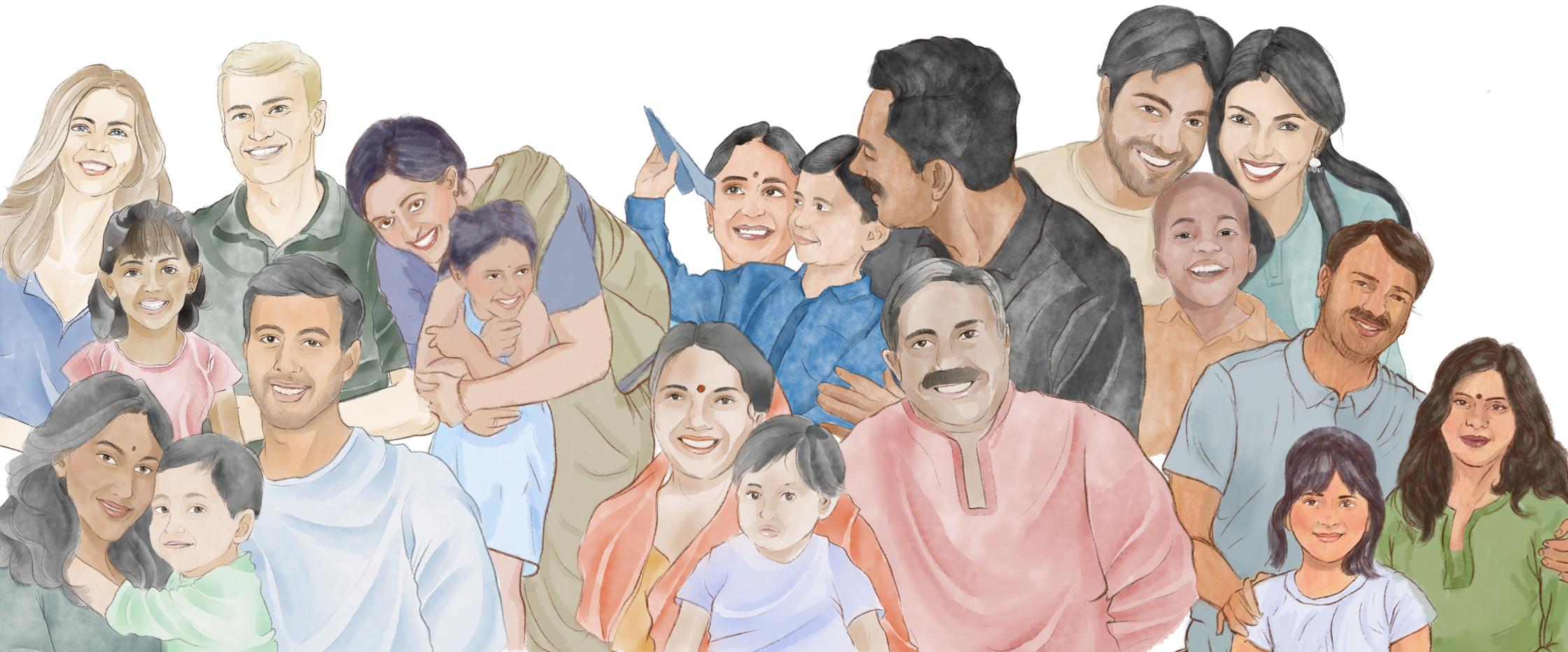




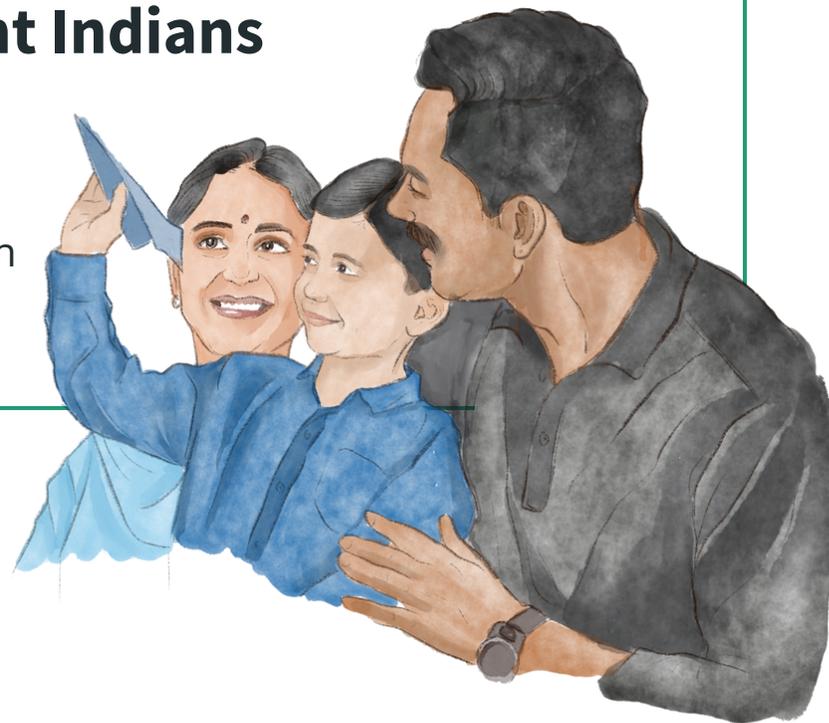
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Procedures for **Adoption**



Procedure for Adoption by **Resident Indians** (Non-Religious Law)

As a resident Indian, you may opt for in-country adoption i.e., adoption within India. Your application for adoption will go through various stages, as mentioned below:



