संरक्षण इकाई (DCPU) के माध्यम से] दत्तक-ग्रहण का आवेदन दाखिल करना (अनुसूची IX भाग-5 और अनुसूची XXXII)

The PAPs (through DCPU) file adoption application (Schedule IX Part-5 & Schedule XXXII)

जिला मजिस्ट्रेट द्वारा 60 दिनों के भीतर दत्तक-ग्रहण आदेश जारी करना (अनुसूची XXXIII)
जिला बाल संरक्षण इकाई (DCPU) द्वारा पोर्टल पर दत्तक-ग्रहण आदेश को पोर्टल पर अपलोड करना।

DM issues Adoption Order within 60 days (Schedule XXXIII)
DCPU uploads Adoption Order on Portal

06

• संदर्भ: दत्तक-ग्रहण विनियम, 2022 का विनियम 55
Reference: Regulation 55 of Adoption Regulations, 2022

• अभिहित पोर्टल : बाल दत्तक-ग्रहण संसाधन सूचना और मार्गदर्शन प्रणाली (केयरिंग्स)
Designated Portal: Child Adoption Resource Information and Guidance System (CARINGS)

CARA: Central Adoption Resource Authority | DCPU: District Child Protection Unit | DM: District Magistrate |
PAP: Prospective Adoptive Parents | SARA: State Adoption Resource Agency |

पश्चिमी खंड-8, विंग-2, द्वितीय तल, रामकृष्ण पुरम, नई दिल्ली-110066 (भारत)
West block - 8, Wing - 2, 2nd Floor, R.K. Puram, New Delhi - 110066 (India)

कारा हेल्पलाइन नंबर: 1800-11-1311 [सोमवार से शुक्रवार प्रातः 8:00 बजे से रात्रि 8:00 बजे तक (राजपत्रित अवकाश को छोड़कर)] टोल फ्री नंबर: 011-267604-71/72/73/74
CARA Helpline No: 1800-11-1311 [Available between 8:00 AM to 8:00 PM (Mon-Fri, Except Gazetted Holidays)]; Tollfree No: 011-267604-71/72/73/74
ई-मेल / E-mail: carahdesk.wcd@nic.in, वेबसाइट / Website: <https://cara.wcd.gov.in>, CARINGS : <https://carings.wcd.gov.in>



केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण Central Adoption Resource Authority



महिला एवं बाल विकास मंत्रालय, भारत सरकार
Ministry of Women & Child Development, Government of India

फॉस्टर दत्तक-ग्रहण हेतु नियम / चरण

जो बच्चे पहले से पोषण देखरेख (फॉस्टर केयर) में हैं

चरण	दस्तावेज़
जिला बाल संरक्षण इकाई (DCPU) द्वारा फॉस्टर माता-पिता का अभिहित पोर्टल (CARINGS) पर पंजीकरण	<ol style="list-style-type: none"> 1. स्थायी खाता संख्या (पैन) कार्ड 2. फॉस्टर माता-पिता का जन्म प्रमाण-पत्र 3. निवास का प्रमाण-पत्र 4. आय का प्रमाण 5. माता-पिता की स्वास्थ्य संबंधी रिपोर्ट 6. विवाह का प्रमाण-पत्र 7. फॉस्टर माता-पिता के जैविक / दत्तक बच्चे / बच्चों की सहमति 8. फॉस्टर माता-पिता का वचनबंध (Undertaking) 9. सामाजिक जाँच रिपोर्ट (SIR)

जिला बाल संरक्षण इकाई (DCPU) द्वारा बच्चे का अभिहित पोर्टल (CARINGS) पर पंजीकरण।	<ol style="list-style-type: none"> 1. चिकित्सा जाँच रिपोर्ट (MER) 2. बाल अध्ययन रिपोर्ट (CSR) 3. दत्तक-ग्रहण के लिए विधिक रूप से मुक्त बच्चा (LFA) 4. बाल कल्याण समिति (CWC) का पोषण देखरेख (फॉस्टर केयर) की व्यवस्था का आदेश 5. फॉस्टर बच्चे की सहमति 6. पिछले महीने की प्रगति रिपोर्ट
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जिला बाल संरक्षण इकाई (DCPU) द्वारा राज्य दत्तक-ग्रहण संसाधन अभिकरण (SARA) को प्रस्ताव की अनुशंसा की जाएगी।

राज्य दत्तक-ग्रहण संसाधन अभिकरण (SARA) द्वारा केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण (CARA) को प्रस्ताव की अनुशंसा की जाएगी।

केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण (CARA) अनुमोदन-पूर्व पत्र (Pre-approval letter) जारी करेगा और प्रस्ताव को राज्य दत्तक-ग्रहण संसाधन अभिकरण (SARA) को भेजेगा

राज्य दत्तक-ग्रहण संसाधन अभिकरण (SARA) द्वारा प्रस्ताव जिला बाल संरक्षण इकाई (DCPU) को भेजा जाएगा।

अंत में जिला बाल संरक्षण इकाई (DCPU) द्वारा जिला मजिस्ट्रेट (DM) को दत्तक-ग्रहण आदेश जारी करने के लिए आवेदन भेजा जाएगा।

