

**CENTRAL ADOPTION RESOURCE AUTHORITY**  
**Ministry of Women & Child Development**

The Second Meeting of the Steering Committee of Central Adoption Resource Authority (CARA) was held on 23<sup>rd</sup> June 2016 at 10:30 am in the Conference Hall of the Ministry of Women and Child Development (MWCD), Government of India. Smt. Leena Nair, Secretary, MWCD, Government of India and Chairperson (CARA) presided over the meeting.

The following were present in the meeting:-

1. Ms. Leena Nair, Secretary, Ministry of Women & Child Development, Government of India - **Chairperson** (Ex-officio).
2. Smt. Rashmi Saxena Sahni Joint Secretary, Ministry of Women & Child Development, Government of India, Shastri Bhawan, New Delhi - **Member** (Ex-officio).
3. Smt. Sarita Mittal, Joint Secretary(FA), Ministry of Women & Child Development, Government of India, Shastri Bhawan, New Delhi - **Member** (Ex-officio)
- 4 .Shri G R Shinde, Joint Commissioner, (Women and Child Development), Government of Maharashtra, representing SARA, Maharashtra (**Member**)
- 5 .Ms. Gitashree Adhikari, representing Karuna, (SAA), Howrah, West Bengal (**Member**).
6. Mr. Avinash Kumar, from New Delhi (**Member**).
7. Ms. Samiha Grewal, from New Delhi (**Member**).
8. Smt. Kiran Singh, Advocate, Ghaziabad, Uttar Pradesh (**Member**).
- 9 .Shri. Veerendra Mishra, Chief Executive Officer (CEO), Central Adoption Resource Authority (CARA) - **Member Secretary**.
10. Shri Deepak Kumar [designated Member Secretary/Chief Executive Officer of CARA, who attended the Meeting as a Special Invitee].

3 At the outset, Smt. Rashmi Saxena Sahni (JS), MWCD welcomed all the Members of the Steering Committee of CARA which was followed by introduction of all Members and CARA officials present in the Meeting. The discussions and decisions taken in the Meeting were as follows:



## Programme Matters

### **Item No. 1: Policy on Inter-Country Direct Adoptions**

Requests are received at CARA from time to time for issue of NOC in the inter-country adoption cases taking place directly between the biological parents and adoptive parents without involvement of authorized agencies and concerned authorities. NOC of CARA is required in such adoption cases in terms of the provisions of Article 16 & 17 (c) of the Hague Convention on Protection of Children and Cooperation in respect of Inter Country Adoption, to which India is a signatory. The requirement of NOC in such cases is all the more necessary now in terms of the provisions of Section 56(4) and 68 (b) & (d) of the JJ Act, 2015.

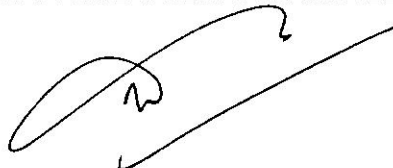
In view of the above, the NOC in inter-country direct adoption cases, which have taken place prior to enforcement of the JJ. Act, 2015 (15.1.2015), may be disposed of by CARA on the merit of each case, subject to verification of the eligibility/suitability of the prospective adoptive parents and source of the children involved. This may be based upon the existing decision of the Ministry dated 28.1.2011 that CARA may be advised to verify the source of the child by involving a SAA or State WCD Department and once the source is confirmed, CARA should decide each case on merits, after completing necessary formalities.

However, in terms of Section 56(4) of the JJ Act, all inter-country adoptions have now to be governed by the provisions of JJ Act 2015 and Adoption Regulations framed by the Authority. This implies that CARA has to regulate all inter-country adoptions in terms of Section 68(b) and (d) of the Act under which there is no exception for direct inter country adoption cases. It may also be mentioned that no inter-country adoption cases could be possible after 15.01.2016 without an order of the Competent Court, in terms of the provisions of Section 56 (5) of the Act. In view of the above, approval of the Steering Committee is solicited for the following decision on the issue of direct inter-country adoption cases:

(i) In all cases of direct inter-country adoptions which have taken place prior to 15.1.2016, may be considered on the merit of each case, subject to the fulfilment of all essential documents/information/verification relating to the adoptive parents and source of child.

(ii) In all such cases taking place after 15.1.2016, CARA shall issue NOC if the cases have been taken up as per provisions of JJ. Act, 2015 and Adoption Regulations framed thereunder.