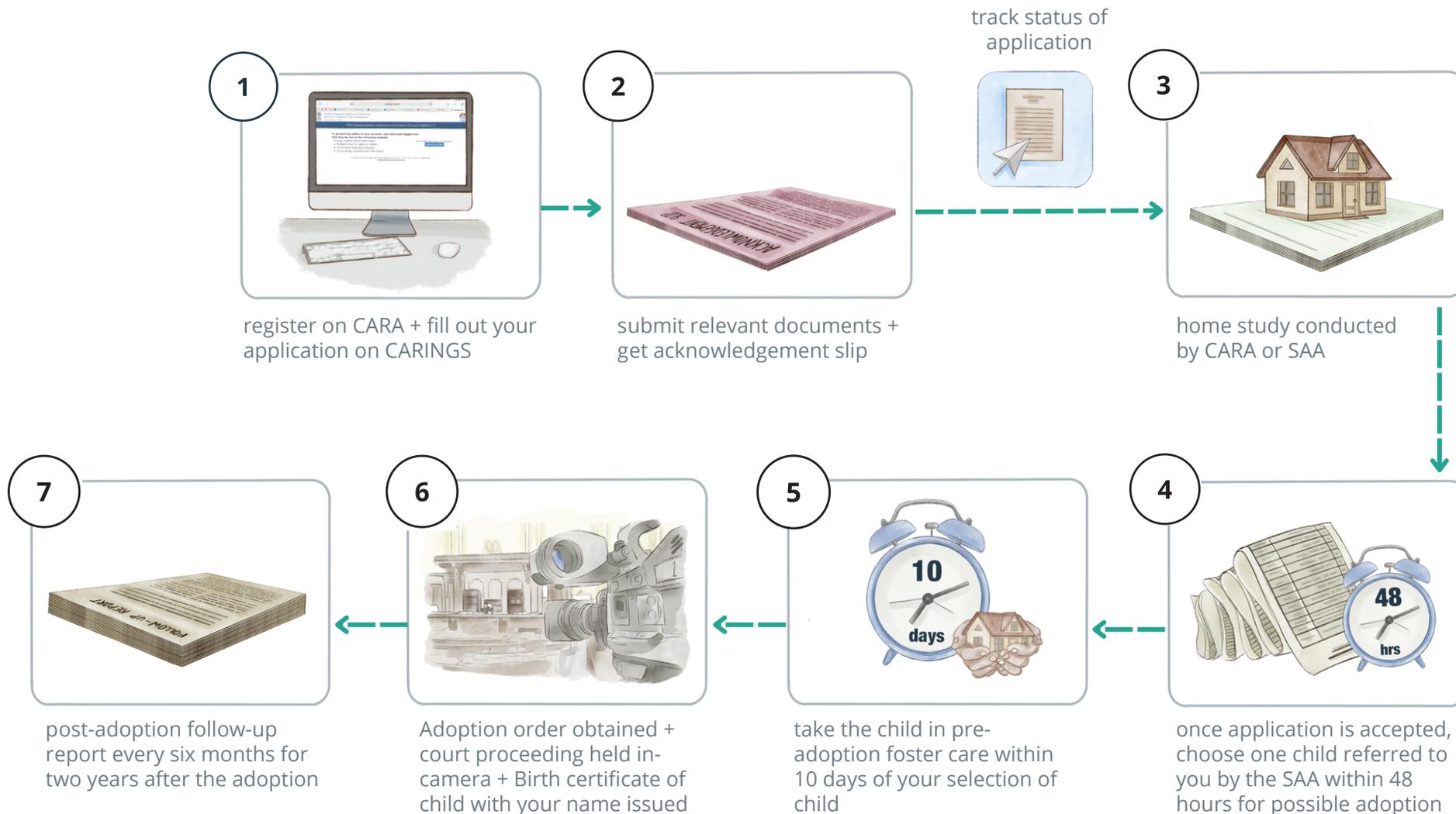


Fig 1.1 **Overview** (Procedure for Adoption by Resident Indians)

STEP 1

You may apply for adopting a child by registering on the website of Central Adoption Resource Authority (CARA), [here](#). It will redirect you to Child Adoption Resource Information and Guidance System (CARINGS) where you can fill your application details such as your personal details, employment details, etc.



STEP 2

After registration, you will be required to submit relevant documents as part of your application. Please see [here](#) to understand which documents you will have to submit. After you fill out the application, you will be given an acknowledgement slip. Once you have filled the application with the relevant details and documents, you can track the status of your application with the registration number provided to you on the acknowledgement slip.



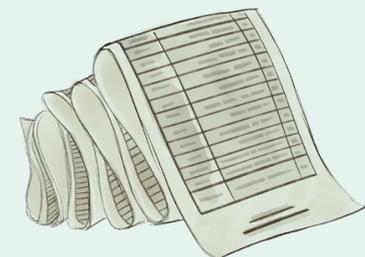
STEP 3

A home study will be conducted by CARA or Specialized Adoption Agency (SAA), to determine whether you are eligible to adopt a child. Your application may be accepted or rejected. In case your application is rejected, the reasons will be posted on CARINGS, and you may appeal against that decision to Children's Court. Please see here for the procedure for appeal.



STEP 4

If your application is accepted, on the basis of your seniority, three children will be referred to you by the SAA through the CARINGS. You can choose one child for possible adoption within 48 hours, and a meeting will be fixed to assess suitability. This process will be completed within twenty days, and if you do not accept the child you have chosen, your name will be moved to the bottom of the seniority list.



STEP 5

Within ten days of your selection of a child, you will have to take the child in pre-adoption foster care, which makes you the child's foster parents. This happens while the adoption approval order is pending from the Court. You should sign this undertaking before taking the child in.



STEP 6

The SAA (or other relevant authority) will file an application with the relevant Court to obtain an adoption order. If the SAA is not available in your town, the relevant authority will do this. The Court proceedings will be held in-camera, and your application will be disposed of within two months from when you filed the adoption application. Thereafter, the SAA will obtain the birth certificate of the child within three working days with your name.



