

CENTRAL ADOPTION RESOURCE AUTHORITY

Subject: Delegation of power to the Chairperson of the Steering Committee of CARA to constitute Committee for deciding appeals under the provision of Section 70(2) of the Juvenile Justice (Care & Protection of Children) Act, 2015.

Pg. 1-9/cor.

1. Hon'ble High Court of Kerala, vide its order dated 31.08.2016 in CWP No. 20943 (relating to adoption of the child: Gazal (Male, DoB: 6.11.2015) by Mr. Manoj Kumar and Mrs. Remeena Manoj from Snehanikethan Foundling Home, Dinasevanasabha, Pattuvam, Kannur Distt., Kerala), had asked the Central Adoption Resource Authority (CARA) to take an appropriate decision on **Exhibit-P15** (the representation of the said Prospective Adoptive Parents) after affording an opportunity of hearing to the Petitioner (Snehanikethan Foundling Home, Dinasevanasabha, Pattuvam) as well as to the Respondents 5 & 6 (Prospective Adoptive Parents), as expeditiously as possible.

2. The above direction of the Hon'ble High Court has been received by CARA to decide the matter as the Appellate Authority, in the light of the following legal provisions :-

(a) Para 9 of the Guidelines Governing Adoption of Children, 2015:

(9) "The prospective adoptive parents can appeal against the decision of rejection to Central Adoption Resource Authority."

(10) "The appeal referred to sub paragraph (9) shall be disposed of within 15 days and the decision of Central Adoption Resource Authority in this regard shall be binding."

Pg. 9-10/cor.

(b) Section 70(2) of the Juvenile Justice (Care & Protection of Children) Act, 2015, which reads as under :

"In case of any difference of opinion in an adoption case, including the eligibility of prospective adoptive parents or of a child to be adopted, the decision of Authority shall prevail."

Pg. 11/cor.

3. As per the provisions of Section 2(7) of the said Act, the "Authority" means the Central Adoption Resource Authority.

4. But, the Juvenile Justice Act (2015) or the Juvenile Justice (Care & Protection of Children) Model Rules (2016) or the Guidelines Governing Adoption of Children (2015) do not define the competent authority who would be deciding the appeals made to the Authority. In such a situation, such 'authority' may be decided by the Steering Committee of CARA.

5. In view of the above, the Chairperson of the Steering Committee may be authorised to constitute a Committee either chaired by her or someone from the Steering Committee, as deemed fit.

6. Therefore, approval of the proposal at para 5 above by Steering Committee of CARA is solicited by circulation, as per the provisions of Sub-rule (2) of Rule 51 of the Juvenile Justice (Care & Protection of Children) Model Rules (2016).

Pg. 12 / Cor.

Agreed to the proposal vide email dated 10.10.16

(Karuna, SAA, Howrah)
Member

Agreed to the proposal vide email dated 10.10.16

(Shishu Vihar, SAA, Hyderabad)
Member

Presently in Canada
Scanned copy of signed document received.

(Avinash Kumar)
Member



Samiha Grewal

(Samiha Grewal)
Member

Agreed to the proposal vide email dated 10.10.16

(SARA, Maharashtra)
Member

Kiran Singh

(Kiran Singh)
Member

Sarita Mittal

(Sarita Mittal)
Member (Ex-officio)

Deepak Kumar

(Deepak Kumar)
Member Secretary

Rashmi Saxena Sahni

(Rashmi Saxena Sahni)
Member (Ex-officio)

Leena Nair

(LEENA NAIR)
Chairperson (Ex-officio), Steering Committee of CARA

: Delegation of power to the Chairperson of the Steering Committee of CARA to constitute Committee for deciding appeals under the provision of Section 70(2) of the Juvenile Justice (Care & Protection of Children) Act, 2015.

Gitashree Adhikari <karunawb@gmail.com>

Fri, Oct 28, 2016 at 4:30 PM

To: Binod Sahu <binod.cara@gmail.com>

Respected Sir,

This mail is the answer to your last mail regarding the Approval of the proposal at para 5 in the attached Note is solicited from the Steering Committee by circulation, as per provision of Sub-rule (2) of Rule 51 of the Juvenile Justice (Care & Protection of Children) Model Rules (2016).

