



GOVERNMENT OF WEST BENGAL
DIRECTORATE OF CHILD RIGHTS & TRAFFICKING
(STATE ADOPTION RESOURCE AGENCY)

STEP BY STEP PROCESS OF ADOPTION





In-Country adoption process

A. Procedure relating to issue of Legally Free for Adoption Certificate by the Child Welfare Committee in respect of Orphan or Abandoned Child

Step 1

An orphan/abandoned child is deserted and found in PALNA (Cradle Baby Reception Centre), Hospital/Health Facility, Roadside, or in any other place.

Step 2

Information to be given by the first responder to the CWC/DCPU/Child Line/Local PS **within 24 hours**. DCPU will facilitate lodging of G.D. with the police Station.

Step 3

The child will be produced before the concerned CWC virtually/physically **within 24 Hours**.

Step 4

The moment the child is produced before the CWC, they will issue custody order of the child to a Govt. recognised and registered Specialised Adoption Agency (SAA) if the child is below 6 years and to a Child Care Institution if the child is above 6 Years. On admission of the child, the SAA will upload the photograph & details of the child in the online portal CARINGS (Child Adoption Resource Information and Guidance System) **within three working days** of receiving the child. If the child (aged above 6 Years) is placed with the CCI, concerned CCI will upload the data in its missing/found column of Track Child Portal apart from uploading of data in CARINGS portal by the SAA with which the CCI is linked.

Step 5

For tracing out the biological parents/Legal guardians/Extended Family Members the CWC will, simultaneously with the custody order, also-

- Direct the DCPU to publish advertisement giving photograph and details of the child in a widely circulated national level daily newspaper **within 3 working days** from the time of receiving the child by the SAA.

The DCPU will report to the CWC about traceability of biological parents within one month.

- Direct the Police to enquire and submit the report **within 2/4 months** in case of the abandoned child of 2 Yrs. /4 Years of Age. If the report is not submitted within stipulated time such report shall be deemed to have given.
- Direct the DCPU/Child Line to do social Investigation Report (SIR) and submit a report to the CWC **within 15 days**.

All the processes mentioned above will be taken up simultaneously by the CWC.

Step 6

If the biological parents/Legal guardians/Extended Family Members are not traced, the Child Welfare Committee will issue (signed by at least three members) Legally Free for Adoption (LFA) certificate **immediately on expiry of 2/4 months** in case of the abandoned child is above 2 Yrs. /4 Years of Age.

- In case of siblings and twins, the CWC shall specify the status of children as siblings or twins and declare the child as legally free in a single order. The Sibling or Twin should be adopted by the same prospective Adoptive Parent (PAP).

B. Procedure relating to issue of Legally Free for Adoption Certificate by the Child Welfare Committee in respect of Surrendered Child.

Step 1

The child is to be surrendered before the CWC by the biological parents. A married Couple /Unmarried Mother/Minor Mother may surrender the child.

Step 2

A surrender deed has to be executed by both the surrendering parents before the CWC when the biological parents decide to surrender the child after counselling for any reason whatsoever. If one parent is dead, the other parent can surrender by producing the death certificate of the deceased parent. The deed may be executed by an unmarried mother in presence of single female member of the CWC. If the mother is a minor, the deed of surrender shall be signed by an accompanying adult as witness. The surrender process will be done IN CAMERA. The child will be placed in a SAA after surrender.

Step 3

There will be **60 days' re-consideration time** after the date of execution of the Surrender deed for the surrendering parents to withdraw the deed of Surrender and take back the child. The surrendering parents cannot claim the child after 60 days.

Step 4

After 60 days, the CWC will issue the order of LFA (Signed by at least three members) in favour of the child. There is no need of paper publication/police inquiry in case of surrendered child.