• अभिहित पोर्टल: बाल दत्तक-ग्रहण संसाधन सूचना और मार्गदर्शन प्रणाली (केयरिंग्स)

Designated Portal: Child Adoption Resource Information & Guidance System (CARINGS)

पश्चिमी खंड-8, विंग-2, द्वितीय तल, रामकृष्ण पुरम, नई दिल्ली-110066 (भारत)

कारा हेल्पलाइन नंबर: 1800-11-1311 [सोमवार से शुक्रवार प्रातः 8:00 बजे से रात्रि 8:00 बजे तक (राजपत्रित अवकाश को छोड़कर)] टोल फ्री नंबर: 011-267604-71/72/73/74

ई-मेल: carahdesk.wcd@nic.in, वेबसाइट: <https://cara.wcd.gov.in>, CARINGS : <https://carings.wcd.gov.in>



Protocol/steps for Foster Adoption

For children already placed in foster care

Step	Documents required
Registration of foster Parents by DCPU	<ol style="list-style-type: none"> 1. PAN Card 2. Birth certificate of foster parents 3. Residence proof 4. Income proof 5. Medical fitness of parents 6. Marriage certificate 7. Consent of biological/adopted child of Foster Parents 8. Foster Parents undertaking 9. SIR
Registration of child by DCPU	<ol style="list-style-type: none"> 1. MER 2. CSR 3. LFA 4. CWC foster care placement order 5. Consent of foster child 6. Last month's progress report

DCPU to recommend the proposal to SARA

SARA recommends the proposal to CARA

CARA to issue pre-approval letter and forward the proposal to SARA

SARA sends the proposal to DCPU

DCPU finally sends application to DM for Adoption Order

Designated Portal: Child Adoption Resource Information & Guidance System (CARINGS)

CARA: Central Adoption Resource Authority; SARA: State Adoption Resource Agency;

DM: District Magistrate; DCPU: District Child Protection Unit; CWC: Child Welfare Committee

o SIR : Social Investigation Report MER : Medical Examination Report; CSR : Child Study Report LFA: Legally Free for Adoption

West Block-8, Wing-2, 2nd Floor, R.K.Puram, New Delhi-110066 (India)

CARA Helpline No: 1800-11-1311 (Available between 8:00 AM to 8:00 PM (Mon-Fri)); Tollfree No: 011-26760471, 26760472, 26760473, 26760474

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केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण
 CENTRAL ADOPTION RESOURCE AUTHORITY
 महिला एवं बाल विकास मंत्रालय, भारत सरकार
 MINISTRY OF WOMEN & CHILD DEVELOPMENT,
 GOVERNMENT OF INDIA

BROCHURE ON ADOPTION
 FOR

**DISTRICT
 MAGISTRATE**



West Block-8, Wing-2, 2nd Floor, R.K.Puram, New Delhi-110066 (India)
 CARA Helpline No: 1800-11-1311 (Available between 8:00 AM to 8:00 PM (Mon-Fri)); Tollfree No: 011-26760471,
 26760472, 26760473, 26760474 | E-mail: carahdesk.wcd@nic.in | Website: www.cara.wcd.gov.in

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Part 1

Background

1.1 Central Adoption Resource Authority (CARA)

Central Adoption Resource Authority (CARA) is a statutory body of Ministry of Women & Child Development, Government of India. As envisaged in Section 68 of the Juvenile Justice Act 2015 (as amended in 2021), CARA shall perform the following functions, namely:—

- (a) to promote in-country adoptions and to facilitate inter-State adoptions in co-ordination with State Agency;
- (b) to regulate inter-country adoptions;
- (c) to frame regulations on adoption and related matters from time to time as may be necessary;
- (d) 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;
- (e) any other function as may be prescribed.

The entire adoption procedure is carried out in the 'Designated Portal' means Child Adoption Resource Information and Guidance System (CARINGS).

The District Magistrate (DM) holds pivotal position as the head of the district administration in the district and DMs/ADMs have been entrusted with the responsibility of care and protection of vulnerable children at District level. The JJ Amendment Act, 2021 has authorised District Magistrate/Additional District Magistrate to issue adoption orders for children. The District Magistrates have been further empowered under the Act, to ensure effective implementation of the Act, as well as garner synergised efforts in favour of children in distress conditions.

1.2 Fundamental Principles Governing Adoption

The following fundamental principles shall govern adoptions of children from India, namely: —

- a) The child's best interests shall be of paramount consideration, while processing any adoption placement;
- b) Preference shall be given to place the child in adoption with Indian citizens with due regard to the principle of placement of the child in their own socio-cultural environment, as far as possible;
- c) All applications for adoptions shall be registered on the Designated Portal and confidentiality of the same shall be maintained by the Authority.

1.3 Legislations on Adoption

Juvenile Justice (Care and Protection of Children), 2015 (amended in 2021):

It is a special legislation for Orphan, Abandoned and Surrendered children. Children of relatives can also be adopted through the Act.

Sec 2(1) “Abandoned child” means a child deserted by his biological or adoptive parents or guardians, who has been declared as abandoned by the Committee after due inquiry.

