

Roles of State Government and State Adoption Resource Agency

1. Structure of State Adoption Resource Agency:

- a. The State Government shall set up a State Adoption Resource Agency for dealing with adoptions and related matters in the State under the guidance of Authority, as per the provisions of section 67 of the Act.
- b. The existing State Adoption Resource Agencies shall be deemed to be set up under the Act.
- c. The State Adoption Resource Agency shall be headed by Principal Secretary or Secretary of the department of the State Government dealing with adoption and the Governing Body of the agency shall have following members:-
 - i. Director of the department of the State Government dealing with adoption who shall be the Member Secretary;
 - ii. Director of the Department of Health or Hospital Administration of the State Government;
 - iii. Chairperson of a Child Welfare Committee;
 - iv. representative of a Specialised Adoption Agency;
 - v. one member from the civil society involved in child welfare and protection for at least ten years;
 - vi. one member from the State Legal Services Authority.
- d. The Governing Body shall meet as frequently as required and at least once in every quarter to review the progress of adoption work and to address the operational as well as logistic issues and bottlenecks in the adoption process or system in the State.
- e. The authorities dealing with issuance of birth certificate, passport and other related matters may be invited as special invitees to attend the meetings of the State Adoption Resource Agency.
- f. The State Government shall provide adequate staff, infrastructure and communication facilities to State Adoption Resource Agency for efficient performance of its functions.

Functions of State Adoption Resource Agency: The State Adoption Resource Agency shall function as the executive arm of the State Government for promotion, facilitation, monitoring and regulation of the adoption programme in the State, and its functions shall include to:-

- . recommend for recognition to one or more of the Child Care Institutions as Specialised Adoption Agencies in each district;
- a. publish the contact details of Specialised Adoption Agency in the State at least once in a year;
- b. recommend renewal of recognition to Specialised Adoption Agency every five years subject to satisfactory performance;
- c. conduct meetings of Specialised Adoption Agencies on quarterly basis for addressing issues related to adoption and uploading the minutes of such meetings in the Child Adoption Resource Information and Guidance System;
- d. inspect and monitor adoption programme and activities of all Specialised Adoption Agencies within its jurisdiction;
- e. identify Child Care Institutions which are not recognised as Specialised Adoption Agencies and link them to Specialised Adoption Agencies for enabling and facilitating adoption of eligible children in such institutions, in pursuance of the provisions under section 66 of the Act;
- f. enforce standards and measures for the adoption of orphan, abandoned and surrendered children, as envisaged under the Act or the rules made thereunder and these regulations;
- g. identify Specialised Adoption Agencies or Child Care Institutions which have the capacity to provide quality care and treatment on a long term basis to special need children including children affected or infected by HIV/AIDS and mentally or physically challenged children, and facilitate transfer of such children to these agencies;
- h. expedite de-institutionalisation of children through adoption and other non-institutional alternatives;
- i. take measures that are required for expansion of the adoption programme in the State, such as, strengthening the knowledge base, research and documentation, strengthening child tracking system, training and capacity building activities, publicity and awareness activities, advocacy and communication, monitoring and evaluation;
- j. validate the data furnished online in the Child Adoption Resource Information and Guidance System by the Child Welfare Committees in the State, in pursuance of the provisions of sub section (5) of section 38 of the Act;
- k. ensure furnishing of correct adoption data and documents in the Child Adoption Resource Information and Guidance System by the Specialised Adoption Agency, in the format and periodicity as specified in these regulations and validating the same;
- l. furnish or update in the Child Adoption Resource Information and Guidance System, the profile of the Specialised Adoption Agency as required under sub section (2) of section 65 of the Act;
- m. update the contact details of the District Child Protection Units, Child Welfare Committees and State Adoption Resource Agency online in the Child Adoption Resource Information and Guidance System on regular basis;

- n. maintain a State-specific database in Child Adoption Resource Information and Guidance System of adoptable children, prospective adoptive parents, children given in in-country and inter-country adoptions;
- o. ensure that all adoption placements in the State are done in accordance with the relevant provisions of the Act, rules made there under and these regulations;
- p. maintain a panel of professionally qualified or trained social workers and set up a counselling centre with the support of Authority at State-level to assist District Child Protection Unit, Specialised Adoption Agency or Child Care Institution, wherever required, for:-
 - . counselling and preparation of the Home Study Report of the prospective adoptive parents;
 - i. preparation of the Child Study Report and counselling of older children, wherever required;
 - ii. preparing post-adoption follow-up report, wherever required;
 - iii. preparing family background report in cases of inter-country relative adoptions;
 - iv. post adoption counselling to adopted children and adoptive parents;
 - v. assisting and counselling older adoptees in root search.
- q. carry out such other functions as assigned by the Authority from time to time.

The State Government shall take appropriate action on the receipt of a complaint or suo-motu, in the cases of violation of the provisions under section 32, sub-sections (1) and (5) of section 41, sub-section (4) of 65, 80 and 81 of the Act, after giving due opportunity to the defaulting agency or institution or functionary.