

**MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT**  
**NOTIFICATION**

**New Delhi, The 1<sup>ST</sup> June, 2004**

S.O. 711 (E).- In-Country adoption Guidelines were earlier circulated for the first time to all State Governments vide letter No. 1-4/98-CARA dated 14.9.1998. Subsequently, circulars have been issued to State Governments from time to time on matters relating to licensing of residential homes, setting up of state adoption Units, State Advisory Boards and monitoring of activities of adoption agencies etc. Instructions have also been issued to adoption agencies, so that common adoption practices are followed throughout the country.

It has been felt that there is a need for a revised set of guidelines to regulate in-country adoptions so that common practices and norms can be ensured for adoption all over the country. The new set of guidelines cover issues relating to adoption fees, age criteria for adoptive parents, home study etc. It is hoped that these guidelines will facilitate in-country adoption of children who are abandoned, destitute or orphaned so that they get the opportunity to develop in a loving and caring home environment that is the right of every child.

[No. 18-8/2003-CW]

**Mrs. RAJWANT SANDHU, JT. Secy.**

**GUIDELINES FOR IN-COUNTRY ADOPTION-2004**

[Contents](#)

## CONTENTS

1. **Glossary of Terms**
2. **Chapter-I : Introduction & Procedures**
3. **Chapter-II : Role of State Government/Union Territories**
4. **Annexures**
  - i. [Format of Master Admission Register \(Annexure I\)](#)
  - ii. [Format of Monthly Report \(Annexure II\)](#)
  - iii. [Accepted Fees Schedule for parents \(Annexure III\)](#)
  - iv. [Minimum Standards in Child Care Homes \(Annexure IV\)](#)
  - v. [Child Study Report \(Annexure V\)](#)
  - vi. [Guidelines for Home Study \(Annexure VI\)](#)
  - vii. [Registration Form for Prospective Adoptive Parents. \(Annexure VII\)](#)
  - viii. [Documents required for Indian Adoption. \(Annexure VIII\)](#)
  - ix. [Medical Report of the Prospective Adoptive Parents. \(Annexure IX\)](#)
  - x. [Format for Placing the child on ACA Assistance. \(Annexure X\)](#)

## CHAPTER-I

### INTRODUCTION & PROCEDURES

In pursuance of its constitutional mandate, the Government of India has evolved a National Policy for the Welfare of Children. The thrust of this policy is summed up in the following words:

"The Nation's children are a supremely important asset. Their nurture and solicitude are our responsibility. Children's programme shall find a prominent part in our national plans for the development of human resources, so that our children grow up to become robust citizens, physically fit, mentally alert and morally healthy, endowed with the skills and motivations needed by society. Equal opportunities for development to all children during the period of growth should be our aim, for this would serve our larger purpose of reducing inequality and ensuring social justice."

Following upon the above mandate, the Govt. of India has evolved several programmes to ensure the betterment of children and their development in a wholesome manner. The Ministry of Social Justice & Empowerment, Govt. of India has been mandated, amongst others, with the welfare of children in difficult circumstances. The rehabilitation of such children through adoption is one of the major planks of the Ministry's policies for children. This policy keeps in mind the fact that the full and wholesome growth of a child is possible only in an atmosphere of parental love and guidance. It recognizes the family as the Central fulcrum around which both mental and physical development of a child is given full opportunity to blossom.

In pursuance of land-mark judgement of the Supreme Court of India in the Laxmi Kant Pandey Vs. Union of India case of 1984, the Central Adoption Resource Agency (CARA) was established by the Ministry and subsequently the Revised Guidelines for the Adoption of Indian children were issued in 1995 to provide a frame work of Rules for regulating and monitoring inter-country adoptions. These Guidelines are now applicable all over the country and they provide a uniform mechanism for processing cases of Inter-country adoptions. Of late the Ministry has been contemplating the need to provide a similar framework of Guidelines for monitoring and processing of in-country adoptions. Both the Supreme Court in its above judgement and the United Nations Declaration of the Rights of the Child adopted by the General Assembly of the United Nations in 1989 as well as the Hague Convention on Inter-country adoption of 1993 clearly lay down that the best interest of the child without a family is served by providing it an opportunity to be placed with a family within its own socio-cultural milieu. Thus every child has a right to be considered for placement with a family belonging to its own national and cultural background within the country. Inter-country adoption is therefore, to be seen as an option, which is to be considered only when the above is not possible. This is also prescribed in the Guidelines governing inter-country adoptions.

The importance of In-country adoption is, self-evident. There is need to ensure that not only In-country adoption is actively encouraged and propagated throughout the country, but also a well formulated procedure is followed for the purpose. The Ministry of Social Justice and Empowerment, Govt. of India has now decided to issue common Guidelines for the procedure that needs to be undertaken by adoption Homes/Institutions before filing adoption petitions under Hindu Adoption and Maintenance Act, 1956 (HAMA), Juvenile Justice (Care & Protection of Children) Act, 2000 (JJ Act) and also Guardianship Petitions under Guardian & Wards Act, 1890 (GAWA). These Guidelines do not affect the provisions in the existing Acts and laws but serve to provide a procedure for processing adoption cases before they are actually brought before the competent authorities/courts under the aforementioned Acts for orders. The Guidelines will also ensure that the best interests of the child are protected and all adoptions are legally processed through licensed Homes/Institutions only.

The Central Adoption Resource Authority is the nodal body of the Ministry of Social Justice & Empowerment to deal with all adoption matters. After due consideration of all aspects and consultations with experts in this field, the Government of India, hereby issues the Guidelines for In-country Adoption that shall come into effect immediately and will supercede this Ministry's earlier Circular No.1-4/98 (CARA) Dt.14.09.1998. The Ministry of Social Justice & Empowerment, Government of India, reserves to itself the power, at its discretion to make such amendments, additions, deletions or alterations in these Guidelines as are deemed necessary from time to time.

#### **AIMS & OBJECTS :**

The Guidelines for In-country adoption aim:

- to regulate and facilitate a common procedure for In-country adoptions throughout the country;
- to encourage adoption of destitute & orphan children within the country.

## 1.1 ADOPTION HOMES

### 1.1.1 Role & Functions of LAPAs

- All such Licensed Adoption Placement Agencies for In-country adoptions will be registered under the Societies Registration Act, 1860. They will adhere to any guideline or rule laid down by the State Government/Central Government governing in-country adoption from time to time. As such they will obtain license from the State Government to run child care homes and recognition/permission to place children in adoption within the country and will be known as Licensed Adoption Placement Agencies (LAPAs). Adoption Homes which have been recognised to also undertake inter-country adoption by the Govt.of India will be called Recognised Indian Placement Agencies (RIPAs)
- Details of all Children admitted by LAPAs will be entered in the admission register in the format prescribed at [Annexure-I](#).
- All LAPAs will be members of the nearest Adoption Coordinating Agency.
- They will maintain a separate list of Indian couples/individuals registered with them as prospective adoptive parent(s).
- All the LAPAs must have a high standard of child care facilities and observe prescribed & adequate standards in child care as per the broad criteria placed at [Annexure-IV](#). For children, between 3 and 6 years proper recreational and pre-school educational facilities must be provided.
- It will be mandatory for all the LAPAs to have qualified staff. The following staff should be available in a home for 10 children:

1.	Superintendent	1
2.	Nurse-cum-supervisor	1
3.	Full time or part time Doctor preferably Paediatrician	1
4.	Social Worker	1
5.	Ayas (for 10 children)	4
6.	Accounts and Administrative staff	1
7.	Chowkidar	1

The above is the recommended staff structure and it may vary in proportion to the number of children and size of the Home. The professional staff such as Nurses and Social Workers should have the relevant qualifications such as Degree/Diploma in Nursing and MSW/BSW respectively.