Sec 2(42) “Orphan” means a child—(i) who is without biological or adoptive parents or legal guardian; or (ii) whose legal guardian is not willing to take, or capable of taking care of the child.

Sec 2(60) “Surrendered child” means a child, who is relinquished by the parent or guardian to the Committee, on account of physical, emotional and social factors beyond.

Other Categories of Children:

Regulation 6(18) of Adoption Regulations 2022 provides that the procedure for declaring a child of parents with mental illness or intellectual disability as legally free for adoption by the Child Welfare Committee shall be done on the basis of a certificate reflecting mental disability of the parents from the medical board constituted by the Central Government or the State Government, as the case may be, as per the laws established by the Government of India, with respect to the same.

Rule 17(ix) of JJ Rule 2022 mandates CWC to ensure that children without having a legal guardian irrespective of their age are expeditiously declared legally free for adoption within the timeline as provided in the Act, rules and regulations; and further Rule 17(x) provides that the CWC shall interact with older children living in the Child Care Institutions having no guardians and also with such children living in the Child Care Institutions who are not in contact with their guardians for several years and counsel such children about the benefit of family based care including foster care and adoption.

Hindu Adoption and Maintenance Act 1956 (HAMA):

It pertains only to Hindus, wherein a Hindu parent/guardian can give a child in adoption to another Hindu parent (Sec 2 of HAMA).

This Act applies—

- (a) to any person, who is a Hindu by religion in any of its forms or developments, including a Virashaiva, a Lingayat or a follower of the Brahmo, Prarthana or AryaSamaj,
- (b) to any person who is a Buddhist, Jaina or Sikh by religion, and
- (c) to any other person who is not a Muslim, Christian, Parsi or Jew by religion, unless it is

proved that any such person would not have been governed by the Hindu law or by any custom or usage as part of that law in respect of any of the matters dealt with herein if this Act had not been passed.

1.4 Comparative features of Juvenile Justice (Care and Protection of Children) Act, 2015 (amended in 2021) and Hindu Adoption and Maintenance Act, 1956

Sl. No.	Hindu Adoption and Maintenance Act 1956	Juvenile Justice (Care and Protection of Children) Act, 2015 (Amended in 2021)
1.	Only for Hindus	A Secular Act
2.	Same sex children cannot be adopted	No such conditions
3.	Children only up to 15 years of age can be adopted	Children only up to 18 years of age can be adopted.
4.	HAMA is meant to facilitate adoption between the known set of parents.	No such scope under the JJ Act.
5.	Registered deed finalises adoption, court permission required in some cases.	Adoption order finalises adoption, Registered deed is not required.
6.	An OAS child in SAA/CCI belongs to the State and cannot be adopted under HAMA.	OAS Children can be adopted under the Act with the involvement of authorised agencies and authorities.
7.	Adoptions under HAMA are direct and open Adoptions.	Adoptions made in accordance with the JJ Act are closed adoptions, especially those involving OAS minors.
8.	Both the biological and adoptive parents are responsible for protecting the child's welfare and best interests.	Best interests of the child is ensured due to the built in mechanisms in the JJ Act through involvement of authorities and recognised agencies.
9.	The procedure of providing and taking an adoption is all that depends on the adoptive parents and the biological parents; no time frame for selecting or reserving a child are given.	Timelines are well defined for reserving a referred child by the Prospective Adoptive Parents (PAPs).
10.	Under HAMA, inter- country adoption of only NRI/OCI PAPs has been facilitated under the Adoption Regulations (Chapter VIII).	All inter- country adoptions of OAS children and relatives have been facilitated under the Act and the Adoption Regulations 2022.

Part 2

ADOPTIONS UNDER THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015 (AMENDED IN 2021)

1 IN-COUNTRY ADOPTION (OAS CHILDREN)

- Registration by PAPs on Designated Portal & uploading of documents within 30 days (Schedule VI Part-1).
- Home Study of PAPs by SAA/ DCPU within 60 days & uploading the same on portal. (Schedule VII)
- Online referral of child to PAPs which is to be reserved by PAPs within 48 hours.
{PAPs can also reserve child directly through Immediate Placement/Special Needs/ Seven Days for RI/NRI/OCI PAPs Tab}
- Adoption Committee Meeting: Assessment of suitability of PAPs with the child reserved.
Minutes of the meeting as per Schedule XXVII
- Matching of reserved child & acceptance by PAPs on Portal within 30 days from date of reservation of child.
PAFC: Physical custody of child (Schedule VIII)
- Filing of Adoption Application by SAA within 5 days & scrutiny by DCPU within 5 days (Schedule IX Part-1& XXVIII)
- DM issues Adoption Order within 60 days (Schedule XXXIII). DCPU uploads Adoption Order on Portal
- Post Adoption Follow-up by SAA for 2 years w.e.f. PAFC (Schedule XII)

2 IN COUNTRY RELATIVE ADOPTION

- Registration by PAPs on Designated Portal and uploading of documents (Schedule VI- Part 4)
- DCPU uploads verification along with Family Background Report on Portal (Schedule XXI)
- SARA re-verifies application and uploads it on Portal
- CARA issues & uploads Pre-Approval Letter (Schedule XXV Format-1)
- The PAPs (through DCPU) file adoption application (Schedule IX Part-4 & XXX)
- DM issues Adoption Order within 60 days (Schedule XXXIII)
DCPU uploads Adoption Order on Portal

