

Central Adoption Resource Authority
Ministry of Women & Child Development,
Government of India,
West Block - 8, Wing - 2, 2nd Floor,
R.K. Puram, New Delhi - 110066

H-11016/1/2018/PQ/Admn-CARA

06/02/2019

To,

The Under Secretary (CW-II)
Ministry of Women & Child Development,
Shastri Bhawan, New Delhi.

Sub : Information/ inputs for Lok Sabha Admitted version of Un-starred Question No. - 1107 raised by Sh. K. Ashok Kumar, Hon'ble MP for 08/02/2019 – regarding.

Sir/Madam,

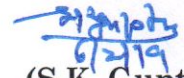
This has reference to MWCD's email dated 04/02/2019 received in CARA regarding information/ inputs for Lok Sabha Admitted version of Un-starred Question No. – 1107 raised by Sh. K. Ashok Kumar, Hon'ble MP for 08/02/2019 related to "Childcare Homes run by NGOs". In this regard, draft inputs/reply are given below:

S.No.	Question	Reply
(a)	Whether the Government has recently directed States to inspect child care homes run by NGOs;	Ministry may like to respond on this.
(b)	If so, the details thereof;	
(c)	Whether the Government has also asked the States to identify all child care institutions that could be potentially involved in illegal adoptions which is equivalent to child trafficking ; and	Section 41 of the Juvenile Justice (Care and Protection of Children) Act, 2015 makes is mandatory for all Child Care Institutions (CCIs) to be registered by the States/UTs. Further, Section 66(2) of the Juvenile Justice (Care and Protection of Children) Act, 2015 and Regulation 58 of the Adoption Regulations, 2017 stipulates mandatory registration of all Child Care Institutions (CCIs) and its linkages to a Specialised Adoption Agency (SAA), to enable the adoption of children residing in the Child Care Institutions (CCIs). This was further ordered by Hon'ble Supreme Court in its Judgement in WP (Crl) No. 102 of 2007, vide Order dated 5 th May, 2017. Letter to this effect has also been written to all the Chief Ministers by the Hon'ble Minister on 29 th September, 2017 (Copy at Annexure-I).
(d)	If so, the details thereof?	

		<p>Further, direction has been passed to all State Governments during the Review Meeting held at 24th October, 2017 (Record of discussion circulated to all States & UTs vide Letter No. CARA-TC012/2/2017-Trg dated 25/01/2018 placed at Annexure-II). Recently, one more letter has been written to all the Principal Secretaries by the CEO, CARA on 20th November, 2018 (Copy at Annexure-III).</p> <p>Ministry may also like to include the details from CW Section, where directions may have been passed to the State Govts/UTs for compliance of the Supreme Court order referred above and in light of the incidents reported in MoC Ranchi (Jharkhand), Muzaffarpur (Bihar) & Deoria (Uttar Pradesh).</p>
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This issues with the approval of Member Secretary & CEO, CARA.

Yours faithfully,



(S.K. Gupta)

Assistant Director, CARA

Encl. : As above.

केन्द्रीय दत्तक - ग्रहण संसाधन प्राधिकरण
Central Adoption Resource Authority
महिला एवं बाल विकास मंत्रालय
Ministry of Women & Child Development
भारत सरकार / Government of India
पश्चिमी खण्ड - 8, विंग - 2, द्वितीय तल, आर.के. पुरम
West Block-8, Wing-2, 2nd Floor, R.K. Puram
नई दिल्ली / New Delhi-110066



सत्यमेव जयते



मेनका संजय गांधी

Maneka Sanjay Gandhi

मंत्री
महिला एवं बाल विकास मंत्रालय
भारत सरकार
नई दिल्ली-110001

MINISTER
MINISTRY OF WOMEN & CHILD DEVELOPMENT
GOVERNMENT OF INDIA
NEW DELHI-110001

29.09.2017

Dear Chief Minister,

I am writing this letter with regard to "**Concerns in implementation of the Adoption Programme by the State Governments**". Despite large number of children apparently available for being placed in adoption and equally large number of parents wanting to adopt children, the number of adoptions happening is negligible. As a result, a large number of children continue to languish in child care homes whereas they should have been in care of an adopting family.