**Decision:** Chairperson, CARA was briefed about issues related to cases



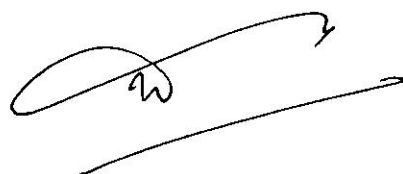
of inter-country direct adoptions. In such adoptions, there is no involvement of recognised agencies and authorities and in such cases adoptive parents directly go to the Registrar's Office for adoption deed or get Court under Hindu Adoption and Maintenance Act (HAMA) or Guardians and Wards Act. NOC from CARA is emphasized when the case is not allowed by foreign embassy for issuing of visa or by RPO for issuing passport. Direct inter-country adoptions do not comply Hague stipulations and in such cases CARA comes into picture when passport or visa is denied. It was decided as under:

- a) Suitable provision on inter-country direct adoption may be inserted in Adoption Regulations framed under JJ Act, 2015;
- b) Opinion may be sought from Law Ministry about possible amendments in HAMA in the light of Section 56 (4) of JJ Act that all inter-country adoptions shall be done only as per the provisions of this Act and the Adoption Regulations framed by the Authority;
- c) Any direct adoption done prior to 15<sup>th</sup> January 2016 (date of the enforcement of JJ Act, 2015) may be disposed of on compliance of minimum requisite documents after proper verification of such adoption cases by State Government concerned.

**Item No. 2: Internal Committee to identify Special Needs children**

It has been observed that certain children having minor health problems are not getting family within the country after many referrals. The minor ailments are not covered under the definition of special needs. Some of the examples are children having sickle cells, cases of HIV positive turned negative etc. The visiting medical officer of the agency sometimes does not specify the exact medical condition of the child which leads to a dilemma in deciding the actual condition of health status. In view of the past medical history of the child mentioned in the MER and the medical background of the biological mother stated in CSR (such as mother with HIV +) waiting parents do not reserve the child despite the fact that the child is normal at present. As a consequence, the children are being referred in many cycles but not getting reserved.

During discussion on draft Adoption Regulations, Secretary MWCD had earlier suggested that an administrative decision could be taken if children having minor ailments do not get family within the country despite continuous efforts could be added in special needs category. The AIIMS official in the CARA NOC Committee has also suggested that a child having minor ailments is not getting a family even after many referrals, it may be proper to identify such children as having special needs so that the children can get early referral either in in-country or inter-country adoption. Number of referrals after which a child should be considered as special need child for the purpose of adoption may be discussed.

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A Committee may be constituted for such purpose and a report in this regard can be submitted to the Steering Committee on every month.

**Decision:** The issue was discussed in detail and it was felt necessary to take steps to expedite the adoption process of adoptable children staying long in institutional care. Such children also include children having correctable and minor health problems not defined in the definition of special needs by CARA. It was agreed that if children are not getting family after 25 referrals, special efforts may be made to find family for such category of children. A special page may be created in CARINGS inviting PAPs to register for such children. PAPs opting to adopt such children, shall retain their seniority in case they do not finalise such adoptions.

### **Administrative/Accounts Matters**

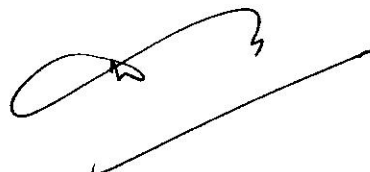
#### **Item No. 3: Approval of Annual Accounts of CARA for the Financial Year 2015-16**

At the end of the financial year, every Statutory Body has to prepare its financial accounts and present the same before Governing Body/Executive Committee/Steering Committee for approval. After the requisite approval from the Steering Committee, the audited financial statements of accounts are to be laid before the Parliament within 9 months of the next following Financial Year. The accounts of CARA for financial year 2015-16 (both Plan and Non-plan) are placed at **Annexure-B** for approval of Steering Committee of CARA and for onward submission to C & AG for Audit.