3 ADOPTION BY STEP PARENT

- Registration by Step Parent on Designated Portal & uploading of documents (Schedule VI-Part 5)
- DCPU uploads verification report on Portal
- SARA re-verifies application and uploads it on Portal
- CARA issues a Pre-Approval Letter (Schedule XXV Format-2)
- The PAPs (through DCPU) file adoption application (Schedule IX Part-5 & XXXII)
- DM issues Adoption Order within 60 days (Schedule XXXIII)
- DCPU uploads Adoption Order on Portal

4 INTER-COUNTRY ADOPTION (OAS CHILDREN)

- Home Study & registration of NRI, OCI & Foreign PAPs on Designated Portal by AFAA/CA/IDM
- AFAA/CA/IDM uploads documents on Portal (Schedule VI- Part 2)
- Scrutiny of documents & approval of PAPs by CARA
- Online referral of the child to PAPs through AFAA/CA/IDM and the child to be reserved within 96 hours & accepted within 30 days on the Portal.
{PAPs through AFAA/CA/IDM can also reserve child directly through Immediate Placement/ Special Needs/ Seven Days for RI/NRI/OCI PAPs Tab}
- AFAA/CA/IDM uploads Article 5/17
- CARA issues NOC within 10 days subject to receiving of requisite documents (schedule X)
- Filing of Adoption Application by SAA within 5 days & scrutiny by DCPU within 5 days (Schedule IX Part-2 & Schedule XXIX)
- DM issues Adoption Order within 60 Days (Schedule XXXIII). DCPU uploads Adoption Order on Portal
- CARA issues Conformity Certificate within 3 days (Schedule XI)
- Passport & Exit Visa for the child.
- Post-Adoption Follow-up by AFAA/CA/IDM till 2 years (Schedule XII)

5 INTER-COUNTRY RELATIVE ADOPTION

- Home Study & Registration of NRI & OCI PAPs by AFAA/CA/IDM
- AFAA/CA/IDM uploads documents on Portal (Schedule VI-Part 3)
- Initial Scrutiny of documents by CARA
- DCPU uploads verification report along with Family Background Report (Schedule XXI)
- SARA re-verifies application & uploads it on Portal
- CARA issues Pre-Approval Letter
- AFAA/CA/IDM uploads Articles 5/17
- PAPs (through DCPU) files Adoption Application (Schedule IX Part-3 & Schedule XXXI)
- DM issues Adoption Order within 60 Days (Schedule XXXIII)
- CARA issues NOC & Conformity Certificate
- Passport & Exit Visa for child

AFAA: Authorised Foreign Adoption Agencies | CA: Central Authority CARA: Central Adoption Resource Authority
DCPU: District Child Protection Unit Designated Portal: Child Adoption Resource Information and Guidance System (CARINGS)
DM: District Child Protection Unit | IDM: Indian Diplomatic Missions | NOC: No Objection Certificate | NRI: Non-Resident Indian
OAS: Orphan, Abandoned or Surrendered | OCI: Overseas Citizen of India | PAP: Prospective Adoptive Parents | SAA: Specialised Adoption Agency

Part 3

Roles and Responsibilities of District Magistrate

3.1 Juvenile Justice (Care and Protection of Children) Act, 2015 (amended in 2021)

DM has been empowered for the following roles:

- Ensure implementation of the Act in the District **[Section 2 (26)]**
- Recommend CCIs for registration to State Govt. **(Section 41)**
- Call for any information from all stakeholders including JJB & CWC **[Section 16 (4)]**
- Conduct quarterly review of the functioning of the Committee **[Section 27(8)]**
- Act as grievance redressal authority of functioning of CWC and affected child **[Section 27 (10)]**
- Conduct a quarterly review based of QPR on restored, dead and runaway child received from CWC **[Section 40 (4)]**
- Hold adoption proceedings in camera and dispose of adoption application within a period of two months from the date of filing. **(Section-61)**

APPEAL

Any person aggrieved by an adoption order passed by the DM may, within a period of thirty days from the date of such order passed by the District Magistrate, file an appeal before the Divisional Commissioner **[Sub-section (6) of Section 101]**. Every appeal filed under sub-section (6), shall be decided as expeditiously as possible and an endeavour shall be made to dispose it within a period of four weeks from the date of filing of the appeal.

Provided that where there is no Divisional Commissioner, the SG or UT Administration, as the case may be, may, by notification, empower an officer equivalent to the rank of the Divisional Commissioner to decide the appeal.” **[Sub-section (7) of Section 101]**.

3.2 Juvenile Justice (Care and Protection of Children) Model Rules, 2022

DM has been empowered for the following roles:

Rule (85)

- Function as Nodal Officer in the District for implementation of the Act and Rules and DCPU to function under DM
- Designate any ADM of the District to discharge the duties under the Act
- Hold quarterly review meetings with relevant stakeholders to discuss issues related to children in the district
- Maintain a panel of social workers for assigning the work to be done by social workers under the Act

- Constitute district level inspection committees (including member JJB or CWC, Medical Officer, one member of civil society, one mental health expert) (Rule 41)
- Ensure that arrangements of safety, security, transportation and support and access for differently-abled children, are in place (Rule 21)
- Review suggestion box during every visit (Rule 7)
- Make recommendation for registration of CCI based on inspection (Rule 21)

[Cases pertaining to adoption matters pending before the Court shall stand transferred to the DM from the date of commencement of amendment Rules i.e. 01.09.2022 (**Rule 45**)].

