

केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण
Central Adoption Resource Authority
(महिला एवं बाल विकास मंत्रालय, भारत सरकार)
(Ministry of Women & Child Development, Government of India)

Minutes of the 36th Meeting of the Steering Committee of Central Adoption Resource Authority (CARA).

The 36th Meeting of the Steering Committee of Central Adoption Resource Authority (CARA) chaired by Shri Indevar Pandey, Secretary, MWCD (Chairperson of the Steering Committee of CARA) was held on 2nd January, 2024 (Tuesday) at 12:00 o'clock noon in the Conference Room/Hall of MWCD, Room No. - 602, 6th Floor, A-Wing, Shastri Bhawan, New Delhi.

2. The list of participants is attached. The meeting was held virtually, while the Chairperson, Member Secretary and other official members of the Ministry were physically present.

3. At the outset, CEO & Member Secretary, CARA welcomed Chairperson of the Steering Committee and all the other Members of the Committee. Chairperson of the Steering Committee requested Member Secretary & CEO, CARA to start the proceedings of the 36th Meeting of the Committee.

4. The Action Taken Report on the Decision on the Agenda items of the 35th Meeting placed at **Appendix-A** was discussed and approved. The Agenda No. 35.06 of 35th meeting regarding fee for District Child Protection Unit (DCPU) for rendering services as required under the Regulations was again discussed. It was informed that as per the decision taken by the 35th Steering Committee, the proposal is under submission to the Ministry. It was also apprised that the fee would be remitted to the Social Worker of District Child Protection Unit (DCPU). The proposal of Agenda No. 35.06 of 35th meeting was approved in principle.

AGENDA ITEMS AND DECISIONS

PROGRAMME & POLICY MATTERS :

Agenda No. 36.01 : Background information of the biological parent.

5. Information regarding social background of a child is included in Schedule II of Adoption Regulation, 2022. It states that "Please do not give identifying information about the natural parent". Social Background should include child's social history i.e. brief background of the birth parents and circumstances

necessitating the child's surrender or abandonment, etc. Identifying information such as name and address of birth parents or relatives is prohibited.

6. The Authority has been receiving requests from stakeholders for providing guidance over disclosing health status of the biological parents to PAPs, be it HIV positive or mental instability/illness. Moreover, it has also been observed that in case of a surrendered child, where health status of biological parents is disclosed in CSR, PAPs are not accepting the child.

7. CARA has received two conflicting views on the above mentioned matter. Expert from AIIMS is of the opinion that complete information about the mother's status should be furnished as it is legally required to do so (**Appendix-B**). NIMHANS representative has stated that such information may only be shared if it does not violate the privacy of the biological parent (**Appendix-C**). Opinion of the Steering Committee is solicited for the same.

Decision :

8. The issue was discussed in detail and opinion of NIMHANS was approved.

Agenda No. 36.02 : Information related to relative adoptions.

9. As per the Section 2(52) JJ Act 2015 amended in 2021 - "relative", in relation to a child for the purpose of adoption under this Act, means a paternal uncle or aunt, or a maternal uncle or aunt, or paternal grandparent or maternal grandparent". CARA has been considering eligible cases based on family tree and blood relation between adoptive child/children and prospective adoptive parent(s) duly verified by DCPO and recommended by SARA. As, the definition of relative is very broad based, CARA has been considering such adoption cases upto 3rd-4th level of generations within relatives with blood relations on the basis of family tree and all other requisite documents as provided on the Adoption Regulations. In each case of relative adoption, family tree and level of relationship between child and the prospective adoptive parents are determined by DCPU and CWC and the same is verified by SARA. This is for opinion of the Steering Committee.

Decision :

10. The Committee opined that such type of requests/proposals received from Prospective Adoptive Parents (PAPs) under relative adoption may be examined and relationships in 3rd - 4th level of generation in blood line may be specified. However, the existing practice may continue.

Agenda No. 36.03 : Regarding refund of adoption fees to PAPs and Adoptive Parents.

11. Schedule XV of the Adoption Regulations 2022 deals with Adoption fees and their utilization pattern. CARA receives multiple representations from PAPs and Adoptive Parents seeking refund of Adoption Fee in cases of Disruption/Dissolution.



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The issue of refund has been raised mostly in cases where the cause of disruption or dissolution was either due to health status of the child or unwillingness of the child to go in adoption. There is no mention about refund of adoption fee in the Adoption Regulations. Some of the frequently observed causes of disruption/dissolution include the health status of the child/children, unwillingness of the child to stay with Adoptive parents, health status of the PAPs (PAPs diagnosed with a medical condition) that makes them unfit/ non-suitable to look after the child, i.e. PAPs diagnosed with Clinical Depression and non-adjustment of both the child and the family.