- Every LAPA has a moral and legal responsibility to function within the ambit of the law and in the best interest of the child. While admitting an orphan or destitute child, the Home will give a name to the child, record briefly the social background of the child, record identification marks of the child, record height and weight of the child, conduct medical examination of the child and get the child photographed. In case of all new arrivals, the local authority should be informed within 24 hours and in case of admission of any abandoned child, the Home will file FIR with the nearest Police Station and inform the local authority and the CWC within 24 hours.
- A monthly report on the number of children available will be submitted to the State Adoption Cell of the State Govt. The death of any child will also be reported to the local authority, ACA & State Adoption Cell immediately, giving details, within 48 hours. The Death Certificate alongwith the photograph, shall be kept in the personal record file counter signed by the Office bearer of the LAPA. Every LAPA shall maintain a separate file for each child with the child's complete case history. Every child should have a Child Study Report which shall be shown to the prospective adoptive parents. Format of such a report is placed at [Annexure-V](#).
- All registered prospective adoptive parent(s) may avail counseling facilities which is to be given free by the LAPA. They should be counselled in detail and made aware of the legal obligation to be

placed upon them once a child has been adopted, the rights of the child itself, the various Acts under which a child can be placed with the family, procedures for obtaining birth certificate etc.

- x. The LAPAs will submit a list of children available with them with relevant information every month to the ACA and State Adoption Cell to facilitate search for suitable adoptive parent(s) who may be registered with them.
- xi. While filing an application for adoption or placement of a child in the appropriate Court, the LAPA will also be a co-respondent. The child will be in the custody of the LAPA until the final placement takes place through the Court order. Therefore, parent(s) cannot directly file a petition and the details of the biological unwed mother cannot be disclosed to the parent(s) as a part of the petition. If violation of these provisions come to notice, action will be taken against the LAPA by the State Government. The surrender document should be treated as confidential and submitted only to the court. The LAPA must ensure that adoption petitions are filed in the court expeditiously and render all cooperation to the court for obtaining early orders.
- xii. The LAPA will send a monthly report to the ACA and the State Adoption Cell as per [Annexure II](#).

### **1.1.2 Mode of Admission of children of LAPA**

A child can be admitted to the LAPA by two modes:

- i. Direct surrender by biological parent(s)/unwed mother
- ii. Child abandoned in the LAPA or abandoned elsewhere brought by a third party or police or referred by the Child Welfare Committee.

### **1.1.3 Surrender of a Child by biological parents (s)**

- i. In the case of surrender of a child, the biological parent(s) should be counselled and duly informed by the LAPA concerned of the effect of their decision and the alternatives available for the care and maintenance of the child. No LAPA will directly or through agents, attempt to persuade the biological parent(s) to surrender their children with monetary or other incentives.
- ii. The surrender document should be executed truly by the biological parent(s) with no compulsion, payment or compensation of any kind by anyone.
- iii. The parent(s) should be informed by the LAPA of their right to reclaim the child within 60 days from the date of the surrender. They should be made aware that after the period of 60 days the surrender documents will become irrevocable and the child will be considered free for adoption and the LAPA will be free to place the child in adoption or guardianship.
- iv. The surrender document should be executed on stamp paper in the presence of two responsible witnesses of whom one should be responsible person who is not an employee of the organization. The documents will also be signed by a Notary/Oath Commissioner. The LAPA should be able to produce these witnesses if the necessity arises. The responsibility for the authenticity of the surrender document would be on the LAPA. In case of a minor surrendering a child, at least one signature(s) of parent(s)/relative(s) of the minor should be obtained in the presence of the minor. The State Govt. will have the right to cross check all surrender documents and copies of these are to be sent to the Adoption Cell/Department. During the surrender process, the LAPA should ensure that:
  - a) If a child born in wedlock is surrendered, both parents sign the surrender document and in case a parent(s) is dead, proof of death is furnished. Where the death certificate is not available, a certificate from local Sarpanch/Panchayat/Govt. Authority should suffice.
  - b) In case of a child born out of wedlock, the mother herself and none else can surrender the child. If she is a minor, the signature of an accompanying relative will be obtained on the surrender document.
  - c) If the surrender is effected by any person other than the biological parent(s), the same procedure is followed as that for an abandoned child under the JJ Act 2000, since the child will be treated as abandoned.

- d) When a child is born to a married couple but is surrendered by one biological parent and the whereabouts of the other are not known the same procedure is followed as that for an abandoned child.
- e) If the document of surrender is considered invalid/incomplete by the State Govt. it may direct the concerned Agency to follow the same procedure as under the JJ Act-2000. Any such direction should however be communicated to the Agency within 15 days of receiving the copy of the surrender documents.

#### 1.1.4 Abandoned Child

- i. The procedure regarding abandoned children is prescribed by the Juvenile Justice (Care & Protection of Children) Act-2000. While the CWC (Child Welfare Committee) is the final authority to dispose of cases for the care, protection, treatment, development and rehabilitation of the children (Section 31.1 of the said Act), a child can be produced before the Committee by the following persons (Section 32.1 of the said Act):
  - a) any police officer or special juvenile police unit or a designated police officer;
  - b) any public servant;
  - c) Childline, a registered voluntary organisation or by such other voluntary organisation or an agency as may be recognised by the State Government;
  - d) any social worker or a public spirited citizen authorised by the State Government; or
  - e) by the child itself.
- ii. Wherever a LAPA receives an abandoned child under its care it will immediately file a First Information Report in the concerned Police Station and make an application to CWC within 24 hours seeking permission to keep custody of the child.
- iii. The LAPA may initiate the process of clearance from CWC (Child Welfare Committee) at the earliest, in the case of abandoned children and the Child Welfare Committee will make all possible efforts within a period of two months to declare the child legally free for adoption.
- iv. In the case of abandoned children the procedure for declaring such children as legally free for adoption as laid down under the Juvenile Justice (Care and Protection of Children) Act, 2000 shall apply. An abandoned child can be given in adoption only when the Child Welfare Committee under the Juvenile Justice (Care and Protection of Children) Act, 2000, declares such a child to be legally free for adoption. An abandoned child will be legally free for adoption when such an order is signed by at least two members of the Child Welfare Committee as per Sec. 41(5)(a) of the JJ Act. 2000. On receipt of a report under section 32, the Committee or any police officer or special juvenile police unit or the designated police officer shall hold an inquiry in the prescribed manner and the Committee, on its own or on the report from any person or agency as mentioned in sub-section (1) of section 32 of JJ Act-2000, may pass an order to send the child to the children's home for speedy inquiry by a social worker or child welfare officer. The inquiry under this section will be completed within such shorter period as may be fixed by the Committee.
- v. Where there is no CWC functioning, the District Collector or any other authority empowered by the State Government for the purpose may issue the Certificate of Abandonment.

#### 1.1.5 Procedure For Incountry Adoption:

##### Stage I

- Prospective adoptive parent(s) should register themselves with the local RIPA/LAPA or Adoption Coordinating Agency or with the State Adoption Cell.

## Stage II

- A home study report of the prospective adoptive parents will be prepared by the social worker of the Agency. To allay the fears and apprehensions of the prospective adoptive parent(s), pre-adoptive counseling sessions will be undertaken by the social worker during the preparation of the home study report. Assessing the ability of a couple to parent a child not born to them is of crucial importance in a successful adoption. Therefore, their suitability to care for an unrelated child is assessed through this home study and counselling. Documents relating to the financial and health status of the prospective parent(s) will be part of the Home Study Report.
- In case of Inter-State adoption applications by parent(s), they will be accompanied by Home Study prepared by a qualified social worker working in a RIPA/LAPA. Where State Govt.'s have officially delegated such work for its Officials, the Home Study Report could be prepared by the concerned Official.
- Criteria for eligibility of parent(s) will be adhered to, as stated in Para 1.1.7.
- The Agency will make a suitable reference from amongst the admitted children legally free for adoption. If no suitable child is available, the family will be referred to the ACA.