I am sending the signatored scanned copy.

Please see the attachment

Thanks & Regards

Karuna W.B

[Quoted text hidden]

 Legal consent, Steering Committee.PDF
979K

CENTRAL ADOPTION RESOURCE AUTHORITY

Subject: Delegation of power to the Chairperson of the Steering Committee of CARA to constitute Committee for deciding appeals under the provision of Section 70(2) of the Juvenile Justice (Care & Protection of Children) Act, 2015.

Pg 1-4 | cr.

1. Hon'ble High Court of Kerala, vide its order dated 31.08.2016 in CWP No. 20943 (relating to adoption of the child: Gazal (Male, DoB: 6.11.2015) by Mr. Manoj Kumar and Mrs. Remeena Manoj from Snehanikethan Foundling Home, Dinasevanasabha, Pattuvam, Kannur Distt., Kerala), had asked the Central Adoption Resource Authority (CARA) to *take an appropriate decision on Exhibit-P15 (the representation of the said Prospective Adoptive Parents) after affording an opportunity of hearing to the Petitioner (Snehanikethan Foundling Home, Dinasevanasabha, Pattuvam) as well as to the Respondents 5 & 6 (Prospective Adoptive Parents), as expeditiously as possible.*

2. The above direction of the Hon'ble High Court has been received by CARA to decide the matter as the Appellate Authority, in the light of the following legal provisions :-

(a) Para 9 of the Guidelines Governing Adoption of Children, 2015:

Pg 9 - 10 | cr.

(9) "The prospective adoptive parents can appeal against the decision of rejection to Central Adoption Resource Authority."

(10) "The appeal referred to sub paragraph (9) shall be disposed of within 15 days and the decision of Central Adoption Resource Authority in this regard shall be binding."

Pg 11 | cr.

(b) Section 70(2) of the Juvenile Justice (Care & Protection of Children) Act, 2015, which reads as under :

"In case of any difference of opinion in an adoption case, including the eligibility of prospective adoptive parents or of a child to be adopted, the decision of Authority shall prevail."

3. As per the provisions of Section 2(7) of the said Act, the "Authority" means the Central Adoption Resource Authority.

4. But, the Juvenile Justice Act (2015) or the Juvenile Justice (Care & Protection of Children) Model Rules (2016) or the Guidelines Governing Adoption of Children (2015) do not define the competent authority who would be deciding the appeals made to the Authority. In such a situation, such 'authority' may be decided by the Steering Committee of CARA.

5. In view of the above, the Chairperson of the Steering Committee may be authorised to constitute a Committee either chaired by her or someone from the Steering Committee, as deemed fit.

6. Therefore, approval of the proposal at para 5 above by Steering Committee of CARA is solicited by circulation, as per the provisions of Sub-rule (2) of Rule 51 of the Juvenile Justice (Care & Protection of Children) Model Rules (2016).

P3.12/cor.

Citadine Ahicon

(Karuna, SAA, Howrah) (Shishu Vihar, SAA, Hyderabad) (Avinash Kumar)
Member Member Member

*Presently in Canada
Scanned copy
of signed document
received.*

(Samiha Grewal)
Member

(SARA, Maharashtra)
Member

(Kiran Singh)
Member

(Sarita Mittal)
Member (Ex-officio)

Deepak
(Deepak Kumar)
Member Secretary

(Rashmi Saxena Sahni)
Member (Ex-officio)

(LEENA NAIR)
Chairperson (Ex-officio), Steering Committee of CARA

: Delegation of power to the Chairperson of the Steering Committee of CARA to constitute Committee for deciding appeals under the provision of Section 70(2) of the Juvenile Justice (Care & Protection of Children) Act, 2015.

Telangana Adoption <tgadoption@gmail.com>
To: Binod Sahu <binod.cara@gmail.com>

Fri, Oct 28, 2016 at 4:34 PM

----- Forwarded message -----

From: **Telangana Adoption** <tgadoption@gmail.com>

Date: 28 October 2016 at 16:03

Subject: Re: : Delegation of power to the Chairperson of the Steering Committee of CARA to constitute Committee for deciding appeals under the provision of Section 70(2) of the Juvenile Justice (Care & Protection of Children) Act, 2015.