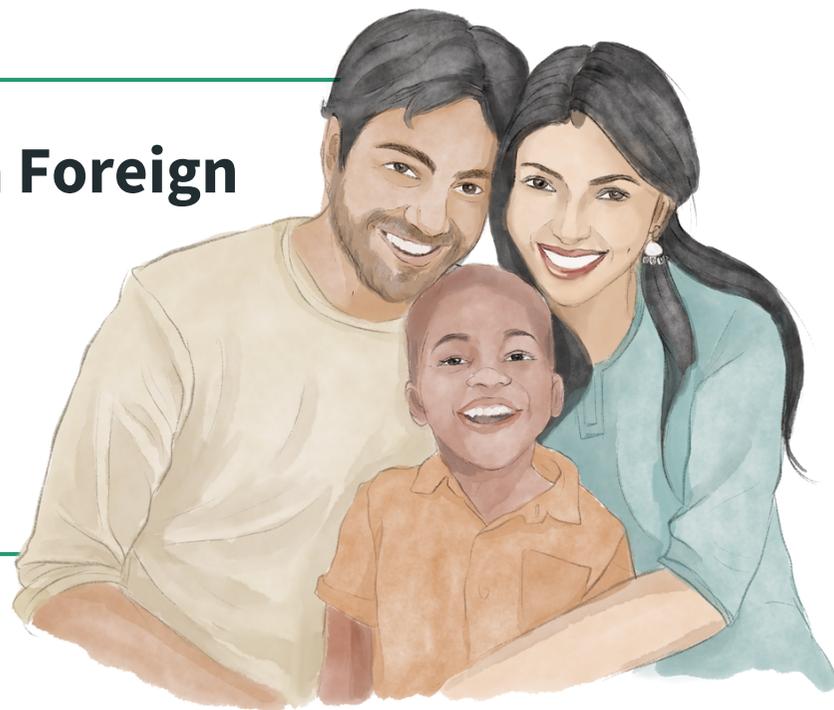
STEP 7

The SAA which conducted the home study will prepare the post-adoption follow-up report every six months for two years after the adoption. In case of any issues, counselling will be provided, and if there is an issue after adopting the child, the child may be taken back and declared as legally free for adoption again for other prospective adoptive parents.