## Stage III

- After a Home Study has been accepted and approved, a child will be shown to the parent(s). The agency will take care to match a child meeting the description, if any, desired by the parent(s).
- In case of placement of older children (above the age of 6), both written and verbal consent of the child will be obtained.

## Stage IV

- Once a successful matching has been done, the agency will file a petition in the Court/JJB for obtaining the necessary orders under the relevant Act. The above process will normally be completed in 6-8 weeks.

### **Adoption Act**

The child can be legally placed with the parent(s) under HAMA/GAWA/JJ-Act 2000. The prospective parents should be informed about the different Acts available and the ramifications of each one. It would be left to them to decide as to which Act they would like to file their petition under, provided that they are eligible to do so under the chosen Act. As stated above, the prospective parents must be made to fully understand the status of their adoption under each Act.

### **Follow up visits**

Once an order has been issued, it should be followed by regular follow-up visits and post adoption counseling by the social worker till the child is adjusted in the new environment. The follow up should preferably be for a period of one year at-least or as directed by the Court/JJB. Copies of the follow-up reports will be sent to the District Social Welfare Officer/concerned State Government Department, concerned Scrutiny Agency and the Court/JJB from where the order was obtained.

### **1.1.6 Adoption Costs**

Maintenance charges shall not exceed Rs.15,000/- at the rate of Rs.50/- per day from the date of admission to till the child is placed in pre-placement foster care. In case of special medical care, hospitalization charges subject to a maximum of Rs.9000/- may be claimed on production of actual bills. Legal fees and scrutiny fees will be charged on actuals. **NGOs and Government Homes getting Grant-in-aid from the Central Government under Sishu Greh Scheme can claim maintenance and legal fee from the adoptive parents only as per the provisions laid down in Para 5.4 of the Scheme.** The Fee structure for in-country adoptions has also been drawn up to establish a uniform base for the whole country (The prescribed fees will however be subject to any direction given in this regard by the Court issuing the Adoption Order). In addition to the above charges the agency can claim Rs.200/- as registration charges in each case from adoptive parents and Rs.1000/- for preparing Home Study Reports.

### **1.1.7 Criteria for Prospective Adoptive Parents:**

- a) Marital Status, Age and Financial Status with reasonable income to support the child and clear police record should be evident in the Home Study Report.
- b) Prospective adoptive parents having composite age of 90 years and less and where neither parent has crossed 45 years can be considered for adoption of Indian children. These provisions may be suitably relaxed in exceptional cases for reasons clearly stated in the Home Study Report. However, in no case should the age of the prospective adoptive parent(s) exceed 55 years.
- c) In case of Special Needs children with medical problems, the age limit of adoptive parent(s) may be relaxed by concerned State Government.
- d) Single persons who have not crossed the age of 45 years and who fulfill the other criteria can also adopt.
- e) The prospective parent(s) should have a regular source of income with a minimum average monthly income of at least Rs.3000/- per month. However, lower income will be considered taking into account other assets and support system i.e. own house etc.
- f) All the criteria mentioned above for adoptive parents will also apply to **single parents** with the additional requirements given below:-
  1. Age: Age of the adoptive single parent should be above 30 years and below 45 years.
  2. Age Difference: The age difference between the adoptive single parent and adoptive child should be 21 years.
  3. Family: The single parent should have additional family support system.

### **1.1.8 Criteria for eligible children:**

- The child should be legally free for adoption.
- Siblings/twins/ triplets etc. should not be separated.
- The consent of children above 6 years should be taken for the adoption.

### **1.1.9 Procedure for Home Study Reports (HSR)**

The LAPA & ACAs may follow the following procedure for preparing the Home Study Reports:

1. It should be prepared only after Registration of the parent(s).
2. It should be prepared by a qualified Social Worker or designated Officer of the State Govt. after interviewing both parents individually and together.
3. Other members of the family, if they live in a joint family should also be interviewed.
4. Parent(s) should be counselled on adoption issues including open adoption.
5. All necessary documents, marriage certificate, proof of income etc. should be checked and annexed to the Report.

### **1.1.10 Safeguards**

The following safeguards should be ensured while placing the child in In-country Adoption:

- a) The child should be legally free for adoption.
- b) The two months reconsideration period should be observed for a relinquished child.
- c) All efforts to trace the biological parent(s) should be made as per the prescribed framework for abandoned children
- d) Priority should be given to applicants already registered with the Agency and they should be regularly informed of the status of their applications.
- e) The Child Study Report along with PER should be signed by both adoptive parents.
- f) The parent(s) should be advised to have the child assessed by their own doctor in case of doubts.
  
- g) A receipt should be issued for the adoption fee.
  
- h) Older children above 6 years – special clearance from State Government should be obtained.
  
- i) In case of prospective adoptive parent(s) willing to adopt a child with disability/health problem, a document stating the same shall be obtained.
  
- j) Placement of girls with a single male is not allowed as also placement of children with same sex couples.
  
- k) Siblings and twins etc. should not be separated. Prospective Adoptive Parent(s) should be made aware of this.
  
- l) The prospective adoptive parent(s) may take the child on pre-adoption foster care signing a Foster Care Affidavit only when the case is filed in the Court.
  
- m) The prospective adoptive parent(s) should fulfill the laid down criteria of age, income etc.
  
- n) Above all, the Agency must satisfy itself that the proposed adoption is in the best interest of the child.

#### **1.1.11 Court Procedure:**

- i. The adoption petition along with the relevant documents should be filed before the concerned Family Court/District Court/JJB as the case may be by the Adoption Agency.
- ii. The Court/JJB at its discretion may refer the petition to Scrutiny Agencies in their respective jurisdiction.

#### **1.1.12 Birth Certificate:**

The date of birth of the abandoned child being given in adoption will be recorded in the order of the Juvenile Justice Board. In all other cases where the child has not been adopted or its adoption has not been carried out under the JJ Act and its date of birth has not been recorded officially anywhere, the Adoption Agency concerned must make an application to the local Magistrate along with any other material which the Adoption Agency considers relevant in the form of an affidavit made by a responsible person belonging to the Adoption Agency. The local magistrate will then pass an order approving the particulars to be entered in the birth certificate and on the basis of the magisterial order, the requisite certificate will be issued by the local birth certificate issuing authority of the city/town/area where the child has been found. This process shall be initiated only after the adoption is finalized, so that the particulars of the adoptive parents are available for inclusion in the certificate. In case the child has attained the age of three, and the adoption has still not been finalized, the Agency may obtain a birth certificate, if it is found necessary, after informing the court in the form of an affidavit:

- (a) That to the best of its knowledge the child has attained the age of three years;

- (b) That his/her adoption has not been finalized and is likely to take some time or may never be finalized in all probability;
- (c) That a certificate is required for educational/medical/legal purposes or any other reasonable purpose which may be specified; and
- (d) That person(s) will stand in as local parents to the child (this person/these persons shall be a responsible person/responsible persons belonging to the agency) till such time he/she attains majority, or is adopted, whichever is earlier. In such cases a second birth certificate may be issued after adoption to provide for a change in the name/names of the child and the adoptive parent(s) after obtaining an order to that effect from the court, which had passed order for issuing the original birth certificate.

