

Adoption Procedure for Resident Indians

9.Registration and home study of the prospective adoptive parents:

- The Indian prospective adoptive parents irrespective of their religion, if interested to adopt an orphan or abandoned or surrendered child, shall apply for the same to Specialised Adoption Agencies through Child Adoption Resource Information and Guidance System by filling up the online application form, as provided in **Schedule VI**, and uploading the relevant documents thereby registering themselves as prospective adoptive parents.
- The prospective adoptive parents shall opt for desired State or States by giving option for those particular States at the time of registration.
- Registration on Child Adoption Resource Information and Guidance System would be a deemed registration in all Specialised Adoption Agencies of the State or States they have opted for.
- The registration number of prospective adoptive parents shall be available with all the Specialised Adoption Agencies in those State or States, as the case may be.
- The registration shall be complete and confirmed to the prospective adoptive parents immediately on receipt of the completed application form and requisite documents on Child Adoption Resource Information and Guidance System: Provided that the documents shall be uploaded within a period of thirty days from the date of registration failing which the prospective adoptive parents have to register afresh.
- The prospective adoptive parents shall get their registration number from the acknowledgement slip and use it for viewing the progress of their application.
- The prospective adoptive parents shall select a Specialised Adoption Agency nearest to their residence for Home Study Report in their State of habitual residence.

- The Home Study Report of the prospective adoptive parents shall be prepared through the social worker of selected Specialised Adoption Agency and in case they are unable to conduct Home Study Report within stipulated time, they shall take the assistance of a social worker from a panel maintained by the State Adoption Resource Agency or District Child Protection Unit, as the case may be.
- The Specialised Adoption Agency or the empanelled social worker of the State Adoption Resource Agency or District Child Protection Unit shall counsel the prospective adoptive parents during the home study.
- The Home Study Report shall be completed in the format given in **Schedule VII**, within thirty days from the date of submission of requisite documents and shall be shared with the prospective adoptive parents immediately, thereafter.
- The Home Study Report shall be posted in the Child Adoption Resource Information and Guidance System by the Specialised Adoption Agency as soon as it is complete.
- The Home Study Report shall remain valid for three years and shall be the basis for adoption of a child by the prospective adoptive parents from anywhere in the country.
- The prospective adoptive parents shall be declared eligible and suitable by the Specialised Adoption Agency based upon the Home Study Report and supporting documents and in case any prospective adoptive parent is not declared eligible or suitable, the reasons for the same shall be recorded in the Child Adoption Resource Information and Guidance System.
- The prospective adoptive parents may appeal against the decision of rejection to the Authority as provided **regulation 59**.
- The appeal referred to in **sub-regulation (14)** shall be disposed of within a period of fifteen days and the decision of the Authority in this regard shall be binding.
- The District Child Protection Unit shall facilitate online registration of application of prospective adoptive parents, uploading of their documents and also for addressing technical difficulties faced by the Specialised Adoption Agencies.
- The adoption of a child by the prospective adoptive parents, after completion of their registration and Home Study Report, shall depend upon the availability of a suitable child.

10. Referral of a child from a Specialised Adoption Agency through Child Adoption Resource Information and Guidance System to prospective adoptive parents:

- The seniority of the prospective adoptive parents for child referral shall be from the date of uploading of documents and completion of registration process in Child Adoption Resource Information and Guidance System.
- On the basis of seniority, the prospective adoptive parents shall be referred online profile of three children which will include the photographs, Child Study Report and Medical Examination Report, in their preference category, if any, from one or more Specialised Adoption Agencies through the Child Adoption Resource Information and Guidance System in one or more referrals.
- After viewing the profile of the child or children, the prospective adoptive parents may reserve one child within a period of forty-eight hours for possible adoption and the rest of the children would be released by Child Adoption Resource Information and Guidance System for other prospective adoptive parents in the waiting list.
- The Specialised Adoption Agency shall get the details of the prospective adoptive parents through the Child Adoption Resource Information and Guidance System for fixing an appointment with the prospective adoptive parents for matching, to assess the suitability of the prospective adoptive parents by an Adoption Committee as defined in **sub-regulation (2) of regulation 2** and the Adoption Committee shall prepare the minutes of the meeting as per format provided in **Schedule XXVII**.
- The quorum of the Adoption Committee shall be two members and the quorum of the Adoption Committee in case of adoption from a Child Care Institution shall be three members, while the presence of one official from the District Child Protection Unit would be mandatory.
- The Specialised Adoption Agency shall also organise a meeting of the prospective adoptive parents with the child.
- The entire process of matching shall be completed within a maximum period of twenty days from the date of reserving the child.
- The Specialised Adoption Agency shall counsel the prospective adoptive parents when they visit the agency for matching.
- While accepting the child, the prospective adoptive parents shall sign the Child Study Report and Medical Examination Report which may be downloaded from the Child Adoption Resource Information and Guidance System, in the presence of the social worker or chief functionary of the Specialised Adoption Agency and the Specialised Adoption Agency shall record the acceptance by the prospective adoptive parents in the Child Adoption Resource Information and Guidance System.