3.3 Adoption Regulations 2022: Functions of the District Magistrate (Regulation 36)

Reg. 36(1) - All the cases pertaining to adoption matters pending before the court shall stand transferred to the District Magistrate from the date of notification of these regulations as provided in rule 45.

Reg. 36(2) - In cases of fresh applications, it shall issue adoption order within a period of two months from the date of filing of the application, as provided under sub-section (2) of section 61 of the Act and as per format given in the **Schedule XXXIII**

Reg. 36(3) - The District Magistrate shall have following executive functions namely:-

- receive an application from the Specialised Adoption Agency or District Child Protection Office or relative family of a child or children for obtaining the adoption order;
- make necessary arrangements for hearing of the cases after due scrutiny of the documents by the concerned District Child Protection Unit;
- maintain confidentiality about adoption cases particularly those of the orphan, abandoned and surrendered children;
- issue an adoption order upon satisfying itself that –
 - in the proposed adoption due procedure has been followed as provided under the Adoption Regulations framed by the Authority and adoption is for the welfare of the child;
 - all documents which are required for adoptions as provided in the applicable Schedule of the Adoption Regulations have been verified by the District Child Protection Unit;
 - the consent of the child is available, if the child is above five years of age;
 - the Authority has issued No Objection Certificate in the cases of inter-country adoptions in the prescribed format;
 - the minutes of the Adoption Committee is available in all cases of domestic adoptions;

- (vi) Neither the prospective adoptive parents have given or agreed to give nor the Specialised Adoption Agency or the parent or guardian of the child in case of relative adoption has received or agreed to receive any payment or reward in consideration of the adoption, except as permitted under the Adoption Regulations framed by the Authority towards the adoption fees.
- (e) instruct the District Child Protection Unit to upload adoption order on the Designated Portal and preserve the adoption records in safe custody;
- (f) serve notice to any applicant in case of in-country adoption for physical appearance during any adoption proceedings, if necessary:
Provided that no physical presence of prospective adoptive parents is required in cases of inter-country adoptions and if deemed necessary, video conferencing with the prospective adoptive parents should suffice.
- (g) dismiss or reject an application for adoption if it does not comply with the laid down provisions of Adoption Regulations giving specific reasons for such dismissal through a speaking order;
- (h) review cases of disruption or dissolution and if the prospective or adoptive parents are found to be the cause of disruption or dissolution, they may be barred from adopting in the future, and notify the same to the State Adoption Resource Agency and the Authority, as well as take appropriate legal action for any abuse or neglect caused by the adoptive parents.

Reg. 36(4) - No information or adoption order issued by District Magistrate shall be uploaded on any portal except on the Designated Portal.

Reg. 36(5) - In cases of adoptions completed other than this Act, the District Magistrate shall ensure that all such provisions are compiled therein.

Reg. 36(6) - In cases of siblings, the District Magistrate, as far as possible, shall ensure that they remain in the same campus or in the institution before they are placed in adoption.

Reg. 36(7) - The District Magistrate shall appoint an officer at appropriate level in case there is no District Child Protection Officer presents to head the Adoption Committee.

Reg. 36(8) - In cases of children having health issues or suspected special needs conditions, the District Magistrate shall refer the child to the Chief Medical Officer of the District within twenty four hours as soon as information about such children is received from the Specialised Adoption Agency or the Child Care Institution with the help of the District Child Protection Unit concerned.

Reg. 36(10) - In cases of adoption dissolution, District Magistrate shall pass dissolution order filed by the Specialised Adoption Agency through District Child Protection Unit as per format provided in Schedule XXXIV.

Part 4

Inter-country Adoptions under Hindu Adoption and Maintenance Act (HAMA), 1956 by NRI/OCI Prospective Adoptive Parents.

On 17th Sept 2021, Government notified, “Procedure for children adopted under the Hindu Adoption and Maintenance Act, 1956 by persons who desire to relocate a child abroad” to simplify procedure related to adoption by Hindu prospective adoptive parents or adoptive parents residing outside the country.

4.1 Procedure in the case of Registered Adoption Deed (cases on or before 17th Sept., 2021), [Regulation 67]

Verification of the Adoption Deed to be completed by the DM based on the facts and the requisite criteria of the HAMA [Regulation 67 (2)]

4.2 Procedure for inter-country Adoption (cases after 17th Sept., 2021), [Regulation 68]

Procedure for children adopted under HAMA, 1956 by Parents who desire to relocate the child abroad (post 17.09.2021)

1. AFAA/CA/IDM sponsors NRI/OCI PAPs application
2. Initial Scrunity of documents by CARA
3. DCPU uploads Family Background Report (Schedule XXI and Schedule XXXVI
4. AFAA/CA/IDM uploads Articles 5/17
5. DCPU uploads Adoption Deed
6. DM issues Varification Certificate (Schedule XXXV)
7. CARA issues NOC and conformity

HAMA: Hindu Adoptions and Maintenance Act | AFAA: Authorised Foreign Adoption Agency | CA: Central Authority CARA: Central Adoption Resource Authority | DCPU: District Child Protection Unit | DM: District | IDM: Indian Diplomatic Mission | NOC: No Objection Certificate NRI: Non-Resident Indian | OCI: Overseas Citizen of India

Part 5

Designated Portal:

Child Adoption Resource Information & Guidance System (CARINGS)

CARINGS is an online platform, 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.

