

Central Adoption Resource Authority
Ministry of Women and Child Development
R.K.Puram, New Delhi

Minutes of the 31st Meeting of Steering Committee of Central Adoption Resource Authority (CARA)

The 31st Meeting of the Steering Committee of Central Adoption Resource Authority (CARA) chaired by Shri Indevar Pandey, Secretary, MWCD (Chairperson of the Steering Committee of CARA) was held on 18th April, 2022 at 11:00 AM in the Conference Room, MWCD, Shastri Bhawan, New Delhi,

2. The list of participants is attached. The meeting was held virtually, while the Chairperson, Member Secretary, and Principal Secretary of the State Government of Odisha were physically present.

3. At the outset, CEO & Member Secretary, CARA welcomed Chairperson of the Steering Committee and all the other Members of the Committee. Chairperson of the Steering Committee requested Member Secretary & CEO, CARA to start the proceedings of the 31st Meeting of the Committee.

AGENDA ITEMS and DECISIONS:


Agenda No.31.01: Decisions on issues related to a few relaxation measures earlier taken by CARA

4. Vide 25th meeting of the Steering Committee, it was decided to seek opinion from the states about three relaxation measures as mentioned below:

- a) Review of extending relaxation to the PAPs for giving them immediate referral if they have lost their own child.
- b) Review of reserving directly from immediate placement portal.
- c) Six month antedate seniority to single PAP above 40 years of age.

5. The feedback from the States/UTs was to discontinue such relaxation practices. Discontinuing the practice of six month antedate seniority to single PAP above 40 years of age may be considered. However, in the remaining provisions, as the step has been favoring both children and as well as the parents, the Steering Committee may kindly review after stipulating mandatory counseling sessions.

Decision: As far as issues raised in para 'a' and 'c', it was agreed to follow the recommendations of the State Government(s)/ UTs.


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However, this would not apply to the pending cases. As far as para 'b' is concerned it was decided that CARA should come out with more facts.

Agenda No.31.02: Payment to AIIMS doctor

6. CARA used to send a number of cases grouped together to the AIIMS doctor for finalising the health status of the children, which used to take a lot of time for clearance. Viewed in the context, it was decided to send each case on the same day to reduce the delays. The results have started coming and there are fewer grievances on this count in comparison to past. CARA used to pay Rs.4000 for roughly 30 cases that took four hours on average. Now that we've been forwarding cases to AIIMS doctors one by one, it's proposed that CARA may come up with a pricing structure that will make it easier to pay AIIMS panel doctors. It is customarily charged Rs.150 for an appointment at a CGHS hospital and it is proposed, if we can pay Rs150 per case to the doctor if approved.

Decision: Approved

AgendaNo.31.03: Support Letter clarification:

7. In continuation of the decision of the 29th Steering Committee, it has been proposed to issue support letters by CARA in cases of in-country adoptions to visit/relocate abroad on the following conditions.

(a) When resident Indian adoptive parents habitually residing in India have completed adoption procedure as per the JJ Act 2015 (amended in 2021) subject to completion of remaining post-adoption follow-up by the Indian Mission abroad and the onus of getting the balance of the post-adoption follow-ups will be with the adoptive parents through the Indian Mission concerned (Ref notification dtd. 11th August 2021).

(b) When resident Indian adoptive parents habitually residing in India have completed due adoption procedure under the JJ Act and all post-adoption follow-ups have been satisfactorily completed, the Authority shall issue a support letter, in case, such a requirement comes from Regional Passport Office.

(c) Any special circumstance that requires issue of a support letter with approval of competent authority.

Decision: Agreed. However, it was decided that the special circumstances should be specified.

Agenda No. 31.04: Special needs

8. During Nov 2021 (International Adoption month) CARA cleared a number of children having identified by SAA doctor as special needs as they were institutional long and AIIMS panel doctors could not make themselves available to give comments on each case. Many of such

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children have already been accepted by families.

