

# **RIGHT TO INFORMATION ACT, 2005**

## **DISCLOSURE UNDER SECTION 4(1)(B) AND OTHER RELEVANT INFORMATION OF CARA**

### **MANUAL I : THE PARTICULARS OF ITS ORGANIZATION, FUNCTIONS AND DUTIES**

In pursuance of the directions of the Hon'ble Supreme Court of India vide Order dated 19th September, 1989 in the case of L.K. Pandey vs. Union of India in Writ Petition (Crl) No. 1171 of 1982 and the decision of the Union Cabinet dated 9th May, 1990, the Central Adoption Resource Agency (CARA) was set up on 20th June, 1990 by the then Ministry of Welfare, Government of India to regulate, monitor and promote adoption of orphan, abandoned or surrendered children, with the principal mandate of finding loving families for Children in Need of Care and Protection. Pursuant to a decision of the Union Cabinet dated 2nd July 1998, the Ministry of Social Justice & Empowerment conferred autonomous status to CARA on 18th March, 1999 by registering it as a Society under the Societies Registration Act, 1860. Adoptions under the Juvenile Justice Act, 2000 enabled placement of children in adoption with the involvement of recognised agencies and authorities for ensuring safeguards in adoption placement of institutionalised children. India is also obliged to fulfil its International obligation as it is a signatory to the Hague Convention on Protection of Children and Cooperation in respect of Inter-country Adoption (1993). CARA was designated as the Central Authority of India under the Hague Convention on Protection of Children and Cooperation in respect of Inter-country Adoption (1993) on 17th July, 2003. It got transferred along with the subject matter of 'child welfare' to the newly created Ministry of Women & Child Development from the Ministry of Social Justice & Empowerment on 28th February, 2006, when the former was elevated to a full-fledged Ministry from a Department under the Ministry of Human Resource Development.

As per the Section 68 of the Juvenile Justice (Care and Protection of Children) Act, 2015 notified by the Government of India on 15<sup>th</sup> January, 2016 (as amended in 2021), the Central Adoption Resource Agency (CARA) shall be deemed to have been constituted as the Central Adoption Resource Authority (CARA). Now, CARA attained the status of a Statutory Body with the mandate to regulate Inter Country Adoptions and the Nodal Body to implement the adoption programme in the country, as per the provisions under Sections 68 to 70 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (as amended in 2021). CARA aspires to place maximum children in non-institutional care with adoptive families. CARA regulates and monitors all In-country and Inter-country adoptions through Child

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Adoption Resource Information & Guidance System (CARINGS). Central Adoption Resource Authority (CARA) is headed by Member Secretary & CEO and has a sanctioned strength of 37 officers and staff.

### **CARA has been mandated to perform the following functions:-**

As per the Section 68 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (as amended in 2021), the Central Adoption Resource Agency existing before the commencement of this Act, shall be deemed to have been constituted as the Central Adoption Resource Authority under this Act to perform the following functions, namely : -

- (a) to promote In-country adoptions and to facilitate Inter-state adoptions in coordination with State Agency;
- (b) to regulate Inter-country adoptions;
- (c) to frame regulations on adoption and related matters from time to time as may be necessary;
- (d) to carry out the functions of the Central Authority under the Hague Convention on protection of Children and Cooperation in respect of Inter-country Adoption;
- (e) any other function as may be prescribed.

**Vision of CARA** is to find a loving and caring family for children without parental care, also those who are orphaned, abandoned and surrendered. Its mission is to expand adoption services to every corner of the country, make efforts for expeditious rehabilitation of the children through adoption, ensure standardization in the functioning of adoption agencies, promote ethical practices in adoption and facilitate parents desiring to adopt.

### **Main Activities :-**

1. Monitor and regulate the procedure for in-country adoption;
2. Receive applications of a Non-Resident Indian or Overseas Citizens of India or a foreigner living abroad through authorised adoption agency or Central Authority or the Government department or the Indian diplomatic mission concerned and process the same in terms of Section 59 (5) of the Act;
3. Receive and process applications received from a foreigner or an Overseas Citizen of India residing in India for one year or more, and who is interested in adopting a child from India in terms of Section 59 (12) of the Act;

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4. Issue No Objection Certificate in all cases of inter-country adoptions;
5. Issue Conformity Certificate in the inter-country adoption cases under Article 23 of the Hague Adoption Convention in respect of inter-country adoption;
6. Intimate the immigration authorities of India and the receiving country of the child about the inter-country adoption cases;
7. Provide support and guidance to State Adoption Resource Agencies, District Child Protection Units, Specialised Adoption Agencies and other stakeholders of adoption in related matters, through trainings, workshops, exposure visits, consultations, conferences, seminars and other capacity building programmes;
8. Coordinate with State Governments or the State Adoption Resource Agencies and advise them in adoption related matters;
9. Establish uniform standards and indicators, relating to:-
  - (a) Adoption procedure related to orphan, abandoned and surrendered children and also related to relative adoptions;
  - (b) Quality child care standards in Specialised Adoption Agency and Child Care Institution;
  - (c) Monitoring and supervision of service providers;
  - (d) Standardization of documents in cases of adoptions; and
  - (e) Safeguards and ethical practices including online applications for facilitating hassle-free adoptions.
10. Conduct research, documentation and publication on adoption and related matters;
11. Maintain a comprehensive centralised database relating to children and prospective adoptive parents for the purpose of adoption in Child Adoption Resource Information and Guidance System;
12. Maintain a confidential centralised database relating to children placed in adoption and adoptive parents in the Child Adoption Resource Information and Guidance System;
13. Carry out advocacy, awareness and information, education and communication activities for promoting adoption and other non-institutional child care services either by itself or through its associated bodies;
14. Enter into bilateral agreements with foreign Central Authorities as prescribed under the Hague Adoption Convention, wherever necessary;
15. Authorise Foreign Adoption Agencies to sponsor applications of Non-Resident Indian (NRI) or Overseas Citizen of India or foreign prospective adoptive parents for inter-country adoption of Indian children;

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16. Set-up counselling Centre in its Head Quarters and support State Adoption Resource Agencies for setting-up of Counselling centre at State and District level for:-
  - (a) Counselling of the prospective adoptive parents;
  - (b) Counselling of older children, wherever required;
  - (c) Preparing post-adoption follow-up report, wherever required;
  - (d) Post adoption counselling of adopted children and adoptive parents; and
  - (e) Assisting and counselling of older adoptees in root search.