5.1 The Specialised Adoption Agency (SAA) updates the child pre-adoption foster care information on CARINGS.

5.2 Adoption application information starts reflecting on CARINGS-DCPU module. The District Child Protection Unit (DCPU) scrutinizes requisite documents as provided in the Schedule IX within five days of receipt of the documents from the SAA before forwarding the case to the District Magistrate for Issuance of Adoption Order.

5.3 District Magistrate shall issue adoption order within a period of two months from the date of filing of the application through CARINGS-DM Module.

5.4 The DM can generate and upload the Adoption Order from their portal. 5.5 Further, DCPU can upload the Adoption Order from its portal only when the DM has generated the draft of the adoption order from its portal (Uploading adoption orders has been extended to the DCPO portal in all the cases where the DM has generated the draft from its portal on CARINGS).

Part 6

Miscellaneous:

“District Magistrate” shall include the Additional District Magistrate of the District who is authorised to look into adoption related matters in the district and shall carry out such other functions as mentioned below:

6.1 Follow timeline as provided under the Act and the Adoption Regulations and take the help of the local Child Protection Service in all adoption matters;

6.2 Take the help of various formats available in this regard in the Adoption Regulations while pronouncing adoption order under the JJ Act 2021 or issuing verification certificate under the HAMA;

6.3 Call for any information from all the stakeholders including the Committee or the District Child Protection Unit, as and when required, in the best interest of a child;

6.4 Conduct a monthly review of the functioning of the Committee;

6.5 Ensure that all applications are maintained through a designated information management system developed by the authority or its own office

and all records pertaining to such applications are kept in safe custody at the office of the District Child Protection Unit;

6.6 Instruct the Child Welfare Committee and the District Child Protection Unit to look into the possibility of adoption for children who have been separated from their parents, relatives, or guardians for a long time and have had no contact with them;

6.7 Ensure that the registrations of SAAs are renewed by the concerned department of the State Government in a time-bound manner so that the adoption process is not delayed on this count;

6.8 Take the help of District Child Protection Unit for necessary assistance or may seek the opinion of the State Adoption Resource Agency or Central Adoption Resource Authority in cases of doubt related to an adoption application pending before it;

6.9 Take appropriate administrative actions against the officials/staff working in the child care institutions for repeated violations of the timeline and other standards as stipulated under the Adoption Regulations;

6.10 Take appropriate administrative actions against the District Child Protection Officer for deliberately defaulting to link an orphan, abandoned or surrendered child residing in a child care institution with a specialised adoption agency.

Resources:

- Juvenile Justice (Care and protection of Children) Act 2015: https://cara.nic.in/PDF/JJ%20Amendment%20Act%20-2021_27.pdf
- Juvenile Justice (Care and protection of Children) Amendment Act, 2021) <https://cara.nic.in/PDF/JJ%20act%202015.pdf>
- Juvenile Justice (Care and protection of Children), Model Amendment Rules, 2016 (Bi-lingual Hindi-English):
- [https://cara.nic.in/PDF/The%20Juvenile%20Justice%20\(Care%20and%20Protection%20of%20Children\)%20Model%20Amendment%20Rules,%202022.PDF](https://cara.nic.in/PDF/The%20Juvenile%20Justice%20(Care%20and%20Protection%20of%20Children)%20Model%20Amendment%20Rules,%202022.PDF)
- Juvenile Justice (Care and protection of Children), Model Amendment Rules, 2022 [https://cara.nic.in/PDF/JJ%20Model%20Amendment%20Rules%202022%20\(english\)_27.pdf](https://cara.nic.in/PDF/JJ%20Model%20Amendment%20Rules%202022%20(english)_27.pdf)
- Adoption Regulations, 2022 (Bi-lingual Hindi-English): https://cara.nic.in/PDF/adoption_regulations_2022_2709.PDF
- Hague Convention on Inter-country Adoption 1993 ratified by GoI in 2003 <https://assets.hcch.net/docs/77e12f23-d3dc-4851-8f0b-050f71a16947.pdf>

MINISTRY OF WOMEN AND CHILD DEVELOPMENT

NOTIFICATION

New Delhi, the 17th September, 2021

G.S.R. 641(E).—In exercise of the powers conferred by clause (b) and (c) of section 68 read with clause (3) of section 2 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016), the Central Government hereby notifies the following regulations to amend the Adoption Regulations, 2017, namely:-

1. Short title and commencement. - (1) These regulations may be called the Adoption (Amendment) Regulations, 2021.

(2) Save as otherwise provided, these regulations shall come into force on the date of their publication in the Official Gazette.

