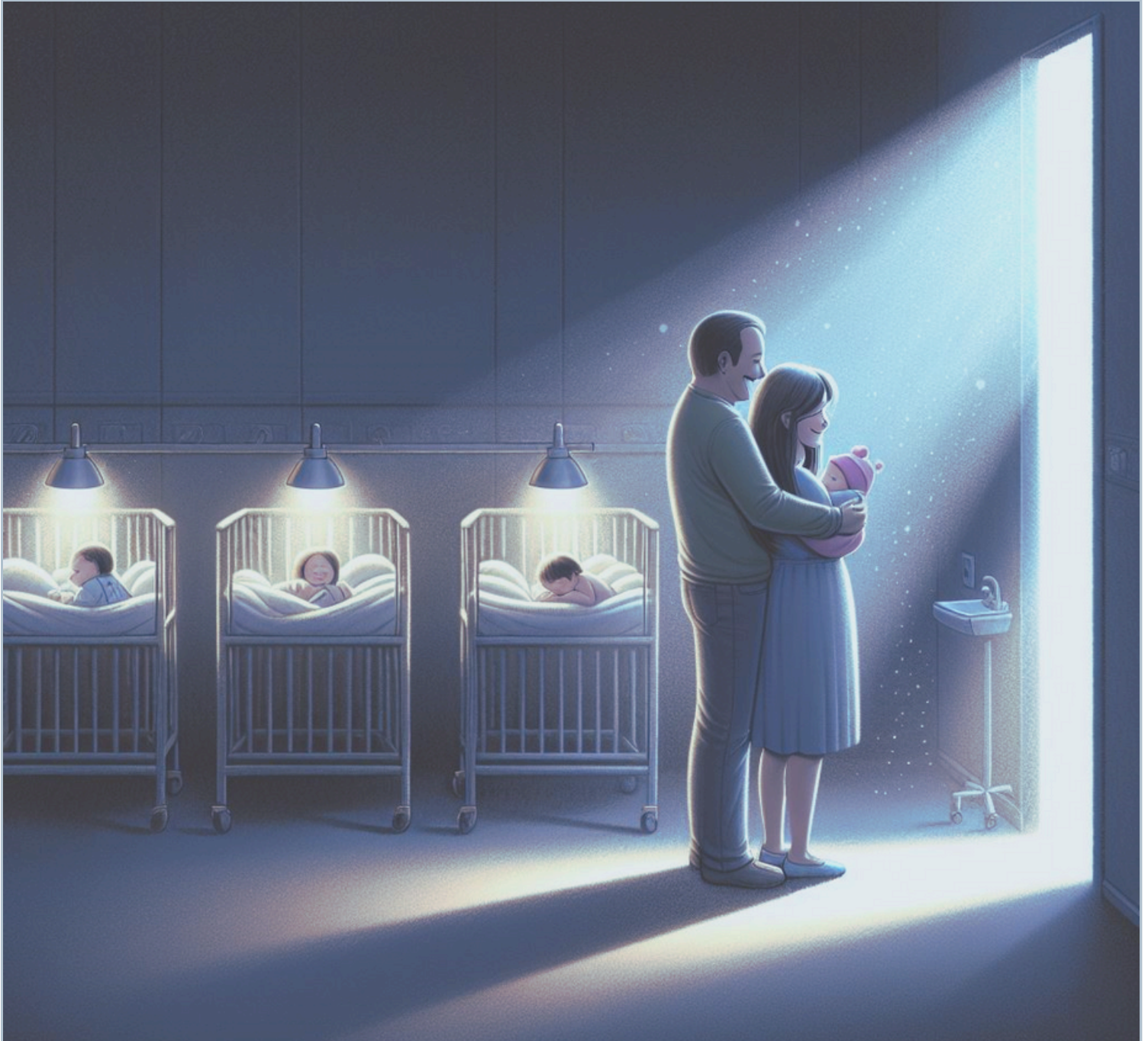


# CARA GUIDELINES ON ADOPTION, A WELCOME REALISATION!



WEDNESDAY WISDOM  
12-02-2025

A recent visit to Vatsalya Trust was one of the experiences that will undoubtedly stay with us forever. Vatsalya Trust Mumbai, is a registered Public Charitable trust founded in 1983 dedicated to care and rehabilitation of orphan, abandoned and destitute children. They have multiple projects in Maharashtra at Kanjurmarg, Sanpada, Alibaug and Badlapur.

Our knowledge on adoption was somewhat confined to legal aspects only, but that day, we realised the sensitivity of this issue in social standpoint as well.

Speaking with Mrs. Anjali Gadre (one of the Trustees) and hearing her firsthand experience was deeply moving. We were overwhelmed by the sheer scale of the challenges orphaned, abandoned and surrendered children face, and our problems from day-to-day life which we seem to glorify suddenly felt insignificant in comparison.