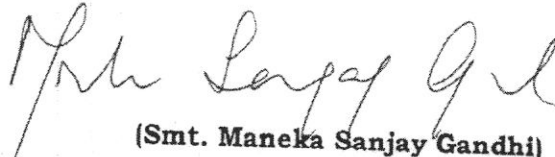
2. I have compiled a set of areas where systems are not in place in the states These are:-

- (a) **Constituting of Governing Body of SARA.** It has been observed that SARA has not been constituted as per Regulation 33 of the Adoption Regulations, 2017, despite repeated requests and reminders (OM No. CARA/IND/POLICY/2017/3 dated 18.07.2017 issued to Principal Secretary of Department concerned of all State Governments & UTs refers). Status may be seen in Annexure I.
- (b) **Constitution & Responsibilities of CWCs.** CWC plays an important role in declaring a child legally free for adoption and in many of the Districts, either the CWCs is not in place or the quorum of minimum number of 3 Members is not complete. Further, they need to discharge the responsibilities as defined in the Act and Regulations. It is requested that functioning of the CWCs be streamlined and monitored (OM No. CARA-SCI011/5/2017 dated 19.05.2017 issued to all the State Governments and UTs by MWCD refers). Status may be seen in Annexure I.
- (c) **Role of DM/DC in Adoption.** Successful implementation of the Programme on ground lies with the Agencies at the District level, such as DCPUs, CWCs and Specialized Adoption Agencies (SAAs). District Magistrate/District Collector play an important role in implementing, regulating and monitoring the Adoption Programme (OM No. CARA-SCI011/5/2017 dated 19.05.2017 circulated to all the DMs/DCs and State Governments & UTs by MWCD refers). It is requested that necessary instructions for its compliance be passed from your good offices.

- (d) **SAA-CCI Linkage.** There are large number of CCIs in each of the District, however a small number of them have been linked to the nearest Adoption Agency despite repeated requests and reminders. Till the time all the CCIs are registered and linked to the Adoption Agency, thousands of children living in them would be deprived of being placed with the families. It is requested that this statutory obligation must be undertaken on top priority (D.O. letter No. 34-7/2015/RM/CARA dated 06.01.2017 refers). **Hon'ble Supreme Court has also passed a judgement on this vide WP No. 102/2007 dated 05 May 2017. Status may be seen in Annexure I.**
- (e) **Placement of Cradle.** We have requested all the State Government to ensure that Cradle be placed outside Child Care Institutions and in Nursing Homes to enable safe abandonment of children. Some progress has been made wherein precious lives of children have been saved. I would request the State Governments to ensure that this Programme is implemented in a much larger scale. Status may be seen in Annexure I.
- (f) **Pendency of the Adoption Cases in Courts.** Large number of cases are pending beyond that stipulated period of 2 months in many of the Family/District Courts in the States. I would request that review of the same must be taken by the State Governments on monthly basis and help of the JJ Committee of the High Court be solicited for timely disposal of the same. Case-wise details may be seen in Annexure II.
3. I shall be grateful if the above issues are taken up for immediate consideration. I request you to hold a meeting to review the above points at your level. I feel that this only will trigger necessary follow up action at different levels to put requisite system in place.

With regards,

Yours sincerely,


(Smt. Maneka Sanjay Gandhi)

Shri Yogi Adityanath ji,
Hon'ble Chief Minister of Uttar Pradesh,
Lucknow-226001.

Encl: As above

Status of Adoption related action - Statewise.