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Procedure to be followed after issuance of the LFA certificate by the CWC

- After issuance of the LFA, the SAA will upload the Medical Examination Report (MER), Child Study Report (CSR) and the LFA in the CARINGS portal **within seven days** from the date of issuance of LFA.
- The Prospective Adoptive Parents (PAP) registered in CARINGS portal will get online referral of the children along with the Photograph, MER and CSR of the child. **(REFERRAL means online matching of the child and the PAP by the system through built-in-mechanism).**
- The PAP will have **48 Hours time** to reserve the child in the portal. Once the child is reserved the PAP will know in which SAA the child is staying. If afterwards, the PAP do not accept the child after reservation without substantive justification, the parents will be relegated to the bottom of the seniority list.
- After reservation, the SAA will get in touch with the PAP for pre-adoption counselling /interaction with the child and fix an appointment with the PAP to come to attend in the meeting of Adoption Committee with all relevant documents. This meeting is meant for matching of the child with the PAP and the process of matching must be completed **within 20 days** from the date of reserving the child.

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Inter-Country adoption process

- If the matching process is done, the PAP will accept the child by signing MER and CSR of the child and that will be recorded in the CARINGS portal.
- The child should be given in pre-adoption foster care to the PAP **within 10 days** of the matching. A pre-adoption foster care undertaking has to be signed by the PAP.
- The SAA will file adoption petition in the competent court within 10 days of the date of the child being given to pre-adoption Foster care.
- The adoption case has to be disposed of **within 2 months** from the date of filing and the proceeding should be made in CAMERA in the Court.
- The SAA will facilitate the issuance of the Birth Certificate of the child **within three working days** after the final adoption order is issued by the Court.
- Post Adoption Follow up by SAA **six monthly for two years** and that has to be recorded in CARINGS.

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Other processes relating to Inter-Country adoption

- Any Non-Resident Indian (NRI), Overseas Citizen of India (OCI) or Foreign Prospective Parents living in a country which is a signatory to the Hague Adoption Convention wishing to adopt Indian child can approach the Authorised Foreign Adoption Agency (AFFA) of that country or Central Authority for registration in CARINGS portal. If there is no AFFA or central authority in their country of habitual residence, they shall approach the Government Department or Indian diplomatic mission for the said purpose.
- The AFFA /CA/Diplomatic Mission/Govt. Department after careful consideration of the eligibility and suitability of the PAP will register them in CARINGS portal.
- Rest procedures will be followed as per the processes mentioned above for In-Country Adoption. Only difference is that the time of reservation of child in the portal is **96 hours**.
- In case the PAP is in another country, the SAA from where the child has been referred will send the dossier of MER, CSR and Photograph of the child to the PAP for acceptance. The PAP will accept by signing the CSR and MER of the child within 30 days from the date of reservation.
- The AFFA shall forward the original documents of the PAP to the SAA concerned for their scrutiny. All documents of the foreign PAP should be apostilled by the competent authority of the receiving country. The documents originated from India will be self-attested. AFFA will ensure the documents are made available in English.
- The foreign PAP will authorise the chief functionary of the SAA by giving Power of Attorney to file the adoption case in the court on behalf of the PAP.
- After issuance of final adoption order, the SAA will facilitate the PAP for issuance of the birth Certificate and the Passport of the child **within three working days**.

- When the final adoption order is issued, the PAP will come to the SAA as per their convenience to receive the child and return to their country **within two months** from the date of adoption order.

- Post Adoption Follow up by AFFA on a quarterly basis during the first on six monthly basis in the second year after arrival of the child in receiving country and report to be reflected in CARINGS.

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Other salient points to be monitored by district authority

- To monitor the conduction of the Home Study report of PAP by Social worker of the SAA and uploading of the same within one month from the date of uploading of documents in CARINGS by the PAP.
- To ensure SAA-CCI linkage by the DCPU & SAA to bring older children of CCIs in adoption pool.
- To ensure that the CWC, DCPU and SAA conform to the timeline of adoption process strictly.
- To regularly take up with Ld. District Judge for disposal of pending adoption cases within stipulated period.
- To ensure regular counselling of the PAP and the older children of CCIs to prevent disruption/dissolution of adoption.
- To monitor standard of care in SAAs and pre-adoption of counselling of PAPs by the DCPU & SAA.



Abbreviations

SAA: Specialised Adoption Agency

AFFA: Authorised Foreign Adoption Agency.

CARINGS: Child Adoption Resource Information and Guidance System (Online Portal)

MER: Medical Examination report; **CSR:** Child Study Report.

HSR: Home Study Report; **LFA:** Legally Free for Adoption.

PAP: Prospective Adoptive Parent.



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