9. According to Adoption Regulations, 2017, "Special need child" means a child who is mentally ill or physically challenged or both. In Schedule XVIII of Adoption Regulations, 2017, children are classified into physically challenged, mentally challenged, Neurological challenged and any other ailment for the purpose of adoption. During The International Adoption Month, November 2021, a total of 496 Special Need Children were made live on CARINGS Portal for the purpose of adoption. These children were suffering from various physical and mental disorders and disabilities and waiting in Institutional care for family warmth, love and care. The Special Need Children were classified according to Schedule XVIII of Adoption Regulations, 2017. The main disabilities included visual impairment, cerebral palsy, cleft lip-cleft palate, club feet, hearing impairment, congenital heart disease, haemophilia, hepatitis B+, Hernia, HIV, hydrocephalus, low birth weight, premature birth, missing organs, speech dysfunction, thalassemia, tumour, intellectual disability, autism, seizures, mental illness and spinal bifida. All the reports were supported by doctors associated with the Specialized Adoption Agency.

10. It has been envisaged that the issue relating to identification of special need would be addressed once CMO of the district is assigned the task. Till such time, we may continue the existing practice of verifying the profile of special need children by the AIIMS doctors.

11. Any child cleared as SN child once and accepted by the PAPs, such a child should not be withdrawn from the PAPs in case the child becomes normal at a later date as health feature can be dynamic.

Decision: Chairperson emphasized that categorization of special needs should be based on the Disability Act 2016. He also raised the issue about correctable medical conditions like cleft palate and low birth weight etc. However, upon notification of the amended Adoption Regulations, cases where a child is diagnosed with a Special Needs beyond the disability department's notification may be sent to AIIMS doctor with endorsement of CMO.

Agenda No. 31.05: Updates about recruitment of consultants and staff against the Helpline

12. CARA presently is working with acute staff shortage, owing to which there has been substantial increase in grievances arising at various levels. With its limited staff, CARA is unable to deliver the required outcome. There is a voluminous amount of work outlined that needs to be accomplished in the coming days and without having a team of qualified, dedicated individuals, the Authority might not realize its goal. Some of the major upcoming projects are:

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- Implementation of the Adoption Regulations (2022)
- Need of having a robust complaint management system
- Numerous training and capacity-building activities as a result of Amendments of the JJ Act and other Government notifications.
- Collaboration with all of the country's DMs
- Collaboration with all country's CMOs
- Implementation of HAMA notification

13. At present, the crisis management is somewhat being managed with the help of officials borrowed on loan from other autonomous bodies of the Ministry while CARA has many regular positions to be filled up. The proposal was referred to Ministry and the IFD has reiterated to place the matter of engagement of contractual/outsourced personnel before CARA's Steering Committee which is competent to take appropriate decision in the matter. Details of the proposal is placed at **Annexure-A**


Decision: It was decided that the Helpline/Help Desk proposal should be outsourced and separated from the other proposal for engaging the professionals to help in programme matters and for efficient functioning of CARA. Helpline has been mandated by Delhi High Court and delays in same may lead to contempt of court also. Proposals comprising specifics of staff and budget requirements, among other things, may be circulated to all members of the Steering Committee.

Agenda No.31.06: Inter-country adoptions related to Live-in PAPs.

14. Reference is drawn to Steering Committee Meeting, held on 10th May 2018 wherein the Steering Committee had not approved adoption to prospective adoptive parents staying in Live-in relationship. However, NOC section has received three cases of children reserved from Special Need portal and on examination of the HSR it has been observed that the parents have been in live-in relationship.

15. In this regard the NOC committee had not approved inter-country cases of the children on the basis of Reg.5(3) which states that no child shall be given in adoption to a couple unless they have at least two years of stable marital relationship. Since the matter involves cases of special needs children, the issue may be kindly be discussed in the Steering Committee.


Decision: It was decided to go with the earlier decision of the Steering committee and the same rule should be applicable as that of the domestic PAPs. Any application received from live in PAPs may not be considered on the basis of Reg.5(3) of the Adoption Regulations .


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AgendaNo.31.07: Regarding State specific referral and referral to OCI PAPs

16. At present, there are 27661 domestic waiting parents while the number of Foreign, NRI and OCI PAPs are 566, 303 and 196 respectively. Comparatively, the number of waiting children is significantly low. Maximum PAPs say about 80% of the PAPs are waiting against 322 normal healthy children in the age group of 0-4years.