#### **1.1.13 Records and Documents to be maintained by the LAPA**

Every registered LAPA will maintain the following records and registers:

- (i) Admission register – All details pertaining to the child including its arrival date of birth, procedure for making the child legally adoptable, pre adoption foster care, adoption and post placements etc. [\(Annexure-I\)](#)
- (ii) Attendance register of the children and staff present.
- (iii) Register of prospective adoptive parents with details. The copy of the same will be submitted to ACA and State Adoption Cell every month.
- (iv) Register of children showing their arrival, departure, admission into hospitals, restoration to their parent(s) and death, if any.
- (v) Medical case file of each child and individual case files. Wherever possible medical records of the biological parent(s) will be maintained.
- (vi) Registers pertaining to maintenance of the Home.
- (vii) Monthly reports in the prescribed format. [\(Annexure-II\)](#)
- (viii) Follow-up register of children placed with the adoptive family prior to legal placement and after legal placement.
- (ix) The annual report of the organization together with the necessary details and statistics.
- (x) Registers pertaining to vouchers, cashbook, ledger – expenditure statement, Annual Accounts, payment registers, records of Minutes of Meetings, Grants Utilization Register and Audited Statement of Accounts.
- (xi) Documents of promotional activities.
- (xii) Other records stipulated under the relevant Law and Licensing Act.

#### **1.1.14 Transfer of Children:**

- (i) For transfers of children from one agency to another whether within the city, district or inter-district, the prior permission of the authorized Official of the State Government such as District Social Welfare Officer/District Magistrate/Adoption Cell of the State Government is required. This is applicable in case of transfer of children from branches of the same

organisation also. Wherever applicable, the procedure of transfer will be followed as laid down in JJ Act. 2000.

- (ii) The transfer of the child should be accompanied by available documents pertaining to its admission, preliminary case history, documentary evidence to prove that the child is legally free for adoption, and a letter of transfer. In addition, the photograph of the child, CSR, PER and other relevant documents should be sent. The accepting Agency should verify all the facts before accepting the child, as it will be legally responsible for it, once the child is admitted.
- (iii) In the case of inter-state transfer of children, the following procedures should be followed:
  - a) Children from any orphanage/agency may be transferred to another State with the permission of the State Government in whose jurisdiction the child is originally residing.
  - b) A child should be legally made free for adoption in the place of origin.
  - c) The child should be registered with the nearest ACA and State Adoption Cell within 15 days of its arrival in the new Agency.
  - d) If a child cannot be placed in adoption with a suitable Indian family within 2 years of his or her admission into the Agency, he or she may be transferred to the nearest Recognised Indian Placement Agency(RIPA) with the prior permission of the competent authority of the State Government. The State Government, while examining such requests may take into consideration such aspects that may be prescribed by CARA from time to time.

#### **1.1.15 Follow-up**

The follow-up of children placed within the country will be as follows:

- (i) If any pre-adoption foster care is effected, there will be regular monitoring and evaluation of the foster care. A professionally trained social worker shall visit the family regularly. The Adoption Order should be obtained within 6 months of the foster placement.
- (ii) The copies of the follow-up reports of the children shall be submitted by the Agency to concerned State Government and ACA.
- (iii) The Agency shall see that legal adoption is effected at the earliest, thereby safeguarding the interest of the child.
- (iv) After legal adoption, the Agency shall maintain a follow-up with the family for a period of at least one year or as stipulated by the Court.
- (v) Post-adoptive counseling shall be provided by the agency to the adoptive parent(s) and the adoptee.

#### **1.1.16 Minimum standards in Child Care Homes:**

Each adoption agency has to maintain Quality Child Care in the institution. as per [Annexure-IV](#).

- 1.1.17** In the case of RIPAs, the procedures and other matters relating to In-country adoptions laid down in the preceding Paras will apply to them whenever they process cases for in-country adoptions.

**CHAPTER II**  
**ROLE OF STATE GOVERNMENT/UNION TERRITORIES**

**2.1 List of Children's Home**

The State Governments (the term "State Government" will also include Union Territory Administration wherever applicable) will maintain a list of all children's homes being run for the maintenance of destitute, abandoned, orphaned, delinquent or neglected children by Govt./voluntary/private organisations which are registered, recognised or licensed under various Laws.

**2.2 List of Adoption Agencies**

The State Government shall also separately maintain a list of all Agencies handling in-country and inter-country adoption of children and will identify all children who are legally free for adoption in these institutions.

2.3 The State Governments shall recognise Indian adoption agencies for in-country adoption as per the procedure laid down herein. State Governments should send a list of the Licensed Adoption Placement Agencies (LAPA) to CARA once a year.

**2.4 Role and Functions of State Governments**

The State Govts. will monitor both the in-country and inter-country adoption programme within their jurisdiction and coordinate the activities of RIPAs, LAPAs, ACAs and Scrutinizing Agencies. They will also undertake to:

- i. Encourage and promote placement of eligible children in adoption or guardianship with families within the country.
- ii. Scrutinise with ACA applications for declaring a child free for inter-country adoption.
- iii. Enforce the Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960 and/or Juvenile Justice (Care & Protection of Children) Act, 2000 and/or formulate suitable alternate rules in order to maintain certain minimum standards for child care in child welfare institutions. Homes not licensed/recognised by the State Governments should not be allowed to carry out adoption work.
- iv. Receive all applications for fresh recognition and renewal of recognition for inter-country adoption and after due verification give its clear recommendation or otherwise with supporting documents as prescribed.
- v. Form an Advisory Committee on adoption with the following members:

(a)	Secretary, Women & Child Development or the Administrative Department for Adoption Programme	1	Chairman
(b)	Director, Women & Child Development or the concerned Directorate for Adoption Programme.	1	Member
(c)	Two representatives of Adoption Agencies. Placement	2	Member
(d)	One representative of ACAs	1	Member
(e)	One representative of Adoption Scrutinising Agencies.	1	Member
(f)	Three experts in the field of Social and Child Welfare.	3	Member

The Committee will meet periodically to discuss child welfare measures and ways & means to promote in-country adoption of children. The tenure of such committee will be three years.

- vi. The State Government should also set up an Adoption Cell in the Directorate of Social Welfare to co-ordinate, monitor and develop the work of adoption and render secretarial & administrative assistance to the Advisory Committee on Adoption. The Adoption Cell should consist of at least one Officer and an Assistant or more based on the number of agencies licensed and recognized in the State.
- vii. Evolve suitable criteria for licensing/suspension/termination of License of Social/Child Welfare agencies for in-country adoption.
- viii. Ensure that the provisions of the Supreme Court Judgements in the L.K. Pandey Vs. UOI case of 1984 and the Guidelines for Adoption issued by Govt. of India from time to time are adhered to.
- ix. The State Government will receive data on new arrival and death of the children from all the adoption agencies and Children's Home.
  - x. The State Government will maintain list and register of prospective adoptive parents.
- xi. The placement of children from Nursing Homes/Hospitals is illegal and prohibited. The Supreme Court directive in this regard should be strictly enforced and action should be taken against those who violate these guidelines by the State Government concerned.
- xii. Wherever necessary, the State Government may also prepare Home Study Reports of prospective adoptive parents by its designated officers as per Guidelines placed in the [Annexure-VI](#), which will be acceptable to all the adoption agencies.
- xiii. Consider for clearance cases for relaxation of age criteria for parents wishing to adopt special needs children within the country.

## **2.5 Inspection of Adoption Agencies.**

The State Government will periodically and at least once a year, inspect or cause to be inspected, all RIPAs and LAPAs as also their papers, documents and activities connected with the service for children, generally, in order to verify the following:-

- i. That adoption as an activity is being pursued by the organization as a welfare measure in the interest of children and not as a commercial activity.
- ii. That proper records are being maintained for children admitted to the homes.
- iii. That the children admitted are provided with quality child care and basic minimum facilities for their care, education and development in the institution.
- iv. That the lists of persons interested in adopting a child or taking a child under guardianship are being maintained by the organisation regularly.
- v. That the accounts of the organisation are being maintained and audited annually without delay and that the auditor's reports confirm that the accounts are fair and accurate; that any organisation which is in receipt of foreign funding is duly registered with the Ministry of Home Affairs and has otherwise complied with the provisions of the Foreign Contributions (Regulations) Act, 1976.
- vi. That the organisation is receiving regular progress reports about the well-being of children given in adoption.
- vii. That qualified staff are employed by the Agency to supervise the care of children.
- viii. That in the case of children placed in pre-adoption foster care with the prospective adoptive parent(s), the cases have been legalized within 6 months of such placement.
- ix. That a Central Register of prospective adoptive parent(s) is maintained.
- x. A separate register is kept for children given in preadoption foster care in all cases.