Annexure I

Sl No	State/UTs (with no. of Districts & SAAs)	Constitution of Governing Body of SARA as per Regulation 33 of Adoption Regulations, 2017	SARA		No. of Cradle point Placed at PHCs/Hospitals/SAAs, etc.	No. of Districts in the State	No. of DCPUs (CARINGS Data)	CWC constituted	No. of SAAs (CARINGS Data)	CCI	
			Existing Programme Staff	No. of CCLs linked with SAA						No. of Children in CCL linked with SAA	
1	Andaman & Nicobar UT	No	0(3*)	Information awaited	3	0	3	0	0	0	0
2	Andhra Pradesh	No	2(3*)	Information awaited	13	13	13	14	18	49	0
3	Arunachal Pradesh	No	0(4*)	NA	16	0	21	2	0	0	0
4	Azram	Yes	3(4*)	Nil	32	27	27	22	27	205	0
5	Bihar	No	3(4*)	0	38	38	38	23	3	11	0
6	Chandigarh UT	No	3(5*)	1	1	1	1	1	0	0	0
7	Chhattisgarh	No	3(4*)	Information awaited	27	27	27	11	16	94	0
8	Dadra & Nagar Haveli UT	No	1(3*)	Information awaited	1	0	1	0	0	0	0
9	Daman and Diu UT	No	2(3*)	Information awaited	2	0	2	0	0	0	0
10	Delhi	No	3(3*)	1	11	11	10	12	39	449	0
11	Goa	No	3(3*)	Information awaited	3	0	2	2	0	0	0
12	Gujarat	No	3(4*)	15	33	31	33	18	1	1	0
13	Haryana	No	3(4*)	23	21	21	21	3	4	14	0
14	Himachal Pradesh	No	3(5*)	Information awaited	12	12	12	1	4	6	0
15	Jammu and Kashmir	No	0(3*)	Information awaited	15	0	22	0	0	0	0
16	Jharkhand	Yes	3(4*)	Information awaited	24	24	24	8	0	0	0
17	Karnataka	No	3(4*)	28	30	30	33	29	33	104	0
18	Kerala	No	3(3*)	Information awaited	14	14	14	18	3	15	0
19	Lakshadweep UT	No	0(3*)	Information awaited	1	0	1	0	0	0	0
20	Madhya Pradesh	No	1(4*)	Information awaited	51	43	51	37	13	92	0
21	Maharashtra	No	4(4*)	NA	36	36	39	63	12	71	0
22	Manipur	Yes	3(3*)	14	9	9	9	9	1	2	0
23	Meghalaya	No	3(3*)	71	12	11	11	6	1	2	0
24	Mizoram	Yes	3(3*)	Nil	8	8	8	7	4	10	0
25	Nagaland	Yes	3(3*)	Nil	11	11	11	4	2	2	0
26	Odisha	No	3(4*)	15	30	30	31	23	53	388	0
27	Puducherry UT	No	2(3*)	Not implemented	4	2	3	4	3	12	0
28	Punjab	Yes	3(4*)	4	22	22	22	9	6	17	0
29	Rajasthan	No	0(4*)	Information awaited	33	33	33	36	1	2	0
30	Sikkim	No	1(3*)	1	4	4	3	4	0	0	0
31	Tamil Nadu	Yes	3(4*)	NA	32	32	32	16	1	5	0
32	Telangana	No	1(3*)	NA	10	10	10	31	11	3	8
33	Tripura	No	3(3*)	Nil	8	8	8	9	2	14	0
34	Uttar Pradesh	No	3(4*)	Nil	75	67	75	28	2	11	0
35	Uttarakhand	No	2(3*)	Information awaited	13	13	13	8	1	5	0
36	West Bengal	No	3(4*)	11	20	19	22	21	17	66	0
Total					674	607	707	461	270	1655	

* Program Support Staff as per ICPS Norms



सत्यमेव जयते

Central Adoption Resource Authority केन्द्रीय दत्तक-ग्रहण संसाधन प्राधिकरण

(A Statutory Body of Ministry of Women & Child Development, Government of India)
(भारत सरकार के महिला एवं बाल विकास मंत्रालय की सांविधिक निकाय)



No.....

CARA-TC012/2/2017-Trg

Date.....

25th January 2018

Subject: Minutes of the Review Meeting on Implementation of Adoption Programme for States and UTs held at IHC, New Delhi on 24th October 2017.

Sir/Madam,

This has reference to the Review Meeting on implementation of Adoption Programme by the State Governments and UT Administrations, organised by CARA on October 24th, 2017 India Habitat Centre, Lodhi Road, New Delhi to Review and update the progress of the Adoption Programme in the States. The Review Meeting also focussed on discussing issues and concerns pertaining to Adoption Programme being implemented by the State Government and also focussed on the role of SARAs, DCPUs & CWCs.

The Minutes of the Review Meeting is enclosed herewith for your information.

You are also requested to forward the action taken report be sent to CARA with regard to the actionable points discussed during the Meeting and the directions given by Smt. Maneka Sanjay Gandhi, Hon'ble Union Cabinet Minister for Women and Child Development.

You may forward the Action Taken Report to archna.cara@gmail.com or deepaksharma.cara@gmail.com latest by 31st January 2018.

Yours Faithfully,

(Dr. K.C. George)

Joint Director, CARA

To

- (i) The Principal Secretary of the Department concerned (Chairperson of SARA).
- (ii) The Director of the Department concerned (Member Secretary of SARA).

MINUTES OF THE REVIEW MEETING ON IMPLEMENTATION OF ADOPTION PROGRAMME FOR STATES AND UTs HELD AT IHC, NEW DELHI ON 24.10.2017.