Procedure for Adopting a **Child from a Foreign Country by Indian Citizens** (Non-Religious Law)

Follow the steps given below to adopt a child from a foreign country as an Indian citizen



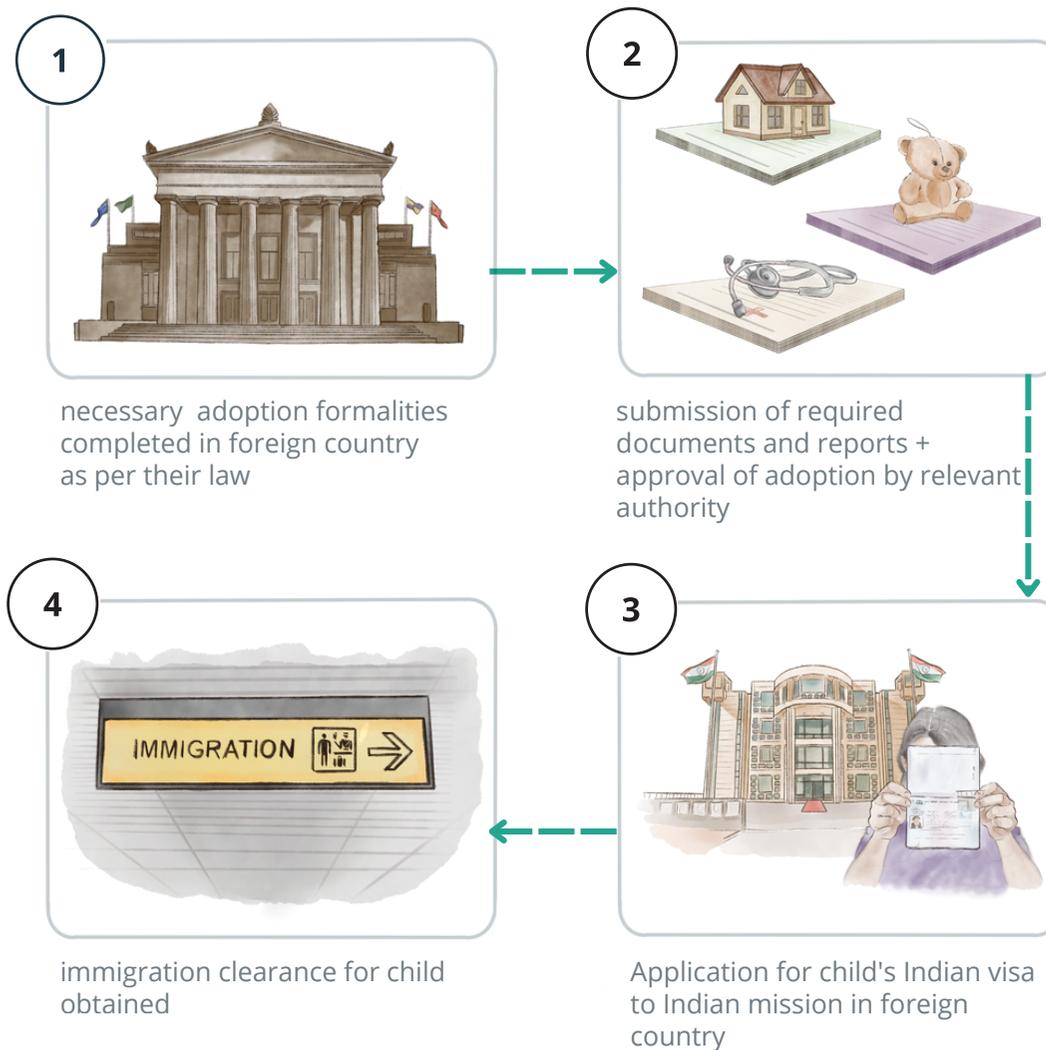


Fig 2.1 **Overview** (Procedure for Adopting a Child from a Foreign Country by Indian Citizens)