## **2.6 Monitoring of Performance**

The State Government will call for information and data every quarter from all RIPAs/LAPAs engaged in adoption in order to monitor the functioning of these agencies. The data will be called for in a Proforma to be prescribed by the Central Adoption Resource Authority. An annual report and audited statement of accounts will be received from all Licensed Adoption Placement Agencies.

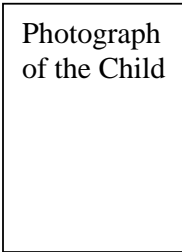
## **2.7 Suspension/termination of recognition/license of RIPA/LAPA**

In case of a report of malpractice by a LAPA/RIPA, the State Governments shall inform CARA and take appropriate action. It will make a suitable rehabilitation plan for the children affected by any action taken against defaulting Agencies. Normally such children should be transferred to other Agencies. The State Governments should ensure that no organization either RIPA or LAPA, indulge in any illegal activity or practice which is both against the law and not in the interest of the child. It is therefore, essential that the State Governments exercise full caution & vigilance in monitoring the activities of the adoption agencies in their respective states.

**FORMAT OF MASTER ADMISSION REGISTER  
NAME & ADDRESS OF THE INSTITUTION**

1	2	3	4	5	6	7	8	9	10
<b>S.No</b>	<b>Regd. No. &amp; Date</b>	<b>Name of the Child</b>	<b>Sex</b>	<b>Date of Birth</b>	<b>Child Status (Relinquished/ Abandoned) Date of Relinquishment/ abandonment</b>	<b>Reasons for surrender</b>	<b>Date of Admission/Date of acquiring the child</b>	<b>Health Status of the Child, Specify</b>	<b>Whether the child is in Foster Care</b>

11	12	13	14	15	Remarks
<b>Name &amp; Address of Adoptive/Foster Care Parents</b>	<b>Date of Foster Care Agreement</b>	<b>Whether the adoption of the child is finalised</b>	<b>Court Order No. &amp; Date</b>	<b>Post Placement Report.</b>	*



\*The date of Restoration & details of death of a child should also be stated in the remarks.

## Format of Monthly Report

PROFORMA FOR SUPPLYING MONTHLY DATA TO STATE ADOPTION CELL/STATE GOVERNMENT AND NEAREST ACA ABOUT DATA ON CHILDREN, NUMBER OF INDIAN ADOPTIONS, LISTS OF PAPs. REGISTERED WITH THE AGENCY.

NAME & ADDRESS OF THE AGENCY :

Part (I) DATA ABOUT CHILDREN FOR THE MONTH \_\_\_\_\_

A.

Name, Sex and DOB of each child present in the Home	Date of Relinquishment / Abandonment.	Date of admission in the Home	*Date of Restoration/Death of the child.	Date on which the child is legally free for adoption.	Health status of the child/ any special medical treatment.	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

(Newly admitted children should also be included).

\*The agency should maintain separate register for restoration and death with details

PART (II) DATA ABOUT INDIAN ADOPTIONS FOR THE MONTH \_\_\_\_\_

Name of children, their D.O.B. and sex who have been placed in adoption during the month	Name and address of adoptive parents / (children given to Indians)	Name, number and date of Court Order	Whether any child placed in pre-adoption foster care if yes, details thereof	Remarks
(1)	(2)	(3)	(4)	(5)



**ACCEPTED FEES SCHEDULE FOR PARENTS**

Regn. Charges for Adoption.	:	Rs.200/-
Preparation of Home Study Report.	:	Rs.1000/- + Actual TA
Maintenance & Medical.	:	Maintenance charges shall not exceed Rs.15,000/- at the rate of Rs.50/- per day from the date of admission till the child is placed in pre-placement foster care. In case of special medical care, hospitalization charges subject to a maximum of Rs.9000/- may be claimed on production of actual Bills.
Legal fees and scrutiny fees.	:	This will be as per actuals.

### **MINIMUM STANDARDS IN CHILD CARE HOMES**

1. The Organization must have adequate staff for child care, preferably in the ratio of 4:1 for children below 1 year, 6:1 for children in the age group of 1 to 3 years, and 8:1 for older children.

#### **2. Physical Facilities**

- Physical surroundings in which the children are cared for must be clean. Sanitation and hygiene maintained at the agency must be adequate, since a majority of children at the institution are small and suffer from numerous ailments.

- Good lighting, ventilation, adequate space must be mandatory.

- Walls and surroundings must be bright and stimulating. Often the walls are white and drab and there is a stark absence of toys or colorful objects for children.

#### **3. Medical Facilities**

Regular medical inspection must be done, preferably every alternate day by a registered medical practitioner who is a qualified and experienced pediatrician. The child specialist is best trained to diagnose and treat children who are at risk and highly vulnerable. The required medical tests and immunisation of children should be done.

#### **4. Recreational and Educational Facilities**

Recreational facilities should be provided to the children of the Home, especially play activities for the children. For children between 3 to 6 years basic non- formal educational facilities should be provided.

#### **5. Counseling Services**

Each Organization must provide counseling services to prospective adoptive parents, the biological mother/bioparents and also post adoption counselling. All Indian couples / individuals desirous of being registered should be accommodated and a list of such couples / individuals should be sent to local VCA. Proper records in this regard must be maintained by the Organizations. Older children also require counseling services to assess the background of the child.

**The above are the minimum requirements expected and the agencies should strive to achieve much higher standards. Each organization must make effort to adhere to child care standards without any compromise with the best interest of children. The Organizations should fulfil all the requirements of the Act under which license is being granted to them.**

**CHILD STUDY REPORT**

(To be submitted to the Court after being countersigned by the adoptive applicants)

Name \_\_\_\_\_ and \_\_\_\_\_ address \_\_\_\_\_  
Of the Institution: -

**I GENERAL INFORMATION:**

1. Name of the Child:
2. Reference No. as per general register of the Institution:
3. Present age and date of birth:
4. Sex:
5. Place of Birth :
6. Where was the child born (Name of the Hospital/Nursing Home)
7. Religion (if known):

**LEGAL DATA:**

(For Court Committed or remand Children only)

1. Is the Child on Remand or Committed to your Institution :
2. Name of the Committing Court/Board :
3. Age of the child at the time of Commitment :
4. Date of order of Commitment :
5. Period of Commitment :
6. Final date of release :
7. Date of Admission to your Institution (Please  
enclose a copy of the Court Commitment) :  
(If available, please enclose a copy of the  
Probation Officer's report which he/she had  
submitted to the Child Welfare Committee at the  
time of Commitment of the child as also the  
commitment order).

**III. SOCIAL DATA:**

Please do not give identifying information as name and address of the natural parent.