2. In the Adoption Regulations, 2017 (hereinafter referred to as the principal regulations), after Chapter IV, the following Chapter shall be inserted, namely:-

“CHAPTER IV-A

PROCEDURE FOR CHILDREN ADOPTED UNDER THE HINDU ADOPTION AND MAINTENANCE ACT, 1956, BY PARENTS WHO DESIRE TO RELOCATE CHILD ABROAD

22A. Application of Chapter.—(1) This Chapter shall apply to—

(a) all adoption cases under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956) by prospective adoptive parents or adoptive parents residing outside the country.

(b) all adoption cases pertaining to countries outside the Hague Adoption Convention.

(2) The Central Adoption Resource Authority shall register applications for inter-country adoptions concluded under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956).

22B. Procedure in the case of registered adoption deed.- (1) In the cases where the adoption deed has already been executed in pursuance of adoption under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956), before the commencement of the Adoption (Amendment) Regulations, 2021, the requisite documents supporting the facts of the adoption deed shall be duly verified and recommended by the District Magistrate in the format as provided in Schedule XXXIII.

(2) On receipt of the verification of documents as per Schedule XXXIII, the Central Adoption Resource Authority shall comply with the provisions of Articles 5 or 17 from the receiving country as provided in the Hague Adoption Convention.

(3) Upon receiving such certificate, the Central Adoption Resource Authority shall issue no objection certificate for Hague ratified countries and in cases of countries outside the Hague Convention on Protection of Children and Co-operation in respect of Inter-country Adoption, a letter accepting the said adoption from the Government department concerned of the receiving country shall be sought by the Central Adoption Resource Authority in order to issue the final support letter from the Central Adoption Resource Authority.

22C. Procedure for prospective inter-country Adoption.- (1) In the cases initiated after the coming into force of the Adoption (Amendment) Regulations, 2021, the following standard common procedure shall be applicable for all inter-country adoptions concluded under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956), by eligible non-resident Indians or Overseas Citizens of India cardholders, who are to take a child in adoption from India.

(2) Any Hindu prospective adoptive parent habitually residing abroad and willing to adopt an Indian Hindu child born to Indian Hindu Parents, residing in India, may approach an Authorised Foreign Adoption Agency or the Central Authority or concerned Government department (in case of countries outside the Hague Adoption Convention) in their country of habitual residence, as the case may be.

(3) The Authorised Foreign Adoption Agency, or Central Authority or concerned Government department (in case of countries outside the Hague Convention) in their country of habitual residence shall sponsor the application of eligible and suitable prospective adoptive parents to the Central Adoption Resource Authority.

(4) The Central Adoption Resource Authority shall share the sponsoring letter received from the Authorised Foreign Adoption Agency with District Magistrate of the district of residence of the child.

(5) The District Magistrate shall get a family background report prepared which shall include all required documents related to the biological parents and the child proposed to be adopted and the report shall be conducted through the District Child Protection Officer or the District Child Protection Unit in the Schedule XXXIV.

(6) On receiving the family background report, the Central Adoption Resource Authority shall forward it to the concerned Authorised Foreign Adoption Agency, or Central Authority, or concerned Government department (in case of countries outside the Hague Adoption Convention) in their country of habitual residence for issuing necessary permission under Articles 5 or 17 (Hague ratified countries) or letter supporting adoption (in case of countries outside the Hague Adoption Convention), as the case may be.

22D. Adoption process.- (1) The parties to an adoption concluded under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956) shall jointly present the deed of adoption to the District Registrar with copy to District Magistrate.

(2) Based on such copy of the deed, the District Magistrate shall conduct such inquiry, as he may deem fit, to satisfy himself that all the provisions of Hindu Adoptions and Maintenance Act, 1956 (78 of 1956), and the stipulations under the regulations have been followed and such inquiry shall be completed within a period of thirty days.

(3) In case the District Magistrate fails to complete the inquiry within thirty days, he shall be bound to give reasons alongwith verification certificate for failing to provide the inquiry report within thirty days, the parties may register the adoption deed with the Sub-Registrar concerned under the Registration Act, 1908 (16 of 1908), indicating the details of application made and that inquiry from District Magistrate has not been received within the stipulated time referred to in sub-regulation (2).

(4) The District Magistrate shall thereafter forward the verification certificate to the Central Adoption Resource Authority certifying the following that-

(a) the adoption recorded in the deed of adoption has been made in accordance with the provisions of the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956), including the sourcing of the child, the eligibility and suitability of the adoptive parents in Schedule XXXIII.

(b) the adopted child or the biological parents are not under any duress while giving the child in adoption;

(c) the adoption had been concluded with mutual consent of all parties concerned;

(d) there has been no monetary consideration involved in the adoption process and the adoption is in the best interest of the child.

22E. Issue of no objection certificate and Conformity Certificate.- (1) On receipt of verification certificate from the District Magistrate, on the registered adoption deed and necessary permission under Articles 5 or 17 from the receiving country as provided in the Hague Adoption Convention on Protection of Children and Co-operation in respect of inter-country Adoption, the Central Adoption Resource Authority shall issue no objection certificate for Hague ratified countries and Conformity Certificate under Article 23 shall be issued by the Central Adoption Resource Authority subsequently.