STEP 1

Necessary formalities for adoption of a child from a foreign country will be completed in that country, as per their law.



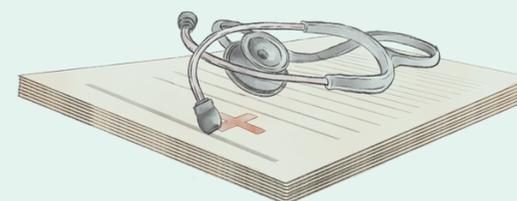
STEP 2

The relevant authority, depending on the laws of the country, shall issue approval of adoption, only on receiving the required documents (please ask the authority for more details on the same), and the following reports:

- Home Study Report



- Child Study Report
- Medical Examination Report of the child



STEP 3

A foreign child adopted by the Indian citizens and having a foreign passport, will need an Indian visa to come to India. For obtaining this visa, you can apply for it to the Indian Mission in that country.



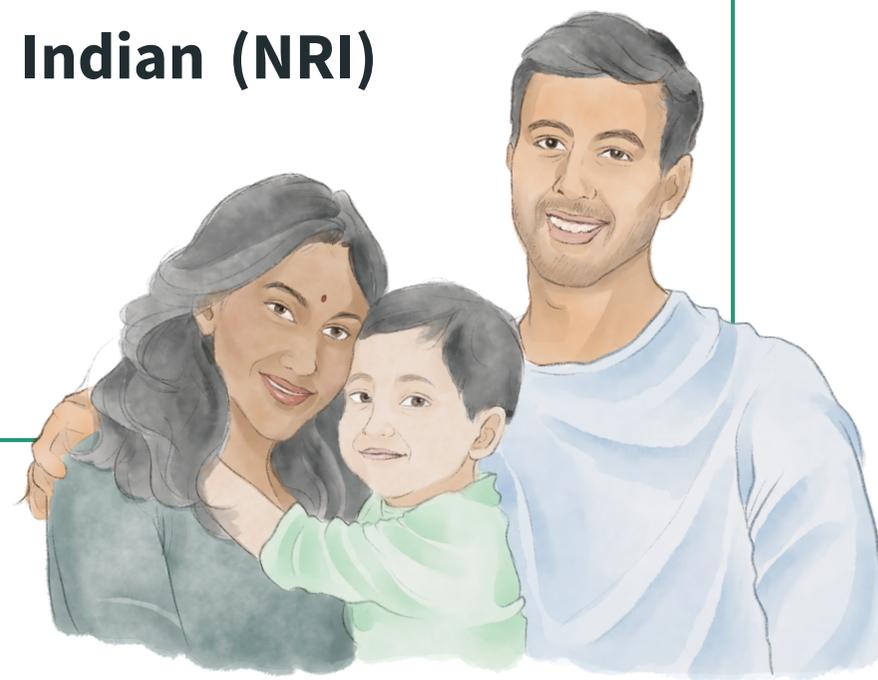
STEP 4

The immigration clearance for the child adopted shall be obtained from the Central Government in the Foreigners' Division, Ministry of Home Affairs, through the Indian Diplomatic Mission to that country.