- i. **Regarding States specific referral:** As far as considering state based referral with retrospective effect is concerned, we have to give option to the existing PAPs say about two weeks to confirm the choice of state with ID proofs required. At present there are PAPs who have registered and given choice either one state or multiple states or any where in India. Since we have provision of giving two options for choosing states in future i.e., State choice and cluster choice/any where in India, advance notice has to be given to all PAPs before executing any new plan and this might disturb the waiting list of large number of waiting parents. Thus we may give an option to all registered PAPs to choose a particular state based on their normal location or identification, which may be based on spouse's ID such as Aadhar Card/Passport/Voter Id/Driving License of either spouse, in case of married PAPs. Since it is likely to have huge impact on the waiting list of PAPs, if preferred retrospectively, CARA may consult with the team of National Mission on Interdisciplinary Cyber Physical System or NIC to construct state-specific logic and illustrate the impact on existing PAPs as well as the anticipated consequences for providing a potential solution with the help of artificial intelligence technology.
- ii. **Regarding referral of OCI PAPs retrospectively:** Although same priority in referral for RI/NRI/OCI PAPs has been facilitated w.e.f 10-12-2021, the PAPs who registered prior to this date cannot be benefitted and it may raise issues. Many OCIPAPs are contacting CARA and enquiring about their waiting list and possible benefit due to Government notification dtd- 4.3.2021 considering NRIs at par with OCI PAPs. In the new system of referral, the PAPs giving choice for state specific referral would benefit most as there is provision of considering referral of a child within the state. Since OCI PAPs were not used to be considered earlier for state choice as that of RI/NRI PAPs, the cases of OCI PAPs prior to 10-12-2021 may be considered retrospectively as it will marginally affect the seniority of the RI/NRI PAPs.


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Decision: As far as States specific referral, new system should be geared up to consider two state choices (one each to either of the PAPs depending upon the PAPs IDs) and the third state has to be from the zone concerned. There would be no option for 'Anywhere India'. Further, it was decided that a detail proposal may be prepared by CARA on proposed **States specific referral** and also on **referral of OCI PAPs retrospectively** for getting advice from Law Ministry and Ld SG.


Additional Agenda Item: Regarding age relaxation of internal candidate for the position of Director (Programme) in CARA

17. The agenda was moved by Member Secretary CARA with the permission of the Chair regarding relaxation of age criteria in case of internal candidate for the said position as the Recruitment Rules of CARA is under revision where it has been proposed to consider competitive method for the position of Director (Programme). Para 4 of the RR of CARA provides that CARA shall follow the DOPT Guidelines dtd.31.12.2010 and 31.3.2015 etc. as the method of recruitment. As provided in DOPT Rules, "In cases where the field of promotion or feeder grade consists of only one post, the method of recruitment by "deputation (including short-term contract) / promotion" is prescribed so that the eligible departmental officer is considered along with outsiders. If the departmental candidate is selected for appointment to the post; it is to be treated as having been filled by promotion; otherwise, the post is to be filled by deputation / short-term contract for the prescribed period of deputation / short-term contract at the end of which the departmental officer will again be afforded an opportunity to be considered for appointment to the post. Further, Rule 10(Relaxation Para) of the Recruitment Rules-2018 of CARA provides that where the Authority is of the opinion that it is necessary or expedient to do so, it may, for reasons to be recorded in writing, relax any of the provision of these Rules with respect to any class or category or persons.

18. In light of the foregoing, as the post is vacant for quite some time, Joint Director of CARA who meets all of the advertised criteria except the age requirement of 56 years, may be considered for age relaxation as an internal candidate to compete with other external candidates.

Decision: Approved

The meeting ended with thanks to the Chair.


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**Thirty First (31st) Meeting of the Steering Committee of Central Adoption
Resource Authority (CARA)**

Attendance Sheet Steering Committee Members

1. Shri Indevar Pandey, Secretary, Ministry of Women & Child Development
2. Ms. Sukriti Likhi, Additional Secretary and Financial Adviser, Ministry of Women and Child Development **(through VC)**
3. Ms. Tripti Gurha, Joint Secretary & CEO CARA, Ministry of Women & Child Development
4. Secretary, Department of Women & Child Development, Government of Orissa
5. Mr. Thingnam Roshan Singh, SAA Imphal East Wangkhei Ningthemprukhri Makha Leikai, Imphal East 795001 **(through VC)**
6. Ms. Sangeeta Banginwar, H.No. 103, Mont Vert Tropez, Wakad, Pune **(through VC)**
7. Ms. Shirali Radhakrishan Irabji, Initiatives for Change, Asia Plateau, Satara Dist, Panchgani, Maharashtra, 412805 **(through VC)**