1. Date of admission of the child to your institution :
2. How did the child come to your institution :
  - a. Admitted directly by parent/or any other guardian:
  - b. Placed on remand or court committed or referred by the police. (Name of the Committing Court or police station should be given):
  - c. Transferred from any other institution and if so which one:
  - d. Any other source:
  - e. A brief note about the social background of the child..
3. Circumstances under which the child has come to the original institution:
4. Reasons for seeking protection in the Institution:

**IV. PHYSICAL AND EMOTIONAL DEVELOPMENT:**

1. Attitude towards other inmates:
2. Relationship towards staff and other adults including strangers:
3. Intelligence (if and where possible, D.Q./ I.Q. report should be enclosed):
4. If the child is school going, give a detailed report about his/her standard, attendance, general interest in studies, progress, limitations if any :
5. General personality and description of the child :
6. lay activity and any specific talent:
7. Milestones of the child (for children below 18 months). Please mark Yes/No

Does the child:

- a. Smile -----
- b. Turn over on its stomach -----
- c. Lift its head -----
- d. Grasp objects in its hand -----
- e. Crawl on its own -----
- f. Sit:                   with                   support -----  
without support -----
- g. Stand               :               with               support -----  
without support -----
- h. Walk:               with               support -----  
without support -----

8. Language development:

- a. Babbles incoherently -----
- b. Speaks few words incoherently -----
- c. Speaks few words clearly -----
- d. Speaks fluently -----
- e. Language/s spoken by the child -----

9. Dietary habits:
- Intake of: *Liquid foods* -----
  - Semi solids -----
  - Solids -----

10. Physical Examination report (appended)

I, Dr. \_\_\_\_\_ (Name of the Hospital / Nursing Home) \_\_\_\_\_

hereby certify that the information given in this form about the child is correct.

Place:	Signature:
Date:	Name:
	Designation:
	Registration No.:

We have read and understood the contents of this child study report and are willing to accept

\_\_\_\_\_, as our adoptive child.

(Child's Name)

\_\_\_\_\_  
(Signature of the male applicant)

\_\_\_\_\_  
(Signature of the female applicant)

\_\_\_\_\_  
(Name of the male applicant)

\_\_\_\_\_  
(Name of the female applicant)

Place:

Date of Acceptance of the Child :

Signature of the Professional Social Worker with Date

**PHYSICAL EXAMINATION REPORT**  
(to be filled in by the Examining Physician)

Name of the child \_\_\_\_\_

Sex: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Colour: Skin: \_\_\_\_\_ Eyes \_\_\_\_\_ Hair: \_\_\_\_\_

Height: \_\_\_\_\_ Feet: \_\_\_\_\_

(Circumference) (any defect)

Vision: \_\_\_\_\_ Nose: \_\_\_\_\_

Teeth: \_\_\_\_\_ Chest: \_\_\_\_\_

Posture: \_\_\_\_\_ Heart: \_\_\_\_\_

Spine: \_\_\_\_\_ Nervous System: \_\_\_\_\_

Legs: \_\_\_\_\_ Reflexes: \_\_\_\_\_

Abdomen: \_\_\_\_\_ Hearing: \_\_\_\_\_

Any Defects: \_\_\_\_\_ Any other: \_\_\_\_\_

**IMMUNISATIONS**

B.C.G.: \_\_\_\_\_

Measles: \_\_\_\_\_

Triple Antigen: \_\_\_\_\_

Poliomyelitis: \_\_\_\_\_

Hepatitis "B" \_\_\_\_\_

**TESTS**

**(to be completed wherever possible and also attach reports of the tests)**

VDRL  
Tuberculosis  
Chest  
Urine  
Stool  
Blood  
HIV  
Australian

X-Ray  
Analysis

Antigen

Any other past medical problems, (if any) and treatment given:

Medical Evaluation: (Any pertinent information regarding physical condition of the child)

**General Condition of mental and physical development (observations of the physician) and latest medical report to be annexed.**

Doctor's Signature \_\_\_\_\_

Date:

Registration No \_\_\_\_\_

Place:

We have read and understood the contents of this physical examination report and are willing to accept \_\_\_\_\_ with his/her given condition.

\_\_\_\_\_  
(Name of the Child)

\_\_\_\_\_  
(Signature of the male applicant)

\_\_\_\_\_  
(Signature of the female applicant)

\_\_\_\_\_  
(Name of the male applicant)

\_\_\_\_\_  
(Name of the female applicant)

Place:

### GUIDELINES FOR HOME STUDY

Home Study Report may include the following documents:

- a. Updated Medical Certificate.
- b. Income Certificate/Proof of financial status.
- c. Employment Certificate.
- d. Two references.
- e. Certificates of educational qualifications.
- f. Residence proof.
- g. Marriage Certificate/Proof of the adoptive parents.
- h. Recent Photograph of the adoptive family.
- i. Undertaking by the parents to nurture the adoptive child as their own.

While preparing the Home Study Report, social worker may go through the following guidelines.

(The format has been prepared for suitable Indian couples. In case of single parents the professional Social Worker has to see that adequate support systems are available and the single parent is physically, mentally, financially and psychologically capable of handling the adoption alone).

### GUIDELINES FOR PREPARATION OF HOME STUDY

The guidelines enumerated here should not be considered as all encompassing or to be adhered to rigidly. The Home Study can include any other material which may be found relevant in a particular case. Single parents and parents already having biological child/children will not be discriminated. The information that should be included in a Home Study can be divided into two broad categories, i.e. purely factual information and a psychosocial assessment of prospective adoptive parent/s. These categories are not mutually exclusive as even the factual information helps in building up the over-all picture of prospective adoptive parent/s as will be seen below.

**A. Factual Information :**  
This should include names of prospective adoptive parent/s and of their children, if any, their address, age, number of years of marriage, educational qualifications, occupation, financial situation and religion. The same information should also be given regarding other members living in the home.

**Age:** Adoptive applicants should generally be of natural child bearing age. However, too great an age gap between the adoptive parents and the child is not desirable as the parents may then find it difficult to meet adequately the physical and emotional needs of the growing child.

**Years of Marriage :** Generally it is advisable that the couple should have been married for at least 5 years before they contemplate adoption. This would serve to provide evidence of the quality and stability of their marital relationship. It would also ensure that they have had a reasonable chance of having their own biological child. However, stability of a marriage should not be determined only on the basis of its length. In exceptional cases, a marriage of shorter duration may also be found acceptable, where the couple knew each other earlier, prior to legalisations of their marriage, and / or where the delay may disqualify them on account of over age.

**Educational Qualifications:** An idea of the couple's educational background is necessary not only to obtain a complete picture of them, but also because it would be likely to influence the educational plans they would make for their adopted child.

**Financial Situation:** Although there is no hard and fast rule, the income of the applicants should be sufficient to meet the reasonable and legitimate needs of a child. The stability and long term security of the

income and its proper management is more important than the amount itself. It is not necessary to have a stated amount of savings. However, in the case of non-Hindus taking a child in guardianship, the Court usually requires a certain amount to be invested by the applicants in the name of the child, to provide him/her some degree of financial security, since guardianship does not entitle the child to inherit the family property of the guardian. The adoptive applicants should be made aware of this possibility.

**Religion :** It is important to know the religion of the adoptive parents and the influence it would have on the decisions they make when selecting a child. It should be ascertained whether their religious beliefs, or those of the religious denomination to which they belong, would militate against their accepting a child from a different religious background, or whose religious affiliation is not known.

**Source of Referral :** This should indicate how the applicants came to know about the agency.

**Number of Single and Joint Interviews :**

The information here should include interviews held with the husband and wife, singly and jointly, as well as interviews with other collaterals, such as the applicant's children, if any, relatives, friends, family physician or priest, where possible and felt necessary. While such references are not likely to give their negative evaluation if any, a contact with them is of use in overall assessment. The type of people with whom the applicants interact is, in some ways, a reflection of them as persons. (Written statements are required from at least three persons who know the couple well).

**Health History :**

There should be reasonable evidence to show that the couple are in good physical health and free from communicable diseases. They should not be suffering from any health problem which may be physically or mentally debilitating, thus affecting their functioning or care giving ability, or which is likely to have a negative influence on their normal life span. Conditions such as diabetes which is under control, or previous surgery, should not automatically debar the applicants. (A doctor's report should be obtained which is not older than two months).

**Family Constellation :**

If the couple live in a joint or extended family, information about other members of the household including their relationship with the couple, their ages, education, occupation and health should be given in the Home Study.

**Home and Neighbourhood:**

This should include a physical description of the home, the accommodation which will be available for the adopted child, the type of neighborhood, amenities in the house and the neighbourhood, such as accessibility to school, and the standard of living of the couple as reflected in the home.