(2) In the case of countries outside the Hague Adoption Convention, a support letter shall be issued by the Central Adoption Resource Authority subsequently.

(3) Post-adoption follow-up reports on a half-yearly basis shall be obtained from the concerned Authorised Foreign Adoption Agency, or Central Authority, or the Government department concerned as the case may be.”.

3. In the principal regulations, after Schedule XXXII, the following Schedules shall be inserted, namely:-

“SCHEDULE XXXIII

[Refer regulations 22B and 22D]

VERIFICATION CERTIFICATE IN CASE OF ADOPTION CONCLUDED UNDER THE
HINDU ADOPTIONS AND MAINTENANCE ACT, 1956 (78 OF 1956)

Office of the District Magistrate

District:

State:

Subject : Verification Certificate as required under the Regulations for inter-country adoptions under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956) in respect of child-----.

This is to certify that as per the adoption deed registered under the Registration Act, 1908 (16 of 1908), the child ----- by name has been adopted by-----, who are habitually residing in -----
-----from the biological parent(s)/guardian -----resident of -----

2. That after examining the parties and the witnesses, I conclude the following:

(a) The adoption recorded in the deed of adoption has been made in accordance with the provisions of the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956) including the sourcing of the child, the eligibility and suitability of the adoptive parents.

(b) The adopted child or the biological parents are not under any duress while giving the child in adoption.

(c) The adoption had been concluded with mutual consent of all parties concerned.

(d) There has been no monetary consideration involved in the adoption process and the adoption is in the best interest of the child.

3. I have verified and recommend the adoption to Central Adoption Resource Authority for necessary action.

Name of the DM/ADM

Office Address with Seal

Contact No:

Director (Programme)

Central Adoption Resource Authority

West Block-8, RK Puram, New Delhi-110066

Copy for information:

1. District Registrar of Birth and Death
2. State Adoption Resource Agency -----

SCHEDULE XXXIV

[Refer regulation 22C(5)]

FAMILY BACKGROUND REPORT

Check list for District Magistrate for verification of adoption done under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956) (Pl put \sqrt mark on the box as indicated below)

1. **Biological parent(s) are Hindus (As per section 2 of the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956)) :**
2. **Adoptive parent(s) are Hindus (As per section 2 of the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956)) :**
3. **Eligibility of adoptive male Hindu (As per section 7 of the Hindu Adoptions and Maintenance Act, 1956))**
 - (a) is of sound mind.
 - (b) is not a minor.
 - (c) has the capacity to take a son or a daughter in adoption.
 - (d) consent of his wife has been taken (unless the wife has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind).
4. **Eligibility of adoptive female Hindu (as per section 8 of the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956))**
 - (a) is of sound mind.
 - (b) is not a minor.
 - (c) has the capacity to take a son or a daughter in adoption.
 - (d) not married, or if married, whose marriage has been dissolved or whose husband is dead or has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind, has the capacity to take a son or daughter in adoption.
5. **Capable of giving in adoption under HAMA (As per section 9 of the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956))**
 - (a) **Father** with consent of the mother unless the mother has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind.
 - (b) **Mother** if the father is dead or has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind.
 - (c) **Guardian** of a child shall have the capacity to give the child in adoption.
6. **Eligibility of Child for adoption (As per section 10 of the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956)) –**
 - (a) he or she is a Hindu.
 - (b) he or she has not already been adopted.
 - (c) he or she has not been married, unless there is a custom or usage applicable to the parties which permits persons who are married being taken in adoption.
 - (d) he or she has not completed the age of fifteen years, unless there is a custom or usage applicable to the parties which permits persons who have completed the age of fifteen years being taken in adoption.

7. **Other conditions for a valid adoption (As per section 11 of the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956))-**

- (a) if the adoption is of a son, the adoptive father or mother by whom the adoption is made must not have a Hindu son, son's son or son's son's son (whether by legitimate blood relationship or by adoption) living at the time of adoption.
- (b) if the adoption is of a daughter the adoptive father or mother by whom the adoption is made must not have a Hindu daughter or son's daughter (whether by legitimate blood relationship or by adoption) living at the time of adoption.
- (c) if the adoption is by a male and the person to be adopted is a female, the adoptive father is at least twenty-one years older than the person to be adopted.
- (d) if the adoption is by a female and the person to be adopted is a male, the adoptive mother is at least twenty-one years older than the person to be adopted.
- (e) the same child is not adopted by any other person.

Name of the DM/ADM

Office Address with Seal

Contact No:”.

[F. No. 26/79/2020-CW-II]

PREETI PANT, Jt. Secy.

Note : The principal regulations were published in the Gazette of India, Extraordinary, Part II Section 3 sub-section (i) *vide* G.S.R. 3(E) dated 4th January, 2017 which have been amended subsequently *vide* G.S.R. 583(E) dated 11th August, 2021.

Explanatory Memorandum.

It is proposed to provide facility of inter country adoption, in the cases where adoption deed has already been executed in pursuance of adoption under the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956), before the commencement of these amendment regulations. It is certified that no person is prejudicially affected by giving such retrospectively.