- In case the prospective adoptive parents are not selected for the child by the Adoption Committee, the reason for non-selection of the prospective adoptive parents shall be recorded in the Child Adoption Resource Information and Guidance System.
- If grounds of rejection are found to be due to systemic error or on non-justifiable reasons, seniority of the prospective adoptive parents shall be retained.
- In case the prospective adoptive parents do not accept the reserved child or the Adoption Committee does not find the prospective adoptive parents suitable, then the prospective adoptive parents shall be relegated to the bottom of the seniority list, as on that date, who may avail a fresh chance when the seniority becomes due and the same procedure shall be followed in the subsequent chances.
- In all cases referred to in **sub-regulations (12)**, the reasons for not considering the child have to be clearly stated in Child Adoption Resource Information and Guidance System.
- The registration of prospective adoptive parents shall continue till child adoption, with revalidation of the Home Study Report in every three years.
- The prospective adoptive parents may also get the Medical Examination Report of the child reviewed by a medical practitioner of their choice before giving their acceptance for adoption of the child.

11. Pre-adoption foster care:

- The child shall be taken in pre-adoption foster care by the prospective adoptive parents within ten days from the date of matching, after signing the pre-adoption foster care undertaking in the format provided in **Schedule VIII**.

12. Legal procedure:

- The Specialised Adoption Agency shall file an application in the court concerned, having jurisdiction over the place where the Specialised Adoption Agency is located, with relevant documents in original as specified in Schedule IX within ten working days from the date of matching of the child with the prospective adoptive parents and in case of inter-country adoption, from the date of receiving No Objection Certificate from the Authority, for obtaining the adoption order from court.
- The Specialised Adoption Agency shall file an application in the given format as per **Schedule XXVIII or XXIX**, as applicable.
- In case the child is from a Child Care Institution, which is not a Specialised Adoption Agency and is located in another district, the Specialised Adoption Agency shall file the application in the court concerned, in the district where the child or the Specialised Adoption Agency is located and in such a case, the Child Care Institution will be a co-petitioner along with the Specialised Adoption Agency and the Child Care Institution shall render necessary assistance to the Specialised Adoption Agency concerned.
- In case of siblings or twins, the Specialised Adoption Agency shall file single application in the court.

- Since an adoption case is non-adversarial in nature, the Specialised Adoption Agency shall not make any opposite party or respondent in the adoption application.
- 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 Specialised Adoption Agency, as provided under sub-section (2) of section 61 of the Act.
- 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.
- The Specialised Adoption Agency shall obtain a certified copy of the adoption order from the court and shall forward it to the prospective adoptive parents within ten days and it shall also post a copy of the order and update the relevant entries in the Child Adoption Resource Information and Guidance System.
- Registration of an adoption deed shall not be mandatory as per the Act.
- The Specialised Adoption Agency shall apply to the birth certificate issuing authority for obtaining the birth certificate of the child within three working days from the date of issuance of adoption order, with the name of adoptive parents as parents, and date of birth as recorded in the adoption order and the same shall be issued by the issuing authority within five working days from the date of receipt of the application.
- The Specialised Adoption Agency shall submit an affidavit to the court while filing a petition as provided in **Schedule XXIII**.

13. Follow-up of progress of adopted child:

- The Specialised Adoption Agency which has prepared the Home Study Report, shall prepare the post-adoption follow-up report on six monthly basis for two years from the date of pre-adoption foster placement with the prospective adoptive parents, in the format as provided in **Schedule XII** and upload the same in Child Adoption Resource Information and Guidance System along with photographs of the child.
- In case the adoptive parents relocate, they shall inform the agency which has conducted their home study and the District Child Protection Unit of the district where they relocate.