**Name of the Social Worker, His/ Her Qualifications, Name and Address of Agency:**

This information should come at the end of the Home study, and should include the signature or the social worker who has prepared the Home Study.

**B. Psycho-Social Assessment of the Couple:**

Information needs to be collected in several areas to enable the social worker to form a composite psycho-social picture of the adopting couple. Some of the areas are mentioned below:

**General Impression of the Couple :**

Besides giving a description of the physical appearance of the couple, their facial features, complexion and general health condition, the information given here should convey an idea of the general impression the couple make on others.

**Emotional Health:**

This implies to an extent an understanding of one's self, recognition and acceptance of one's strengths and weaknesses, adequate enactment of one's roles, and a capacity to form permanent and satisfying interpersonal relationships. In order to be a happy parent, one must first be a happy person.

**Value System:**

This includes the philosophy of life and the basic values held dear by each spouse. Their sense of values should place primary emphasis on the integrity of each individual's personality, a concern and respect for others, a willingness to understand and appreciate individual differences and attitudes, a belief in the basic worth of a human being and a concern for life. The possession of such a value structure is particularly important when adopting a child whose parentage and background is not known.

**Social Status and background of Adopting Couple:**

Information here should include the family background of both the marital partners; their social and psychological experiences in their families of birth; their educational background, work experience and adjustment to work; their relationships with others in the community; and their social standing.

**Quality of Marital Relationship:**

Through the series of joint and single interviews, it is necessary to assess the degree of emotional satisfaction the couple derive from their marriage. Factors such as mutual participation in decision making, especially with reference to the decision to adopt, degree of mutual sexual satisfaction, and the acceptance and adequate performance of allocated roles within the family, are all important considerations.

**Current Family Relationships and Details of the children in the home including biological and adopted :**

Besides assessing the quality of relationship between the husband and wife, it is also necessary to ascertain their current relationship with other members of the household, including their children, if any, and members of each other's families.

**Attitude towards Childlessness.**

The Home Study should cover reasons for childlessness, if any. The prospect of remaining childless can be very hard to accept and couples usually go through a period of great emotional stress before coming to terms with their childlessness. The social worker should be aware of this and should explore their feelings in this area with sensitivity and understanding. The couple's adjustment to this deprivation is an important consideration because, in the future, the adoptive child can be a constant living reminder of what the adoptive parents see as their own deficiency.

If the couple already have biological children, for instance, they have girls and plan to adopt a boy, the Home Study Report shall explore the effect of adoption on these children. If, on the other hand, there is a possibility that a childless couple may later have children of their own, the effect this would have on their feelings towards their adopted child should also be carefully explored with them.

**Motivation for and Attitudes towards Adoption:**

It is important to know the couple's general attitude towards adoption, particularly of an unrelated child, and the motivating force behind their decision to adopt. Their attitude to illegitimacy is an important consideration since a negative attitude may adversely condition their response to a child born out of wedlock. Positive qualities that can be identified are:- an evident enthusiasm to adopt and adjustability and tolerance in their requirements of a child. Negative characteristics can be identified as :- tension in their marital relationship, anticipation of the adoption as a means of alleviating some personal problem, or indecisiveness in their commitment to adoption.

In general, motives that focus on the needs of the child, rather than those of the adoptive parents are acceptable. Some couple may wish to adopt to repair their shaky marriage, to bring in a companion and playmate for their natural born child or to replace an expired child. Combating the loneliness of a mother, creating new interest in the life of a sick and miserable parent, or anticipation of support in old age may be other motives. These are irrational and unrealistic motives and the applicants should be helped to reflect on these areas and even advised to refrain from adopting a child in such cases. They should understand that a child cannot be made a tool in solving the problems of two adults.

It is further important to explore whether both the spouses are equally eager to adopt or if one of them is going along with the plan just to please his/her partner.

**Capacity for Parenthood and Expectations of a Child**

This includes a capacity to love, accept and offer emotional security to children, a capacity to permit them to grow in their own individuality, a readiness to accept and understand the behavioural problems of children and to be flexible and realistic in their expectations from children. It is also necessary to explore if the applicants have strong pre-conceived ideas as to what the child should be like. Some parents have a dream image of a child or a desire that the child should become exactly like his/her father or mother in all respects. A child cannot be laden with the burden of futuristic expectations of the adoptive parents. When a relationship is based on such motivations there is an undue emphasis on loyalty. Even the normal self-assertions of the child will then be seen by the parents as adverse signs. Emotionally charged anticipations often serve to set off a chain of negative responses which render mutual adaptations all the more difficult. Couples should be helped to understand that a child is a separate entity with his own individuality. Areas which should be explored are a couple's rigidity or otherwise about the background of the child, whether they will be willing to let a child grow in his own way at his own speed while they support him with loving discipline, and their hopes and plans for the child.

If the wife is working the social worker should discuss with her whether she plans to continue to work or to give up her job. If her intention is to continue with her job, it should be ascertained what plans she would be making for the child's care while she is at work.

#### **Attitude of Significant Others:**

In our traditional cultural set up, next in importance to the applicants themselves, come the members of their extended family. If there are any biological children old enough to have an opinion in the matter, their views regarding the adoption plan and the extent to which their parents have prepared them should be ascertained. If the applicants are living in a joint family, it would be advisable to meet all the family members living in the home. Both sets of prospective adoptive grand parents should be seen where possible. Such contact with significant relatives would give evidence of their degree of support of the adoption plan of the couple, ensure their positive involvement and also help ascertain if they need support in resolving their own feelings about the idea.

#### **Others issues:**

##### **Plans to Tell the Child of His/Her Adoption:**

The social worker should discuss with the couple their feelings about and their plans for sharing the fact of the child's adoption with him. The worker should assess their ability to do so comfortably and easily. The parents may be advised not to keep the adoption as a secret matter and it should be conveyed to the child when he is appropriately grown up.

##### **Evaluation of Strengths and Weaknesses, and Social Worker's Recommendations:**

There are strengths and weaknesses in every individual and in every marital relationship. One can, therefore, not expect to find a perfect couple. The social worker's recommendation of a couple's suitability to adopt should be made on the basis of his/her evaluation of the strengths and weaknesses observed in the course of doing the Home Study, of whether the weaknesses are in significant areas which might affect the welfare of the child, and of the extent to which the strengths outweigh the weaknesses. The probable areas in which the couple is likely to need on going help, such as coming to terms with sterility, or telling the child he/she is adopted, should be noted. Finally the recommendations should state the suitability of the parents to adopt.

(Always Home Study should be updated and not more than 2 year's old at any cost.)