1. A Review Meeting on implementation of the Adoption Programme for States and UTs was held on 24 Oct 2017 at India Habitat Centre, Lodhi Road, New Delhi. It was attended by the following:

- i. Mrs. Maneka Sanjay Gandhi, Hon'ble Minister, MWCD
- ii. Dr. Virendra Kumar, Hon'ble Minister of State for WCD
- iii. Shri Rakesh Srivastava, Secretary (WCD)
- iv. Shri Ajay Tirkey, Addl. Secretary, MWCD
- v. Ms. Aastha Saxena Khatwani, Joint Secretary, MWCD
- vi. Ms. Meera Ranjan Tshering, Joint Secretary (Fin.), MWCD
- vii. Justice (Retd.) K Hema, High Court of Kerala
- viii. Shri Deepak Kumar, Member Secretary & CEO, CARA

2. The Actionable Points discussed during the Meeting and the directions of the Hon'ble Minister WCD, are as under:-

Sl. No.	Actionable Points & Directions of Hon'ble Minister WCD
(a)	Governing Body is to be made within one month at every State otherwise action will be taken against the staff of concerned SARA.
(b)	Review Meetings should be held every month at the SARA level, minutes of which shall be shared with CARA.
(c)	SAAs and CWCs should be formed at every District of the State, wherever it has not been formed as per the JJ Act 2015. It should also be ensured that all the Child Care Institutions are registered by 01 Dec 2017.
(d)	All SARAs should have excel sheets having data of all the children and the Pipeline Adoption Cases with the status where it is pending so that necessary intervention can be done by the SARAs for bringing the cases to logical conclusion.
(e)	All the children in CCIs should be linked with CARINGS. For this purpose, they may hire Computer Operator for timely entry/update of the details on CARINGS.
(f)	State Governments/UTs and SARAs should visit every district in their respective States/UTs to ensure that all the unregistered Agencies are registered in the System by 1 st December 2017 in compliance with the directions of the Hon'ble Supreme Court of India. Unregistered Agencies (CCIs) have to be shut down by 31 st Dec 2017.

(g)	SARAs should ensure that every SAA is functioning properly and has empanelled good doctor for making MERs of the children and knowledgeable lawyer for filing of Adoption Petitions. Details of all lawyers empanelled by the SAAs should be known to the SARAs.
(h)	All the SARAs should provide District & SAA-wise list of lawyers with their qualifications and expertise duly verified, to CARA by 15 Dec 2017. Lawyers with good performance record should be recognised and rewarded. The non-performing lawyers be replaced.
(i)	In Inter-country adoptions, it should not take more than two hearing for passing the Adoption Order. Details of cases not disposed of after the two hearings or pending for over two months must be forwarded to the Registrar and the JJ Committee of the High Courts for intervention by SARA with a copy to CARA.
(j)	All SARAs were advised to ensure that maximum children are brought in the system and all children without a family be declared legally free for adoption before 31 st December 2017. The same will be reviewed in the next Quarterly Meeting to be held during the month January, 2018.
(k)	Review Meetings with the SARAs shall now be conducted on quarterly basis by CARA.
(l)	Mothers of the 25 children who we found in the Govt.-run SAA at Jaipur, are mentally retarded and these children should be in the system within a week. Due process of declaring them legally free for adoption must be completed immediately.
(m)	Incentive to be given to the SAAs who perform well in terms of PAPs satisfaction, ease of business, speedy/timely processing of the cases, child's well being and efforts made for restoration with family.
(n)	It was directed that the SAAs/CCIs which are not registered and doing illegal activities, must be closed down immediately. Further, the CCI run by Jose Maveli, against whom Court has issued directions as confirmed by Retd. Justice Hema, be shut down immediately.
(o)	New form of HSR is being developed which shall be more objective in assessment of PAPs by the Social Worker. Appraisal from the neighbours should also be taken to know about the psychology of the parents etc.
(p)	It was decided that poor Medical Examination Reports, in which the proper health condition haven't been recorded through the