To: Binod Sahu <binod.cara@gmail.com>

Sir,

Greetings!

Please find attached the scanned copy of the signed document.

REGARDS

SARA

TELANGANA

On 27 October 2016 at 12:13, Binod Sahu <binod.cara@gmail.com> wrote:

Sir/Madam,

Approval of the proposal at para 5 in the attached Note is solicited from the Steering Committee by circulation, as per provision of Sub-rule (2) of Rule 51 of the Juvenile Justice (Care & Protection of Children) Model Rules (2016).

2. The signature may kindly be affixed on the 2nd page of the Note and the same may please be sent back through a return email.

With regards,

Binod Kumar Sahu

Deputy Director,

Central Adoption Resource Authority (CARA)

Ministry of Women and Child Development

2nd floor, West Block- VIII, Wing-II, R. K. Puram, New Delhi- 110066

--
DIRECTORATE

TELANGANA WOMEN DEVELOPMENT AND CHILD WELFARE Dept.,
2nd floor, Swarnajayanthi Complex,
Beside Mythrivanam, Ameerpet,
Hyderabad-500038.

--
DIRECTORATE

TELANGANA WOMEN DEVELOPMENT AND CHILD WELFARE Dept.,
2nd floor, Swarnajayanthi Complex,
Beside Mythrivanam, Ameerpet,
Hyderabad-500038.

CENTRAL ADOPTION RESOURCE AUTHORITY

Subject: Delegation of power to the Chairperson of the Steering Committee of CARA to constitute Committee for deciding appeals under the provision of Section 70(2) of the Juvenile Justice (Care & Protection of Children) Act, 2015.

Pg 1-1/01

1. Hon'ble High Court of Kerala, vide its order dated 31.08.2016 in CWP No. 20943 (relating to adoption of the child: Gazal (Male, DoB: 6.11.2015) by Mr. Manoj Kumar and Mrs. Remeena Manoj from Snehanikethan Foundling Home, Dinasevanasabha, Pattuvam, Kannur Dist., Kerala), had asked the Central Adoption Resource Authority (CARA) to *take an appropriate decision on Exhibit-P15 (the representation of the said Prospective Adoptive Parents) after affording an opportunity of hearing to the Petitioner (Snehanikethan Foundling Home, Dinasevanasabha, Pattuvam) as well as to the Respondents 5 & 6 (Prospective Adoptive Parents), as expeditiously as possible.*

2. The above direction of the Hon'ble High Court has been received by CARA to decide the matter as the Appellate Authority, in the light of the following legal provisions :-

(a) Para 9 of the Guidelines Governing Adoption of Children, 2015:

Pg 9-10/02

(9) "The prospective adoptive parents can appeal against the decision of rejection to Central Adoption Resource Authority."

(10) "The appeal referred to sub paragraph (9) shall be disposed of within 15 days and the decision of Central Adoption Resource Authority in this regard shall be binding."

Pg 11/03

(b) Section 70(2) of the Juvenile Justice (Care & Protection of Children) Act, 2015, which reads as under :

"In case of any difference of opinion in an adoption case, including the eligibility of prospective adoptive parents or of a child to be adopted, the decision of Authority shall prevail."

3. As per the provisions of Section 2(7) of the said Act, the "Authority" means the Central Adoption Resource Authority.

4. But, the Juvenile Justice Act (2015) or the Juvenile Justice (Care & Protection of Children) Model Rules (2016) or the Guidelines Governing Adoption of Children (2015) do not define the competent authority who would be deciding the appeals made to the Authority. In such a situation, such 'authority' may be decided by the Steering Committee of CARA.

5. In view of the above, the Chairperson of the Steering Committee may be authorised to constitute a Committee either chaired by her or someone from the Steering Committee, as deemed fit.

6. Therefore, approval of the proposal at para 5 above by Steering Committee of CARA is solicited by circulation, as per the provisions of Sub-rule (2) of Rule 51 of the Juvenile Justice (Care & Protection of Children) Model Rules (2016).