**Decision:** Accounts approved for submitting to C&AG for audit.

#### **Item No. 4: Approval of Annual contract for Security Guards.**

Quotations were invited from 15 firms for availing services of Security Guards at CARA office and also uploaded on website of CARA, out of which 3 firms submitted their quotations. M/s Manpower Security Services, New Delhi was engaged for one year i.e from 01/12/2015 to 30/11/2016, being lowest bidder. The annual contract is for Rs.7,80,492/- (Rs.65,041/p.m. x 12 months) inclusive service charges for 06 (Six) Security Guards. As per Service Bye Laws of CARA, Secretary-CARA has financial power upto Rs.50,000/- in each case and Management Committee had full power for Annual Maintenance contract and expenditure on Maintenance of office equipment / Xerox-machines / computers/ fax etc. Now, the Management Committee has been replaced by Steering Committee under Juvenile Justice (Care and Protection of Children) Act, 2015. The Annual contract for Security Guards is placed before Steering Committee for approval.



**Decision:** Approved

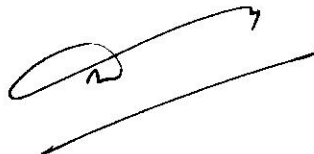
**Item No. 5: Approval of Annual contract for Safai Karmachari for CARA.**

Quotations were invited from 11 firms for providing services of Safai Karmachari for CARA office and also uploaded on website of CARA, out of which 3 firms submitted their quotations. M/s Commercial & Industrial Manpower Security Agency, New Delhi was engaged for one year i.e from 01/12/2015 to 30/11/2016, being lowest bidder. The annual contract is Rs.3,96,228/- (Rs.33,019/-p.m. x 12 months) inclusive of service charges for 03 (Three) Safai Karmachari with material. As per Service Bye Laws of CARA, Secretary-CARA has financial power upto Rs.50,000/- in each case and Management Committee had full power for Annual Maintenance contract and expenditure on maintenance of office equipment / Xerox-machines / computers/ fax etc. Now, the Management Committee has been replaced by Steering Committee under Juvenile Justice (Care and Protection of Children) Act, 2015. The annual contract for Safai Karmachari for CARA is placed before Steering Committee for approval.

**Decision:** Approved

**Item No. 6: Approval of Annual Maintenance Contract (Comprehensive) for Computer & Peripheral of CARA.**

Annual Maintenance Contract (AMC) for Computers & peripheral was awarded to M/s Sai Communications, New Delhi for one year (i.e from 01/09/2014 to 31/08/2015) Rs. 56,800/-. The contract was extended for further one month i.e 01/09/2015 to 31/10/2015 on the same terms and conditions. Fresh quotations were invited for AMC (Comprehensive) for Computer & Peripheral and also uploaded on website of CARA and 2 firms (M/s SAI Communication, Sant Nagar, New Delhi and M/s Hazel Systems, Kotla Mubarakpur, New Delhi) submitted their quotations. M/s Sai Communications, New Delhi was engaged for one year i.e from 01/11/2015 to 30/10/2016, being lowest bidder. The Annual Maintenance Contract (Comprehensive) for Computer & Peripherals is Rs.53,000/- excluding taxes. As per Service Bye Laws of CARA, Secretary CARA has financial power upto Rs.50,000/- in each case and Management Committee had full power for Annual Maintenance contract and expenditure on Maintenance of office equipment / Xerox-machines / computers/ fax etc. Now, the Management Committee has been replaced by Steering Committee under Juvenile Justice (Care and Protection of Children) Act, 2015. The Annual Maintenance Contract (Comprehensive) for Computer & Peripheral of CARA is placed before Steering Committee for approval.



**Decision:** Approved

**Item No. 7: Purchase of Stationary during the FY 2015-16**

The Management Committee (MC) vide its decision dated 23<sup>rd</sup> May 2014 delegated Secretary CARA, financial power to buy stationary up to Rs. 5.00 lacs for the Financial Year 2014-15. CARA has incurred expenditure on stationary worth Rs. 4,46,124/- and this expenditure couldn't be ratified by Management Committee as there was no regular meeting of Management Committee during the F.Y 2015-16. Hence, Ex- post facto approval from the Steering Committee is solicited. With expansion and restructuring of CARA underway, the requirement of stationary is expected to go up with rising cost of inflation during the current Financial Year 2016-17. Hence Rs. 8.00 Lakhs (3.00 Lakhs under Non Plan and 5 Lakhs under Plan Head) is proposed as stationary outlay for the F.Y 2016-17.