Vatsalya Trust[2], its esteemed trustees, and the compassionate individuals who selflessly support the cause are truly modern-day heroes. They are a beacon of hope for these children, and their work is an inspiration. We are grateful to have this opportunity to witness compassion and kindness so closely!!

Our visit to Vatsalya Trust illuminated a critical gap in public understanding about adoption. While societal perceptions are evolving, the age-old belief somewhere still persists that adoption is simply a last resort for those who are unable to have biological children. Adoption is now increasingly embraced by generation with a clear vision of family planning. This shift reflects an accessible root to parenthood, with adoption taking its place as a conscious and fulfilling choice. This article seeks to broaden perspectives, exploring the legal and procedural aspect of adoption and shedding light on its transformative impact on families and children.



[1] The article reflects the general work of the authors, and the views expressed are personal. No reader should act on any statement contained herein without seeking detailed professional advice.

[2] VATSALYA TRUST - Vatsalya Trust Mumbai

## General overview of adoption law:

Central Adoption Resource Authority<sup>[3]</sup>(CARA) is a statutory body of Ministry of Women & Child Development, Government of India. It functions as the nodal body for adoption of Indian children and is mandated to monitor and regulate in-country and inter-country adoptions. CARA is designated as the Central Authority to deal with inter-country adoptions in accordance with the provisions of the Hague Convention on Inter-country Adoption, 1993, ratified by Government of India in 2003.

CARA primarily deals with adoption of orphan, abandoned and surrendered children through its associated /recognised adoption agencies which are:

- 1.**Specialized Adoption Agencies (SAA):** SAAs are key stakeholders in the adoption process, collaborating with CARA to ensure adoptions prioritize the child's best interests. They provide comprehensive services, including childcare, counselling, legal assistance, and post-adoption support.
- 2.**Authorized Foreign Adoption Agency (AFAA):** These agencies are organizations in foreign countries that are authorized by CARA to handle inter-country adoptions from India.

## Total registered Prospective Adoptive Parents (PAPs)

Statistics as on date:

33830

32951  
RI

301  
NRI

223  
OCI

355  
Foreigner

## Children available for Adoption

2315

854  
Normal

1461  
Special needs

RI- Resident Indian, NRI- Non-resident Indian OCI- Overseas citizen

[3] [CARA](#)

## Eligibility criteria for prospective adoptive parents (PAPs):

SR NO.	INDIAN PARENTS															
1.	PAPs should be physically, mentally, emotionally and financially capable.															
2.	Any PAP irrespective of their marital status & biological children can adopt a child subject to the following: <ul style="list-style-type: none"><li>• Consent of both spouses</li><li>• A single female can adopt a child of any gender</li><li>• A single male shall not be eligible to adopt a girl child</li></ul>															
3.	2 years of stable marriage before adoption is necessary															
4.	<div>Adoptive parent's age eligibility:</div> <table><thead><tr><th>AGE OF THE CHILD</th><th>MAXIMUM PROSPECTIVE AGE OF PAPS</th><th>MAXIMUM AGE OF SINGLE PAPS</th></tr></thead><tbody><tr><td>Up to 2 years</td><td>85 years</td><td>40 years</td></tr><tr><td>Above 2 to 4</td><td>90 years</td><td>45 years</td></tr><tr><td>Above 2 to 8</td><td>100 years</td><td>50 years</td></tr><tr><td>Above 8 to 18</td><td>110 years</td><td>55 years</td></tr></tbody></table>	AGE OF THE CHILD	MAXIMUM PROSPECTIVE AGE OF PAPS	MAXIMUM AGE OF SINGLE PAPS	Up to 2 years	85 years	40 years	Above 2 to 4	90 years	45 years	Above 2 to 8	100 years	50 years	Above 8 to 18	110 years	55 years
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5.	<ul style="list-style-type: none"><li>• minimum age difference between the child and either of the prospective adoptive parents shall not be less than twenty-five years.</li><li>• In case of couple, the composite age of the prospective adoptive parents shall be counted</li><li>• Age criteria shall not be applicable in case of relative adoption by step-parents.</li><li>• Couples with 2 or more children shall only consider special needs children.</li></ul>															

- Non-resident Indian and Overseas Citizen of India, Cardholder prospective adoptive parents shall be treated at par with Indians living in India in terms of priority for adoption of orphan, abandoned or surrendered children.



**Adoption Procedure:**

Online Application filing on Child Adoption Resource Information and Guidance System (CARINGS) and upload relevant documents within 30 days of registering as Prospective Adoptive Parents (PAP)



PAP shall be permitted 2 state choices or cluster of states. Registration on CARINGS is deemed registration in all SAA of the States they have opted for



After registration, PAP shall apply to a SAA or District Child Protection Unit nearest to their residence for conducting Home Study



Home Study Report shall be posted on CARINGS by the SAA within 3 days from completion of Home Study Report



Home Study Report shall remain valid for 3 years and shall be the basis for adoption of a child by PAP from anywhere in the country



On basis of seniority, the PAP shall be referred maximum 3 referrals with one month interval in between 2 consecutive referrals subject to availability of children through the CARINGS. The referral should consist of Photographs, Child Study Report and Medical Examination Report, in their preference category, if any, from one or more SAA.