19-12/2016

(Karuna, SAA, Howrah) (Shishu Vihar, SAA, Hyderabad) (Avinash Kumar)
Member Member Member

(Samiha Grewal)
Member

(SARA, Maharashtra)
Member

(Kiran Singh)
Member

(Sarita Mittal)
Member (Ex-officio)

(Deepak Kumar)
Member Secretary

(Rashmi Saxena Sahni)
Member (Ex-officio)

(LEENA NAIR)
Chairperson (Ex-officio), Steering Committee of CARA

Delegation of power to the Chairperson of the Steering Committee of CARA to constitute Committee for deciding appeals under Provision of Section 70(2) of the Juvenile Justice Act, 2015.

Avinash Kumar <avinash@defygravity.in>
To: Binod Sahu <binod.cara@gmail.com>

Wed, Oct 26, 2016 at 8:21 PM

Dear Mr Sahu,

The updated document with my signatures is as enclosed.

Rgds

Avinash

From: Binod Sahu [mailto:binod.cara@gmail.com]

Sent: Wednesday, October 26, 2016 9:16 AM

To: commissionerwcd@ymail.com; WD&CW-Dept Telangana <tgwdcw@gmail.com>; karunawb@gmail.com; avinash@defygravity.in; grewalsamiha@gmail.com; kiranchatrali@rediffmail.com

Subject: Delegation of power to the Chairperson of the Steering Committee of CARA to constitute Committee for deciding appeals under Provision of Section 70(2) of the Juvenile Justice Act, 2015.

Sir,

[Quoted text hidden]

 **Noting.pdf**
85K

CENTRAL ADOPTION RESOURCE AUTHORITY

Subject: In the matter of adoption of the Child: Gazal (Male, DoB: 6.11.2015) by Mr. Manoj Kumar and Mrs. Remeena Manoj from Snehanikethan Foundling Home, Dinasevanasabha, Pattuvam.

page 1-7/c

1. Hon'ble High Court of Kerala, vide its order dated 31.08.2016 in CWP No. 20943, had asked the Central Adoption Resource Authority (CARA) to take an appropriate decision on Exhibit-P15 (the representation of the Prospective Adoptive Parents, Mr. Manoj Kumar and Mrs. Remeena Manoj) after affording an opportunity of hearing to the Petitioner (Snehanikethan Foundling Home, Dinasevanasabha, Pattuvam) as well as to the Respondents 5 & 6 (Prospective Adoptive Parents), as expeditiously as possible.

2. The above direction of the Hon'ble High Court has been received by CARA to decide the matter as the Appellate Authority, in the light of the following legal provisions :-

(a) Para 9 of the Guidelines Governing Adoption of Children, 2015:

page 9-10/c

(9) "The prospective adoptive parents can appeal against the decision of rejection to Central Adoption Resource Authority."

(10) "The appeal referred to sub paragraph (9) shall be disposed of within 15 days and the decision of Central Adoption Resource Authority in this regard shall be binding."

page-11/c

(b) Section 70(2) of the Juvenile Justice (Care & Protection of Children) Act, 2015, which reads as under :

"In case of any difference of opinion in an adoption case, including the eligibility of prospective adoptive parents or of a child to be adopted, the decision of Authority shall prevail."

3. As per the provisions of Section 2(7) of the said Act, the "Authority" means the Central Adoption Resource Authority.

4. But, the Juvenile Justice Act (2015) or the Juvenile Justice (Care & Protection of Children) Model Rules (2016) or the Guidelines Governing Adoption of Children (2015) do not define the competent authority who would be deciding the appeals made to the Authority. In such a situation, such "authority" may be decided by the Steering Committee of CARA.

5. In view of the above, the Chairperson of the Steering Committee may be authorised to constitute a Committee either chaired by her or someone from the Steering Committee, as deemed fit.

page - 12/c

6. Therefore, approval of the proposal at para 5 above by Steering Committee of CARA is solicited by circulation, as per the provisions of Sub-rule (2) of Rule 51 of the Juvenile Justice (Care & Protection of Children) Model Rules (2016).

[Handwritten signature]
3/10/2017

(Karuna, SAA, Howrah) (Shishu Vihar, SAA, Hyderabad) (Avinash Kumar)
Member Member Member

(Samiha Grewal) (SARA, Maharashtra) (Kiran Singh)
Member Member Member

(Sarita Mittal) *[Signature]* (Rashmi Saxena Sahni)
Member (Ex-officio) (Deepak Kumar) Member Secretary Member (Ex-officio)

(LEENA NAIR)
Chairperson (Ex-officio), Steering Committee of CARA

Delegation of power to the Chairperson of the Steering Committee of CARA to constitute Committee for deciding appeals under Provision of Section 70(2) of the Juvenile Justice Act, 2015.