**Decision:** Approved

**Item No. 8: Any other agenda with approval of Chairperson, CARA**

**Decision:**

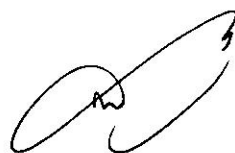
a) Ms. Geeta Shri Adhikari, representing 'Karuna', a Specialised Adoption Agency, West Bengal raised the issue of refund to Child Care Corpus (CCC) in case of disruption of child prior to Adoption Order. In such cases, it was decided that the adoptive parents can be refunded Child Care Corpus (adoption expenses) excluding the legal expenditure. This should also be included in the draft Adoption Regulations.

b) It was decided that Adoption Committee may scrutinise all the requisite documents to be submitted to the Court and accordingly this provision may be incorporated in Adoption Regulations.

c) It was decided that in case the Adoption Committee denies the matching on the ground that the PAPs is not suitable for that particular child, the seniority of the PAPs would be retained as the PAPs do not have any fault of their own. This provision may be suitably incorporated in Adoption Regulations.

d) It was also decided that a separate page may be made in CARINGS for foster parents desiring to adopt children who have not found family either in in-country adoption or inter-country adoption within the stipulated period.

e) As far as the Adoption Advisory Committee is concerned, it was decided that it shall provide suggestions for adoption within the

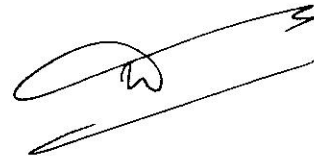


frame work of the norms and principles as laid down in Adoption Guidelines/Regulations notified by Govt. of India from time to time; identify current and emerging issues related to rehabilitation of children without parental care and provide the Steering Committee of CARA with expert advice on the subject; assist CARA in advocacy and awareness activity for promotion of adoption and carry out such activities that may be assigned by the Steering Committee of Central Adoption Resource Authority as constituted under section 68 of the JJ Act 2015.

f) Chairperson, CARA agreed to inaugurate Counselling Centre at CARA on 1.7.2016 .Chairperson of CARA and other Members of Steering Committee appreciated the work of Shri Veerendra Mishra, the outgoing CEO of CARA and also welcomed the new Secretary Mr. Deepak Kumar, who will join CARA shortly.

The Meeting ended with thanks to the Chair.

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## Central Adoption Resource Authority

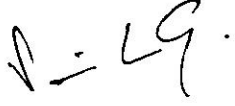


(A Statutory Body of the Ministry of Women & Child Development, Govt. of India)  
West Block – 8, Wing – 2, 2nd Floor, R.K. Puram, New Delhi – 110066

The Meeting of the Steering Committee of CARA held on 23/06/2016 (10:30 a.m. onwards) in the Office of the Chairperson of the Steering Committee (Secretary, Ministry of Women & Child Development, Government of India) in her Chamber (Room No.601, A`Wing, Shastri Bhawan, New Delhi)

### ATTENDANCE SHEET

S.No.	Name & Designation	Signature
1.	<b>Ms. Leena Nair</b> Secretary, Ministry of Women & Child Development, Government of India – Chairperson (Ex-officio).	
2.	<b>Smt. Rashmi Saxena Sahni</b> Joint Secretary, Ministry of Women & Child Development, Government of India, Shastri Bhawan, New Delhi – Member (Ex-officio).	
3.	<b>Smt. Sarita Mittal,</b> Joint Secretary(FA), Ministry of Women & Child Development, Government of India, Shastri Bhawan, New Delhi – Member (Ex-officio)	
4.	<b>Shri G R Shinde,</b> Joint Commissioner, Women and Child Development Government of Maharashtra [Representing SARA, Maharashtra]	
5.	<b>Ms. Gitashree Adhikari ,</b> [Representing Karuna, SAA, West Bengal]	
6.	<b>Mr. Avinash Kumar</b> Adoptive Parent New Delhi	



7.	<b>Ms. Samiha Grewal</b> Adoptee New Delhi	
8.	<b>Smt. Kiran Singh</b> Advocate. Ghaziabad, Uttar Pradesh	
9.	<b>Shri Veerendra Mishra,</b> Chief Executive Officer/ Member – Secretary Central Adoption Resource Authority (CARA)	
10	Representative from Sisu Griha, SAA, Telangana	—

11 Suresh Tele,  
ASST. COMMISSIONER, women and child  
development. Govt of. Maharashtra

