



## **A Ready Reckoner to the Adoptions Guidelines 2017**

MINISTRY OF WOMEN AND CHILD DEVELOPMENT has notified the following Adoption regulations as framed by the Central Adoption Resource Authority. These guidelines come into force w.e.f. Jan 16, 2017.

The 2017 regulations are path breaking in terms of addressing the need for in-family adoptions, post adoption support, child centric provisions, category for immediate placements, flexibilities by way of relaxation committee, extended validity of home study report, equitable referral of children, time limit on courts for disposing adoption deeds, consolidation of seniority list, facilitating root search even by children below 18 years of age to name a few.

The salient features of these guidelines are:

- A Fundamental Principle relating to all adoptions to be registered on Child Adoption Resource Information and Guidance System (CARINGS) has been included to ensure that all adoptions, including In-Family and Relative adoptions are registered with CARA.
- The scope of children available for adoption has been expanded to include a child of a relative and step-children
- The age criteria for prospective adoptive parents has been relaxed for relative / in-family adoptions and adoption by step-parent.
- The limit on eligibility for adoption has been reduced from 4 children to 3 children. Therefore, couples with three or more children shall not be considered for adoption except in case of special need children, hard to place children as mentioned in regulations and for relative adoption and adoption by step-parent.
- Home Study Report emphasizes the preparedness of the parents and their ability to support a child in adoption – beyond their immediate need
- DCPU has been allowed time limit of 3 working days to place advertisement / notification for tracing the parents/guardians in case of child received in adoption – earlier the same was 72 hours.
- Parents can indicate their preference for the State from which they wish to adopt, at the time of registration, itself – which will determine their waitlist in that State, for their chosen preference for the gender and age combination of the child they wish to adopt. Parents can also indicate “All India” if they do not have any specific preference. The parents will be automatically registered for all the Specialized Adoption Agencies of the State or States they have opted for.
- The validity of the home study report has been extended to 3 years from 2 years.
- The number of children to be referred to parents based on their seniority has been reduced to three (from up to six, previously) - in one or more referrals.
- New terms related to Disruption, Dissolution and Habitual Residence have been included to address Post Adoption responses

- The validity of registration of parents has been extended from current period of two years to being valid until adoption is complete, with revalidation of the Home Study Report in every three years.
- In case of siblings or twins, the Specialized Adoption Agency shall file single application in the court.
- The court shall hold the adoption proceeding in-camera and dispose of the case within a period of two months from the date of filing of the adoption application by the Specialized Adoption Agency
- 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.
- Special provisions has been provided for to address post adoption scenarios relating to disruption or dissolution of adoption, safeguarding the interests of the child.
- The parents shall be referred children on the basis of a single seniority list as against separate seniority list provided for in erstwhile regulations for resident of overseas parents.
- Parents shall be allowed to change the State preference once within sixty days from the date of registration without losing their seniority
- Seniority of parents registered as single, but married later shall be counted from the date of registration as single after receipt of fresh Home Study Report.
- Parents registered for normal child, shall be able to adopt a special need child or children in Immediate Placement category with the same seniority
- Provision has been made for adoptees above eighteen years to apply for root search independently online while children below eighteen years can apply jointly with their adoptive parents to the Authority seeking facilitation of root search.
- The regulations provide for additional efforts for adoption of children, who are not getting any referral for long time
- Provisions have been made for adoption by relatives and step-children within new guidelines
- A Relaxation Committee has been provided for to facilitate decision making in extra ordinary circumstances of adoption, bearing the best interests of the child.