

F. No.CARA-SCI011/5/2017
GOVERNMENT OF INDIA
MINIST RY OF WOMEN & CHILD DEVELOPMENT
CENT RAL ADOPT ION RESOURCE AUT HORITY

Dated 19th May, 2017

OFFICE MEMORANDUM

SUB: Responsibility of the District Magistrate/District Collector/Dy. Commissioner in adoption.

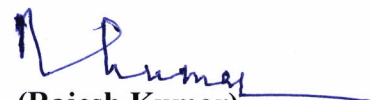
Every orphan/abandoned/surrendered child has a 'Right to Family' to be realized through adoption, as envisaged in *Section 56 (1) of the Juvenile Justice (JJ) Act, 2015*.

2. The District Magistrate/District Collector/Dy. Commissioner of the District has a pivotal role to play in promoting, facilitating & regulating adoption of orphan/abandoned/surrendered children in the District. These have been provisioned in the *JJ Act 2015, JJ Model Rules 2016 and Adoption Regulations 2017* and have been enumerated in the succeed.
3. The provisions 'mandatory reporting' of children in need of care and protection (orphan/abandoned/surrendered children) to the Child Welfare Committee (CWC) of the District has to be enforced, as per *Sections 32 of the JJ Act, 2015*, through hoardings/posters at nursing homes/maternity homes/hospitals/bus stands and other conspicuous places in the District. Non reporting of the same is an offence and punishable under *Sections 33 & 34 of the JJ Act, 2015*.
4. Sensitisation of the medical fraternity needs to be undertaken as mandatory reporting by nursing homes, hospitals & maternity homes about all abandoned or lost child is as must as per *Section 32 of the JJ Act, 2015*. It must be made mandatory for the Public Health Department to display boards regarding this in all health care institutions (Non reporting is an offence as per *Section 33 of the JJ Act, 2015* and penalty of six months imprisonment and/or fine of Rs 10000/- for the offence is provisioned in *Section 34 of the JJ Act, 2015*).
5. Ensure placement of cradles (*palnas*) at nursing homes/hospitals/ maternity homes (with the contact numbers of the Specialised Adoption Agencies (SAAs), registered Child Care Institutions (CCIs), District Child Protection Unit (DCPU) and Child Line (1098) mentioned therein), so as to ensure safe abandonment of children, whom biological parent(s) want to relinquish due to social & emotional factors beyond their control and don't want to come forward to surrender them.
6. Get advertisements issued for the orphan/abandoned children produced before the CWC in case the DCPU is non-functional as per *regulation 6 (8) of Adoption Regulations, 2017*.
7. Ensure that the CWC meets at least twenty days in a month as per *Section 28 (1) of the JJ Act, 2015*, review their functioning on quarterly basis and take necessary remedial measures as mandated in *Section 27 (8) of JJ Act, 2015*.

8. Put in place a robust 'grievance redressal mechanism' and Standard Operating Procedure (SOP), for the timely and qualitative disposal of grievances received by him against the CWC as provisioned in *Section 27 (10) of the JJ Act, 2015*. A copy of the Order/SOP issued in this regard shall be endorsed to all concerned (including the CWC, Police, SAAs/CCIs, DCPO, SARA and CARA).
9. Receive and review the reports on quarterly basis regarding the cases of orphan/abandoned/surrendered children pending before the CWC for being declared legally free for adoption and to take remedial measures as provisioned in *Section 36 (4) to (7) of the JJ Act, 2015*.
10. Send Action Taken Reports (ATRs), based upon his review of pendency of cases before the CWCs, to the State Adoption Resource Agency (SARA), with a copy of the same to CARA.
11. Ensure provisioning of a Secretary and other staff required for secretarial support to the CWC for enabling their effective functioning as provisioned in *Section 27 (3) of the JJ Act, 2015*.
12. Conduct meeting of the District Child Protection Unit (DCPU) on monthly basis and to review its functioning as per the role defined in *regulation 34 of the Adoption Regulations, 2017*. The minutes of such meetings along with Action Taken Reports (ATRs) shall be uploaded in the CARINGS by the DCPU.
13. Ensure that all CCIs are registered as mandated under *Section 42 of the JJ Act*. Also ensuring SAA-CCI Linkage as mandated under *Section 66 (2) of the JJ Act, 2015 and regulation 58 of the Adoption Regulations 2017*, with a deadline of one month for its compliance.
14. Getting the data of adoptable children provided by Childline verified and entered in CARINGS along with the linking of the CCI as per *regulation 6 (5) of the Adoption Regulations, 2017* and then ensuring that they can be declared legally free for adoption as mandated under *Section 66 (1) of the JJ Act, 2015*.
15. Ensure that the SAA(s) and the CCI(s) in the District are regularly monitored & inspected once in a month by the DCPU as per *Section 54 of the JJ Act, 2015* and the Inspection Reports are uploaded in the CARINGS by the DCPU.
16. Make sure that every orphan, abandoned & surrendered children present in the Institution have been registered in the CARINGS on the real time basis and the same be verified on ground by the DCPU during the monthly inspection of the Institution (*regulation 34 (8) of Adoption Regulations, 2017 refers*).
17. Institute mechanisms for fixing the responsibility of the Protection Officer, Non-Institutional Care (PO, NIC) and Legal-cum-Probation Officer (LPO) in order to ensure that the adoption petition are filed in the prescribed format (*Schedules XXVIII to XXXII of the Adoption Regulations, 2017*) and within the stipulated timeframe of 10 days (*regulation 12 (1) of Adoption Regulations, 2017 refers*) by the SAA and the cases are tracked/followed up in the Court concerned to ensure disposal within the stipulated time frame of two months (*Section 61 (2) of the JJ Act, 2015 refers*).

18. Give timely observations & recommendations to the State Government on the application of the SAA(s) for recognition under *Section 65 of the JJ Act, 2015 and JJ Model Rules, 2016* as well as for grant under the Integrated Child Protection Scheme (ICPS).

19. All the District Collectors/District Magistrates/Dy. Commissioners are requested to ensure that the above actions are undertaken by their respective District Administrations for promoting & regulating legal adoption of orphan/abandoned/surrendered children.



(Rajesh Kumar)

Under Secretary to the Govt. of India

To

1. District Magistrate/District Collector/Deputy Commissioner (as the case may be) of all Districts.
2. Child Welfare Committees (CWCs) in all State(s)/UTs.
3. All State Adoption Resource Agencies (SARAs) in the country.
4. All State Governments/UT Admn.(s) (Deptt. of Women & Child Development/Social Welfare/Social Justice/Child Rights (as the case may be)