

Central Adoption Resource Authority (CARA)

The Central Adoption Resource Authority (CARA) is in the news now because of the issue of orphaned children whose parents have perished in the pandemic, and the problems associated with their legal adoption. In this article, you can learn about the Indian adoption authority CARA, its legal status, functions and other details for the [UPSC exam](#).

Central Adoption Resource Authority

The Central Adoption Resource Authority (CARA) is the nodal authority in India for the adoption of Indian children.

- It is a **statutory body** functioning under the Ministry of Women and Child Development, GOI.
- It is authorised to regulate and monitor inter-country and in-country adoptions.
- CARA is the designated authority in India for inter-country adoptions according to the provisions of the Hague Convention on Inter-country Adoption, 1993. India ratified the convention in 2003.
- The authority chiefly handles the adoption of orphaned, surrendered and abandoned children through its recognised/associated adoption agencies.
- CARA was founded in 1990. It is a statutory body under the [Juvenile Justice Act, 2015](#).

Adoption in India

Adoption is the process by which an abandoned, surrendered or orphaned child becomes the lawful child of his/her adoptive parents with all the rights, privileges and responsibilities that are associated with a biological child.

The following are the fundamental principles in the adoption of children from India.

1. While processing any adoption placement, the interests of the child would be paramount.
2. Preference shall be given to place the child with adopted parents who are Indian citizens, and preferably in the child's own socio-cultural environment, as far as possible.
3. All adoptions should be registered on the Child Adoption Resource Information and Guidance System and the confidentiality of the same shall be maintained by the CARA.

Apart from CARA, there are other mandated organisations also which handle adoptions in India. They are as follows:

- State Adoption Resource Agency (SARA): Nodal body within the state to monitor & promote adoption and non-institutional care in coordination with CARA.

- **Specialised Adoption Agency (SAA):** Agencies recognised by the State Government for the placement of children in adoption.
- **Authorised Foreign Adoption Agency (AFAA):** A foreign social or child welfare agency that is authorised by CARA on the basis of recommendations of a foreign country's adoption authority or govt department for all matters relating to the adoption of an Indian child by a citizen of that country.
- **District Child Protection Unit (DCPU):** A unit established by the state government at the district level for identifying orphaned, surrendered and abandoned children in the district. It also gets them declared legally free for adoption by the child welfare committees.

Eligibility to Legally Adopt a Child in India

There are certain criteria that the prospective adoptive parents must comply with in order to be eligible for adopting a child in India legally. They are:

- They should be physically, mentally and emotionally stable; financially capable; motivated to adopt a child; and should not have any life-threatening medical condition.
- If prospective parents satisfy all other criteria for adoption, they can adopt irrespective of their marital status and irrespective of whether they already have a biological child of their own.
- A single female is eligible to adopt a male or female child.
- A single male is not eligible to adopt a female child.
- In the case of a couple adopting, the consent of both partners is necessary. Also, they should have completed at least two years of a stable marital relationship.
- Couples with more than four children are not considered for adoption.
- The minimum age difference between the child and either of the prospective adoptive parents must not be less than 25 years.
- The age of prospective adoptive parents as on the date of registration shall be counted for deciding the eligibility and the eligibility of prospective adoptive parents to apply for children of different age groups shall be as under:

Age of the child	Maximum composite age of prospective adoptive parents	Maximum age of the single prospective adoptive parent
Up to 4 years	90 years	45 years
Above 4 up to 8 years	100 years	50 years
Above 8 up to 18 years	110 years	55 years

Eligibility of the child to be adopted

1. Any orphaned, surrendered or abandoned child declared free for adoption by the child welfare committee.
2. A child of a relative as defined in the Juvenile Justice Act.
3. Child or children of the spouse from an earlier marriage, surrendered by the biological parent(s) for adoption by the step-parent.

Preference in Adoption

As per the Hague Convention, Indian parents are given preference over foreigners with regard to adopting children residing in India. In 2014, the law was changed to make NRIs and PIOs on par with Indian citizens with respect to their eligibility for adoption from India. Foreigners staying out of India should adopt from the Immediate Placement list. This list contains children who have been passed over by Indian parents (includes children over the age of five, sibling groups or children with disabilities/ailments).

Children move from the in-country to the inter-country adoption list according to the schedule below:

- After 60 days, if the child is below 5 years of age.
- After 30 days, if the child is above 5 years of age or is a sibling.
- After 15 days, if the child has any intellectual or physical disability.

Procedure for Adoption

In India, adoption is legal only if it is done from Specialised Adoption Agencies (SSAs) duly recognised by the state governments or other authorised agencies only.

The do's and don'ts for adoption as given in the official CARA website are given in the image below:

Do's	Don'ts
Only adopt from Specialised Adoption Agencies (SAAs) recognised by State Governments.	Do not approach any nursing home, hospital, maternity home, unauthorised institution or individual for adoption.
Read the Guidelines carefully on the website and follow the due procedure.	Do not upload any incorrect document, else your registration will be cancelled.
Follow the steps for completing your registration.	Do not pay any additional adoption charges other than what is prescribed in CARA Guidelines.
Please upload documents as per instructions.	Keep away from touts/middlemen. There is no role of touts/middlemen in adoption. They will mislead you to adopt a child illegally.
For adoption related charges, please refer Schedule-13 of the Guidelines Governing Adoption of Children (2015). Always make payment by cheque or draft and collect your receipt.	Through illegal adoption, you may unintentionally become part of child trafficking network. Save yourself from legal ramifications.
In case of query, you may contact Toll Free Helpline No. 1800-11-1311 or carahdesk.wcd@nic.in	

Image source: <http://cara.nic.in/>

Legal Framework Governing Adoption in India

In India, adoption is covered under the Hindu Adoption and Maintenance Act, 1956 (for Hindus, Jains, Sikhs and Buddhists) and the Guardians and Wards Act, 1890 (for Muslims, Christians, Jews and Parsis).

Procedure to be followed in adoption:

- Prospective parents should register themselves with the Child Adoption Resource Information and Guidance System (CARINGS) of CARA.
- Then the specialised adoption agency (SSA) conducts a Home Study Report (HSR) of the prospective adoptive parents and uploads the data on CARINGS.
- The suitability of the parents are determined and if not found suitable, they are rejected and informed of the reasons.
- The prospective adoptive parents can reserve from one to six children for adoption.
- Within a stipulated time, the parents visit the adoption agency to finalise the child. If they do not finalise within the period, they come down on the seniority list.
- Once the child is finalised, the SAA completes the referral and adoption process on CARINGS.
- Then the parents take in the child for pre-adoption foster care and the SSA files the petition in the court.
- Then the court issues the adoption order.
- Post-adoption follow-up reports are conducted for a period of two years.

Issue of Children Orphaned due to COVID

During the ongoing COVID pandemic, many children who have lost both parents have become vulnerable to exploitation. There have been social media posts doing the rounds that have put up names and details of children who have been orphaned and are “up for adoption”. This is illegal as only authorised agencies recognised by CARA or SARAs can deal with adoption in India. It is imperative that prospective adopters resort to legal means to adopt children as otherwise they might end up being a part of a trafficking nexus inadvertently and would need to face the legal consequences.

Also, there are legal consequences of disclosing the identity information of children in public. This will make them more prone to traffickers. The [National Commission for Protection of Child Rights \(NCPCR\)](#) had urged the Supreme Court to intervene in the matter of illegal adoption taking place in the backdrop of the pandemic.