	prescribed medical tests, shall not be acceptable. All tests should be done and MER prepared as per the new format of MER, circulated to all.
(q)	300-400 Palnas should be placed in Nursing Homes, Hospitals, Temples & Mosques (in consultation with the District Administrations) in each State. In U.P., there should be at least 500 Palnas. The cloth of the Palnas should be soft & washable and affixed to the Palnas so that it can't be taken away. Pictures of the same be shared with MWCD.
(r)	Appointment of CWC Members should be strictly as per the provisions of Section 27 of the JJ Act, 2015 ad Rules 15 & 16 of the Model JJ Rules, 2016.
(s)	It was decided to send NIC team to SARAs Chhattisgarh & Maharashtra during the month of November 2017 to fix the problems of children details and other reports not visible to SARA in their portal. Details like number of Court Orders pending, SAA-CCI Linkage, relinking of CCIs etc. must be viewable to the respective SARAs. SARA Chhattigarh must coordinate with other SARAs to compile all the requirements, issues with CARINGS for getting the same implemented/rectified by NIC.
(t)	SARAs of North Eastern States were advised to send a proposal for conducting a Training Programme in their States.
(u)	SARA Kerala to send the details of 29 cases of foster care in Kerala in which PAPs are requesting for allowing the child to be adopted as the children have been with the foster parents for over 5 years.
(v)	CARA must have a liaison with each State by Regional Consultants to have up-to-date knowledge of the status of what is happening in the States. Every SARA must be aware of the case details and be in touch with the Regional Consultant assigned by CARA.

7. The Meeting ended with a vote of thanks to the Chair.

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Deepak Kumar
Chief Executive Officer



CENTRAL ADOPTION RESOURCE AUTHORITY
MINISTRY OF WOMEN & CHILD DEVELOPMENT
GOVERNMENT OF INDIA

No – 57-10/2018-CARA

Date: 20/11/2018

To,
Shri J.N. Kansotiya,
Principal Secretary,
Government of Madhya Pradesh,
Women and Child Development Department Ministry,
Vallabh Bhawan, Bhopal.
Ph: 0755-2554907
Email: pswcd@gmail.com

Sub: Linkages of Child Care Institutions with Specialised Adoption Agencies (SAAs)

Dear Sir,

As you are aware, Central Adoption Resource Authority (CARA) is a Statutory Body established under **Section 68 of the Juvenile Justice (Care and Protection of Children), Act, 2015** working under the Ministry of Women & Child Development, Government of India. It functions as the nodal body for adoption of Indian children and is mandated to monitor and regulate In-country and Inter-country Adoptions.

2. During last three years, reported adoptions have remained between 3000-4000, while there are more adoptable children available in Specialised Adoption Agencies (SAA) and Child Care Institutions (CCIs). It has been felt necessary to increase the pool of adoptable children and further simplify and expedite adoption process. Hence, there is need to identify adoptable children in various CCIs and curb illegal/informal adoptions happening outside the authorised process.

3. In order to ascertain the above, it is important to establish and monitor the SAA-CCI linkage at the local level to reach each and every child without parental care. The role of District Child Protection Unit (DCPU) is vital in the entire process.

4. It would be appreciated, if the following instructions are issued to all DCPU's and its compliance ensured in a timely manner:-

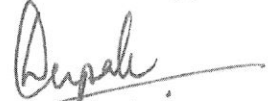
a) Registration of all Child Care Institutions, whether run by a State Government or by Voluntary or Non-Governmental

Organisations under JJ Act, 2015 as per **Section 41 of the Juvenile Justice (Care and Protection of Children), Act, 2015.**

- b) Link all CCIs with the nearest SAAs for processing adoption procedure as mandated under **Section 66 of the Juvenile Justice (Care and Protection of Children), Act, 2015** and;
 - c) Identify all adoptable (orphan, abandoned and surrendered) children in all registered/unregistered CCIs in the Districts and other Shelter Homes sheltering such children;
 - d) Instruct the SAAs to upload the profile of all children from the CCIs linked to the SAA in CARINGS as mandated under **Regulation 29 of Adoption Regulations, 2017.**
 - e) Produce all such adoptable children before the CWC and get them declared legally free after following due process as per **Section 38 of The Juvenile Justice (Care and Protection of Children), Act, 2015.**
5. You may arrange orientation programme for all DCPUs so that CARA/SARA can impart necessary hands-on training to the participants and the SARA staff may directly contact CARA for more information in the matter. Action taken report may be intimated to CARA by 15th December, 2018.

With regards,

Yours sincerely,



(Deepak Kumar)

Member Secretary and CEO (CARA)

महिला एवं बाल विकास मंत्रालय
Ministry of Women & Child Development
भारत सरकार / Government of India
पश्चिमी खण्ड-3, विंग-4, प्रकाश नगर, नार. के. पु.
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नई दिल्ली / New Delhi, India