Adoption by **OCI** or **Non-Resident Indian (NRI)** or a **Foreigner Living Abroad** (Non-Religious Law)

Follow the steps given below to adopt a child if you are an Overseas Citizen of India (OCI), Non-Resident Indian (NRI) or foreigner living abroad



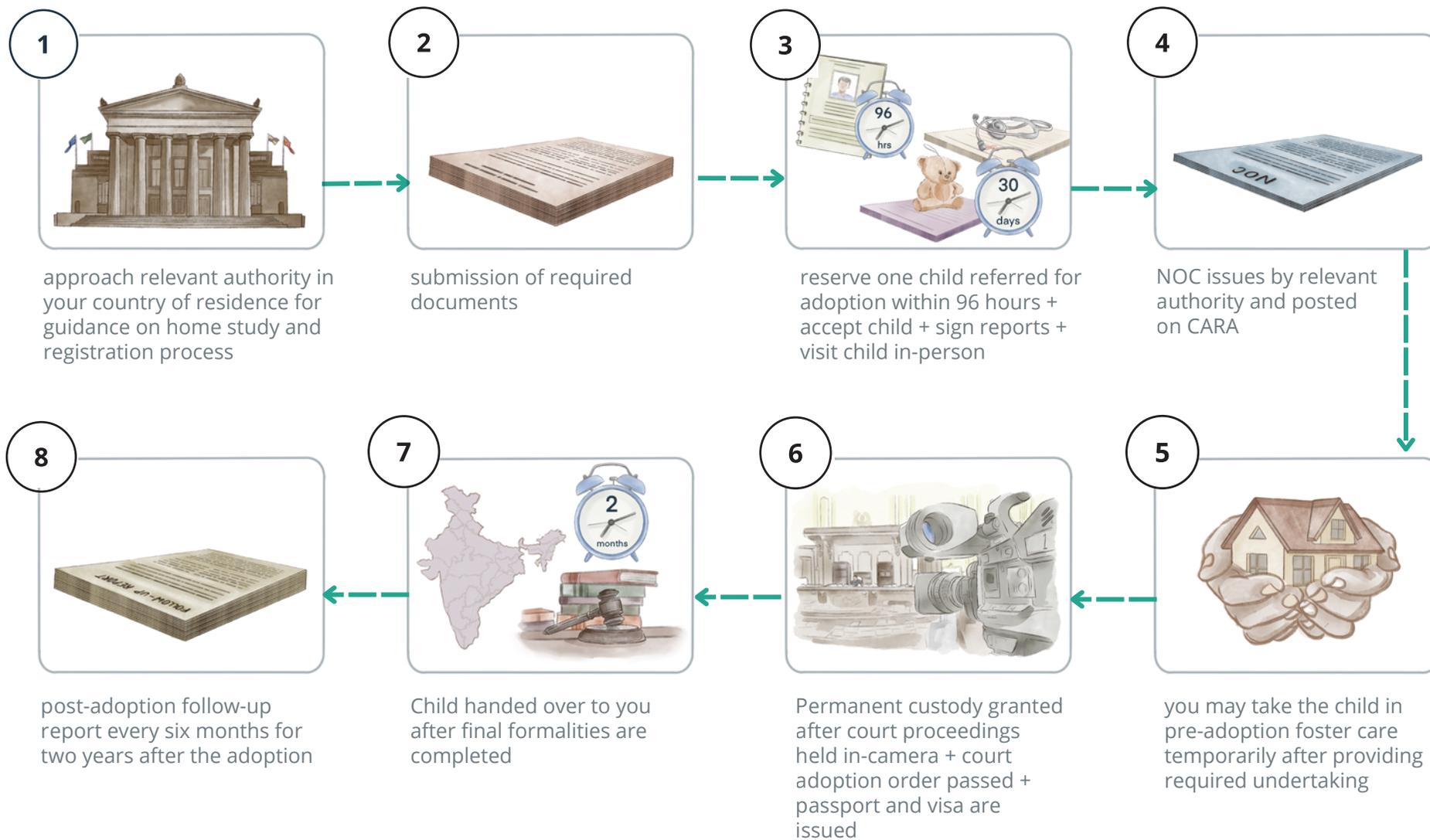


Fig 3.1 **Overview** (Procedure for adoption by OCI or Non-Resident Indian (NRI) or a Foreigner Living Abroad)

STEP 1

Approach the relevant authority i.e. the Authorised Foreign Adoption Agency or the Central Authority in your country of residence. In case there is no Authorised Foreign Adoption Agency or Central Authority in your country of residence, then you should approach the relevant Government department or Indian diplomatic mission (in cases of Indian citizens) in that country. See here for a list of foreign adoption agencies. They will guide you on the home study that will be conducted and the registration process.



STEP 2

You should submit the required documents. Please ask the authority you have approached for more details on this.