12. If the PAPs or Adoptive Parents are determined to be responsible for the failure of an adoption, in all such situations, the adoption fee once paid may not be refunded. In all other cases, the refund may be considered on recommendation by SARA and approved by CARA.

Decision :

13. Fee once paid by Prospective Adoptive Parents (PAPs) shall not be refunded. This may be put up on CARINGS Portal under FAQs.

ADMINISTRATIVE & FINANCE MATTERS :

Agenda No. 36.04 : Regarding renovation proposal in case of CSWB building allotted to CARA.

14. The Proposal is placed at **Appendix-D** for perusal of the Steering Committee.

Decision :

15. The proposal was approved in principal. The committee also opined that keeping in view the powers of steering committee laid down in Section 69 of JJ Act 2015 (as amended in 2021), the financial regulations and delegation of powers of CARA may be revised within a month.

16. FA & Addl. Secretary suggested that there should be sufficient delegation of power to the Steering Committee of the autonomous body in view of the larger mandate given to CARA under the Act (a) to oversee the functioning of Authority and review its working from time to time so that it operates in most effective manner; (b) to approve the annual budget, annual accounts and audit reports as well as the action plan and annual report of Authority; (c) to adopt the recruitment rules, service rules, financial rules of Authority as well as the other regulations for the exercise of the administrative and programmatic powers within the organisation, with the prior approval of the Central Government; (d) any other function that may be vested with it by the Central Government from time to time.

17. FA & Addl. Secretary urged that financial power/rule making power of the Steering Committee should be adequately enhanced for effective functioning of the autonomous body as it has been envisaged in the JJ Act, 2015. Secretary WCD

reiterated that with increased autonomy, CARA might respond more swiftly to evolving needs within the realm it operates, potentially streamlining processes and improving outcomes for those it serves. This could allow CARA to adapt swiftly to changing circumstances and make decisions that better align with the actual needs on the ground.

Agenda No. 36.05 : Regarding Proposal of Identification Cell to be set up at CARA to implement various directions of the Hon'ble Supreme Court of India in the matter of Temple of Healing.

18. The Proposal is placed at **Appendix-E** for perusal of the Steering Committee.

Decision :

19. The proposal was approved in principle. It was also decided that in view of order dated 20.11.2023 passed by Hon'ble Supreme Court of India, an additional personnel with suitable educational qualification & experience may be engaged at the level of each DCPU for identification of children and other non-institutional care including adoption related functions. Apart from this, 1-2 additional personnel may be engaged at SARA level for the same purpose. CARA to submit a proposal to Ministry in this regard.

Agenda No. 36.06 : Approval for extension of contract of CARA Help-Desk on performance-based enhancement as stipulated in case of professionals and support staff approved by the Ministry.

20. As per directions of Hon'ble High Court of Delhi in the matter of Rajvinder Kaur Vs UOI to establish a 24 hours help-line, a help-desk was set up for functioning 12 hours (08:00 AM TO 08:00 PM) by hiring manpower through GeM, initially for one year, with the strength as Counsellors - 02 Nos. @ Rs. 50,000/- PM each, Operational Manager - 01 No. @ Rs. 45,000/- PM each, Tele Executives – 08 Nos. @ Rs. 30,000/- PM each, MTS - 01 No. @ on Minimum Wages.

21. As per the decision of the Steering Committee in its 35th meeting held on 11/07/2023 (Agenda No. 35.09 refers), the matter was taken up with IFD, MWCD in the concerned e-Office File (Computer No. : 100778), wherein IFD had the opinion that "it is seen that the consultants may be regulated with the guide lines adopted for their engagement. No separate IFD concurrence appears necessary in the matter".

22. It may be mentioned that in the Help-Desk Proposal submitted to the MWCD, there was no mention of period of engagement and enhancement of performance based monthly salary/remuneration of help-desk staff by 5-10%, as stipulated in case of professionals and support staff earlier approved by the Ministry for a period of three years.

23. The following are submitted for approval :-


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- (a) The matter is again submitted for approval of Steering Committee of CARA to allow its help desk to function as regular unit of CARA, irrespective of any fixed time frame of tenure, however the contract on GeM would meanwhile be awarded for a further period of two years w.e.f. 01/08/2023.
- (b) After completion of one year tenure, the contract of the staff may be renewed with enhancement of monthly salary/remuneration @ 5-10% strictly based on performance. Performance assessment is being done for other contractual staff of CARA and based on their performance enhancement is being provided. Same model shall be followed in the case of Help Desk staff also.
- (c) On approval by the Steering Committee, the above conditions will be incorporated.