The PAP may also get the Medical Examination Report of the child reviewed by medical practitioner of their choice before giving acceptance for adoption of child



After viewing the profile of the child, the PAP may reserve the child within a period of 48 hours for possible adoption and the unreserved child shall be released by the Designated Portal for other PAP in the waiting list.



Adoption Committee shall scrutinize the requisite documents of PAP. SAA shall organize a meeting of PAP with the child

Matching process shall be completed within 30 days from reserving the child. At the time of matching, social worker of SAA orients the PAP for taking care of the child – about their rights and responsibilities

While accepting the child, PAP shall sign the Child Study Report and Medical Examination Report in presence of social worker from SAA thereby recording the acceptance by the PAP in CARINGS

Registration of PAP shall continue to remain till they have not exceeded maximum composite age subject to revalidation of Home Study Report in every 3 years.

SAA should file an application along with an affidavit with District Magistrate through District Child Protection Unit within 10 days from the date of matching of the child with PAP. In case of siblings or twins – SAA shall file a single application with the District Magistrate

The District Magistrate shall hold the adoption proceeding in camera and dispose the case not exceeding 2 months from the date of filing of adoption application of SAA

SAA shall apply to birth certificate issuing authority for obtaining birth certificate of the child within 5 days from the date of issuance of adoption order with name of adoptive parents and date of birth as recorded in adoption order. The issuing authority shall issue the birth certificate within 5 days from the date of receipt of the application

SAA shall prepare the post-adoption follow-up report on 6 monthly basis for 2 years from the date of pre-adoption foster placement with PAP and upload the same in CARINGS along with photographs of the child within 10 days from date of such report. **The First Follow-up Report shall be done within 3 months from the date of pre-adoption foster care.**

## Interesting Facts:

- 3.5 years – average timeline for adoption



- If the PAP refuse 3 referrals consecutively, then there seniority is lost – PAPs are debarred from the Process for 1 year and are fined.

- Disclosure of the child being adopted shall be done at the age of 7-8 years.



- For a child under the age of 5 years who has not been placed in adoption within 60 days after referral and for a child over the age of 5 who has not been adopted within 30 days after referral, such children are available for direct reservation by the PAPs on immediate placement tab on CARINGS portal. Most children in such placement are older and are in the age categories of 6 to 18 years.



### Caselaw [4]:

In the recent Supreme Court case, a bench comprising Chief Justice Chandrachud, Justice Pardiwala, and Justice Misra, voiced strong concerns regarding significant delays in adoption processes during a hearing on a Public Interest Litigation (PIL) filed by "The Temple of Healing" charitable trust. The PIL sought simplification of adoption procedures. During the proceedings, the Additional Solicitor General requested more time to respond to the PIL. This prompted the CJI to question the standstill in adoptions, noting that couples face waits of three to four years, potentially altering their life circumstances. The CJI emphasized the impact of these delays, citing examples of how waiting can change a couple's ability or desire to adopt. He acknowledged potential concerns about misuse but questioned the justification for stalling adoptions, given the numerous children awaiting homes. Ultimately, the court directed all states to submit adoption data to the Ministry of Women and Child Development by April 7, 2024, for collation and presentation to the court on April 14, 2024.

**To conclude, perhaps the most powerful testament to the transformative power of adoption comes from the heart of a family who has experienced it firsthand:**

An urban couple residing in Thane who have recently adopted a girl child have shared their experience saying, ***"Adopting our child has been an incredible journey. While the adoption process itself involved some waiting and wasn't always easy, the moment we finally held our baby in our arms, it marked the start of a beautiful new chapter for all of us. It's a joy to watch our child everyday, and we're loving every minute of parenthood. Being working parents, definitely adds a layer of complexity, and juggling work and family life can be a bit of a rollercoaster. But the moment I walk through the door and see my child's smiling face, all the day's stress melts away. It's so worth it! For us, the most important thing is providing a loving and nurturing home, good food, and everything our child needs to grow and flourish. We're so happy that our little one has settled in so quickly and is now a healthy and happy baby!"***

[4] Supreme Court Directs States And UTs To Give Data Relating To Adoption And Foster Care To Ministry Of WCD



For any feedback or response on this article, the authors can be reached on [shravani.joshi@ynzgroup.co.in](mailto:shravani.joshi@ynzgroup.co.in) and [riddhi.bhosale@ynzgroup.co.in](mailto:riddhi.bhosale@ynzgroup.co.in)

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