**REGISTRATION FORM FOR PROSPECTIVE ADOPTIVE PARENTS**

Name and Address of the Agency
--------------------------------

Date of Registration \_\_\_\_\_ Receipt No. \_\_\_\_\_

Registration Fee (If any) : \_\_\_\_\_

Names:

MALE APPLICANT : \_\_\_\_\_ AGE : \_\_\_\_\_

FEMALE APPLICANT: \_\_\_\_\_ AGE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

Telephone No. : Residence: \_\_\_\_\_ Office: \_\_\_\_\_

Place of Work: Male Applicant:

Income:

Female Applicant:

Income:

Education: Male Applicant:

Female Applicant:

Housing status: (1) Own flat / House (2) Tenant (3) Sub-tenant

Why do you want to adopt a child:

Any Preference:

**Name & Address of the person approaching the agency other than the applicant/s**

Signature: \_\_\_\_\_

Social Worker's Name: \_\_\_\_\_

Remarks: \_\_\_\_\_

**DOCUMENTS REQUIRED FOR INDIAN ADOPTION  
(ORIGINAL 1+TWO COPIES)**

1. Home Study Report : This is prepared by a trained Social Worker of the agency, in the area where the prospective adoptive parents reside.
2. a) Birth Certificate of the adoptive couple (Xerox copies)  
b) Marriage Certificates (Xerox copies)
3. Health certificate of the couple prepared by the family doctor or any registered medical practitioner that the parents are not suffering from any major disease which should also include HIV & Hepatitis-B test reports.
4. Photograph : A recent postcard size photograph of the adoptive family (3 copies)
5. Recommendations : Two letters of recommendation from persons who know the family well enough to recommend them  
as a married couple and they can become good parents and take care of the child. Letters should not be from parents or immediate relatives of either spouse.
6. Property statement : A statement on the value of property owned by the family including other assets like bonds, shares, policies, fixed deposits etc. and liabilities.
7. Employment Certificate : Income Certificate from the employer indicating gross and net salary, designation and also the length of service of the husband and wife, in case the wife is employed. In case of a self employed persons, income tax returns or a certificate from the Chartered Accountant giving details of the person's type of employment, duration of employment and monthly or annual income.
8. Bank Reference : Indicating the current bank balance of the adoptive family.  
(Bank statement or copy of the pass book)

**Additional Documents if applicable:**

1. In cases where couples have a biological and/or adopted child/children and if they are old enough they will be required to express their views
2. A copy of the adoption decree, if the couple have adopted child/children earlier.
3. Divorce decree in case the spouse/spouses were earlier divorcees.
4. In case where couples are over 90 years, a document from a younger family member expressing his/her willingness to look after the child in case of any short or long term eventuality.

**MEDICAL REPORT OF THE PROSPECTIVE ADOPTIVE PARENTS**

**Address of the Agency:**

Name: \_\_\_\_\_

Sex: Male [    ], Female [    ]

Date of Birth: \_\_\_\_\_

NOTE: Pl. fill the form completely Write Nil or N.A. (not applicable) under the items that do not apply.

**PRESENT HEALTH STATUS**

NOTE: Please indicate if medication is being taken for maintaining status under the following items. The back side of this form may be used if extra space is needed.

- Cardiovascular Status:
- Gastro Intestinal System:
- Genito Urinary System:
- Respiratory System Status:
- Neurological Condition:
- Psychological Status:
- Any condition other than those mentioned above:

**HEALTH HISTORY**

Please describe illnesses/ major surgeries or accidents, if any and the course of treatment during the last five years. If any permanent handicaps resulted say to what extent they affect normal functioning.

FAMILY HISTORY: Please indicate the history of physical or mental illness in the family. (Indicate tendencies for Blood Pressure, Diabetes etc.)

**TEST FINDINGS**

Blood Group: \_\_\_\_\_ Pulse: \_\_\_\_\_ Blood Pressure: \_\_\_\_\_

HIV-I: \_\_\_\_\_ HIV-II: \_\_\_\_\_

**Hepatitis - 'B'**

**REMARKS ON PHYSICAL EXAMINATION & MEDICAL HISTORY:**

I am satisfied that the health of the parents does not disqualify the parent/s in parenting the child in anyway.

Date: \_\_\_\_\_

Examining

---

Physician

**Registration No.**

**Address:** \_\_\_\_\_

**FORMAT FOR PLACING THE CHILD ON ACA ASSISTANCE**

**CERTIFICATE OF ACA CLEARANCE**

This is to certify that the \_\_\_\_ (1) \_\_\_\_\_ gives clearance to the child \_\_\_\_ (2) \_\_\_\_\_, Male/Female, born on \_\_\_\_ (3) \_\_\_\_\_, proposed by \_\_\_\_ (4) \_\_\_\_\_ on \_\_\_\_ (5) \_\_\_\_\_ for his/her placement in inter-country adoption.

This is to further certify that efforts have been made by the concerned Placement Agency and this office to place the child in adoption with an Indian Family in India, the details of which can be seen in the enclosed statement.

Date of clearance:

Grounds of clearance:

**(Signature & Seal of the Chairperson of ACA) (Signature & Seal of the Member Secretary of ACA)**

Note: (1) Name of the ACA; (2) Name of the Child; (3) Date of birth of the child; (4) Name of the Recognized Placement Agency; (5) Date on which the child is placed on ACA assistance.

**Particulars of the efforts made for in-country adoption of the child**

1. Name of Child:
2. Sex :
3. Date of Birth:
4. Abandoned/Relinquished:
5. Date of Admission into the Agency :
6. Date on which declared legally free for adoption:
7. Date on which ACA assistance sought :

Most recent photograph to be stamped by the ACA half crossed

**8. \*Indian Parents contacted by the concerned Placement Agency:**

Name, Address & Telephone No.	Registration No.	Date of contact	Reasons (if any) for not accepting child	Remarks of the ACA on the efforts of the Agency

**\*9. Efforts made by the ACA from its own list of Prospective Adoptive Parents:**

Name, Address & Telephone No. of the Prospective Parent contacted by the ACA	Registration No. & Date	Date of referral to the parent	Response from the parent and the reasons (if any) for the child not being accepted	Remarks of the ACA

**\*10. Efforts through Inter-ACA Co-ordination:**

Name of the ACA's contacted	Date on which the details of the child circulated	Deadline for reply (if any)	Date & details of response (if any)

**(Signature & Seal of the Chairperson of ACA)**

**(Signature & Seal of the Member Secretary of ACA)**

If the ACA is not able to find a suitable Indian parent from its own list within 15 days from the date of registration of the child for assistance, then the child's details should be circulated to other ACAs and only if no response is received from other ACAs, the concerned ACA may give a clearance after 30 days stating the grounds of clearance for inter-country adoption.

## **Glossary of Terms**

**Adoption:** Adoption is a way of forming a family, involving the placement of a child with adoptive parents, followed by a legal process, which establishes a child as if he or she was born to those adoptive parents

**In-Country Adoption:** Adoption of an Indian child by Indian parent(s) residing in India.

**Inter-country Adoption:** Legal placement of an Indian child with foreign adoptive parents, PIOs (Persons of Indian Origin) and NRIs (Non Resident Indian).\_

Hindu Adoption and Maintenance Act-1956. **(H.A.M.A.)**

Guardian and Wards Act-1890. **(G.A.W.A.)**

Juvenile Justice (Care & Protection of Children) Act-2000. **(JJ Act-2000)**

**Central Adoption Resource Authority (CARA):** An autonomous body functioning under Ministry of Social Justice & Empowerment to act as a Central Authority in the matter of adoptions.

**Recognized Indian Placement Agency for Inter-country Adoption (RIPA):** An Indian Social/Child Welfare Agency recognized by CARA for placement of Indian Children in Inter Country Adoption.\_

**Licensed Adoption Placement Agency for In-Country Adoption (LAPA):** An Indian Social/Child Welfare Agency licensed/recognized by the State Government for In-country Adoption.

**Adoption Coordinating Agency (ACA):** The ACA will be an organisation recognised by CARA and registered under the Registration of Societies Act and will have as its members various Adoption Agencies working in its area of jurisdiction. Its main objective is promotion of In-country adoption.

**Adoption Scrutinising Agency (ASA):** An independent social/child welfare agency appointed by the Court for scrutinizing adoption applications for In-country and Inter-country Adoptions.

**Child Welfare Committee(CWC):** A Committee as defined in JJ Act-2000 to deal with children in need of care & protection.

Juvenile Justice Board as constituted under Juvenile Justice (Care & Protection of Children) Act, 2000. **JJB**

**Child Study Report (CSR):** It will contain details about the child, its date of birth, social background etc.

**Home Study Report (HSR):** It contains details of the Adoptive Couple's social status & family background; description of Home; standard of living; relationship with spouse and family members; health details; economic status etc.

**Physical Examination Report (PER):** It will contain medical report of the child, report of hospitalization if any etc.

Prospective Adoptive Parents. **PAP**