24. The proposal is placed for perusal of the Steering Committee.

Decision :

25. The proposal of continuation of Help Desk for a period of two years w.e.f. 01.08.2023 was approved. It was decided that enhancement of monthly salary/remuneration in terms of percentage should be at par with the contractual staff engaged by the Ministry. The clause of enhancement of remuneration should also be incorporated in the terms and conditions of engagement.

Agenda No. 36.07 : Approval of RE for FY 2023-24 and BE for FY 2024-25.

26. As per Rule 15.1 of Rules & Regulations of CARA 2018, in the month of September every year, the Member Secretary & CEO shall send the Budget Estimate for the ensuing financial year before the Steering Committee. Accordingly, the proposal for RE 2023-24 and BE 2024-25, which has already been submitted to the Ministry, are tabulated below for approval:-

| (Rs. in Crore) | | |
|----------------|------------------------|------------------------|
| BE 2023-24 | Proposed RE 2023-24 | Proposed BE 2024-25 |
| 9.40 | 10.52 | 11.46 |

27. Details are placed at **Appendix-F**.

Decision :

28. The Committee has given direction to incorporate tentative amount of **Rs. 1.20 crore** in RE 2023-24 and BE 2024-25 for engagement of staff on contractual basis for setting up of Identification Cell. Additionally Rs. 1.00 crore may also to be added as 'capital fund (token money)' for repair/renovation of CSWB's building.

Agenda No. 36.08 : Major activities performed since last Meeting of the Steering Committee which was held on 15.02.2023.

29. Details of major activities performed during the period from July, 2023 to November, 2023 are placed at **Appendix-G**.

Decision :

30. Noted.


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Annexure

List of Participants in the Thirty-Sixth (36th) Meeting of the Steering Committee of Central Adoption Resource Authority (CARA) held on 2nd January, 2024 (Tuesday) at 12:00 o'clock noon in the Conference Room/Hall of MWCD, Room No. - 602, 6th Floor, A-Wing, Shastri Bhawan, New Delhi.

1. Sh. Indevar Pandey, Secretary, Ministry of Women & Child Development, Government of India, Shastri Bhawan, New Delhi – Chairperson (Ex-officio).
2. Sh. Nitishwar Kumar, Additional Secretary & Financial Adviser, Ministry of Women & Child Development, Government of India, Shastri Bhawan, New Delhi – Member (Ex-officio).
3. Ms. Indra Mallo, Joint Secretary, Ministry of Women & Child Development, Government of India, Shastri Bhawan, New Delhi – Member (Ex-officio).
4. Ms. Shubha Sarma, Principal Secretary, Department of Women & Child Development, Government of Odisha, Bhubaneswar – 751030, Odisha [*Representing State Adoption Resource Agency (SARA), Odisha*] – Member (*through VC mode*).
5. Sh. Thingnam Roshan Singh, SAA Imphal East, Wangkhei Ningthemprukhri Makha Leikai, Imphal East – 795001, Manipur [*Representing Government run Specialised Adoption Agency (SAA)*] (Email : thingnamroshan2014@gmail.com) – Member (*through VC mode*).
6. Sh. Vimal Kumar Tyagi, Sewa Bharti Madhya Bharat, Matruchhaya (Shishu Kalyan Kendra), Swami Ramtirth Nagar, Opp. Maida Mill, Hoshangabad Road, Bhopal – 462011, Madhya Pradesh [*Representing NGO run Specialised Adoption Agency (SAA)*] – Member (*through VC mode*).
7. Ms. Sangeeta Bangiwar, H.No. 103, Mont Vert Tropez, Wakad, Pune-411057, Maharashtra [*Adoptive Parent*] – Member (*through VC mode*).
8. Ms. Tripti Gurha, Joint Secretary & CEO, CARA, Ministry of Women & Child Development, Government of India, Shastri Bhawan, New Delhi – Member Secretary (Ex-officio).

Special Invitee(s) :

1. Ms. Kamini Kapil, Senior Director (IT), National Informatics Centre (NIC), Ministry of Women & Child Development, Shastri Bhawan, New Delhi.
2. Sh. Anil Kumar Jha, Deputy Secretary, Ministry of Women & Child Development, Shastri Bhawan, New Delhi.
3. Dr. Jagannath Pati, Director (Programme), CARA, R.K. Puram, New Delhi.

Other Officer(s) of MWCD :

1. Sh. Chandkiran Chhoker, Deputy Director (IT), National Informatics Centre (NIC), Ministry of Women & Child Development, Shastri Bhawan, New Delhi.
2. Sh. Nandresh Nigam, Deputy Director, CARA, R.K. Puram, New Delhi.
3. Sh. Ram Saran, IFO, CARA, R.K. Puram, New Delhi.