SARA MAHARASHTRA <sara.mscps@gmail.com>

Thu, Oct 27, 2016 at 2:59 PM

To: Binod Sahoo <binod.sahu@nic.in>, Binod Sahu <sahubinod66@gmail.com>, Binod Sahu <binod.cara@gmail.com>, neetasaxenacara <neetasaxenacara@gmail.com>

Respected Sir/Madam,


I am sending Approval of the proposal at para 5 in the attached Note is solicited from the Steering Committee by circulation, as per provision of Sub-rule (2) of Rule 51 of the Juvenile Justice (Care & Protection of Children) Model Rules (2016).

PFA

On Thu, Oct 27, 2016 at 10:34 AM, Commissionerwcd <commissionerwcd@ymail.com> wrote:
[Quoted text hidden]

--
Thanks & Regards ,

Programme Manager
Maharashtra SARA

 **doc20161028012301.pdf**
804K

CENTRAL ADOPTION RESOURCE AUTHORITY

Subject: In the matter of adoption of the Child: Gazal (Male, DoB: 6.11.2015) by Mr. Manoj Kumar and Mrs. Remeena Manoj from Snehanikethan Foundling Home, Dinasevanasabha, Pattuvam.

page 1-7/c

1. Hon'ble High Court of Kerala, vide its order dated 31.08.2016 in CWP No. 20943, had asked the Central Adoption Resource Authority (CARA) to take an appropriate decision on **Exhibit-P15** (the representation of the Prospective Adoptive Parents, Mr. Manoj Kumar and Mrs. Remeena Manoj) after affording an opportunity of hearing to the Petitioner (Snehanikethan Foundling Home, Dinasevanasabha, Pattuvam) as well as to the Respondents 5 & 6 (Prospective Adoptive Parents), as expeditiously as possible.

2. The above direction of the Hon'ble High Court has been received by CARA to decide the matter as the Appellate Authority, in the light of the following legal provisions :-

(a) Para 9 of the Guidelines Governing Adoption of Children, 2015:

page 9-10/c

(9) "The prospective adoptive parents can appeal against the decision of rejection to Central Adoption Resource Authority."

(10) "The appeal referred to sub paragraph (9) shall be disposed of within 15 days and the decision of Central Adoption Resource Authority in this regard shall be binding."

page-11/c

(b) Section 70(2) of the Juvenile Justice (Care & Protection of Children) Act, 2015, which reads as under :

"In case of any difference of opinion in an adoption case, including the eligibility of prospective adoptive parents or of a child to be adopted, the decision of Authority shall prevail."

3. As per the provisions of Section 2(7) of the said Act, the "Authority" means the Central Adoption Resource Authority.

4. But, the Juvenile Justice Act (2015) or the Juvenile Justice (Care & Protection of Children) Model Rules (2016) or the Guidelines Governing Adoption of Children (2015) do not define the competent authority who would be deciding the appeals made to the Authority. In such a situation, such 'authority' may be decided by the Steering Committee of CARA.


5. In view of the above, the Chairperson of the Steering Committee may be authorised to constitute a Committee either chaired by her or someone from the Steering Committee, as deemed fit.

page-12/c

6. Therefore, approval of the proposal at para 5 above by Steering Committee of CARA is solicited by circulation, as per the provisions of Sub-rule (2) of Rule 51 of the Juvenile Justice (Care & Protection of Children) Model Rules (2016).


(Karuna, SAA, Howrah) (Shishu Vihar, SAA, Hyderabad) (Avinash Kumar)
Member Member Member

(Samiha Grewal)
Member


(SARA, Maharashtra)
Member

(Kiran Singh)
Member

(Sarita Mittal)
Member (Ex-officio)


(Deepak Kumar)
Member Secretary

(Rashmi Saxena Sahni)
Member (Ex-officio)

(LEENA NAIR)
Chairperson (Ex-officio), Steering Committee of CARA