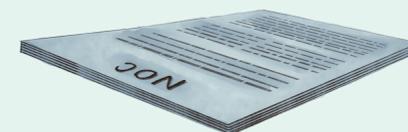


STEP 3

Two children will be referred to you for adoption, and you may reserve one child within 96 hours, and the profile of the other child will be withdrawn. If you fail to do this, both the profiles will be withdrawn. After reserving the child, you must accept the child and sign the Child Study Report and Medical Examination Report of the child within thirty days from the date of reservation. Failure to do this will lead to your profile being moved to the bottom of the seniority list, and the child's profile will be withdrawn. You may also visit the child in person, and have the medical report reviewed by a medical practitioner.

STEP 4

You should submit the required documents. Please ask the authority you have approached for more details on this. A No Objection Certificate (NOC) will be issued in favor of the adoption by the relevant authority, and posted on Child Adoption Resource Information and Guidance System (CARINGS).



STEP 5

If you get an NOC , you may take the child in pre-adoption foster care temporarily while the Court order is pending. In order to do so, you will have to provide the following undertaking in this format. You will be given permanent custody of the child after:

- The passport and visa are issued to the child
- The Court order is passed.



STEP 6

The relevant authority will file an application with the relevant Court. The Court proceedings will be held in-camera, and your application will be disposed of within two months from when you filed the adoption application.



STEP 7

You must come to India and take the child within two months from the date of the adoption order. Thereafter, the following will be done:

- A Conformity Certificate will be issued by the relevant authority within three working days of the availability of the adoption order by the Court
- The authority will inform the relevant authorities, such as immigration authorities, etc. of the confirmed adoption.
- The authority will aid in getting an Indian passport, birth certificate and OCI Card (if applicable) for the child.



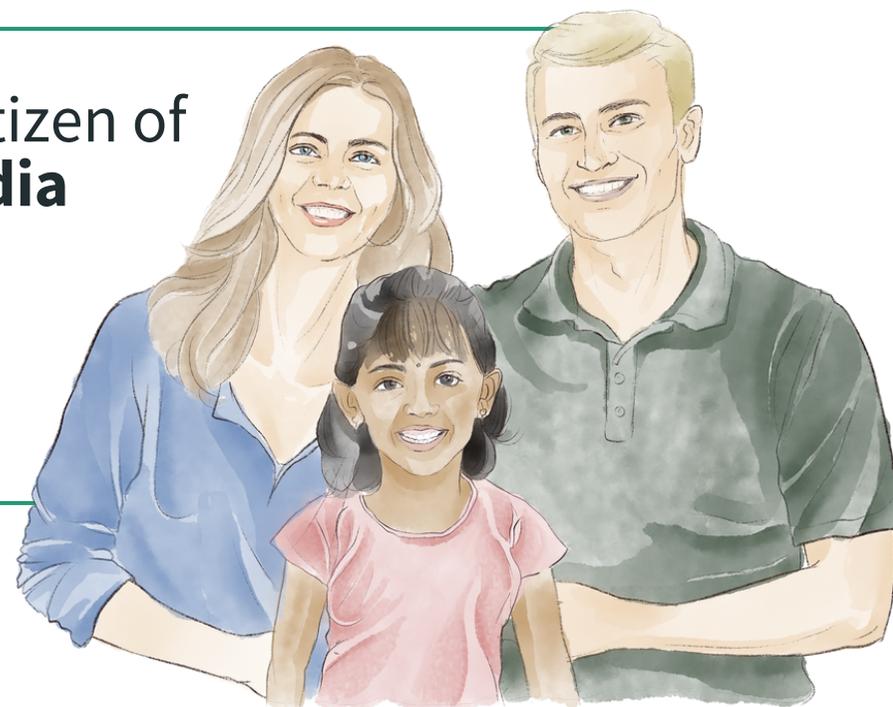
STEP 8

The relevant authority shall conduct follow-ups to assess the progress of the adoption, on a quarterly basis during the first year and every six months in the second year. In case of any issues, counselling will be provided, and if there is disruption or dissolution of the adoption, the child may be taken back and declared as legally free for adoption.



Procedure for Adoption by Overseas Citizen of India (**OCI**) or a **Foreigner Living in India** (Non-Religious Law)

Follow the steps given below to adopt a child if you are an Overseas Citizen of India (OCI) or a foreigner who is a habitual resident of India



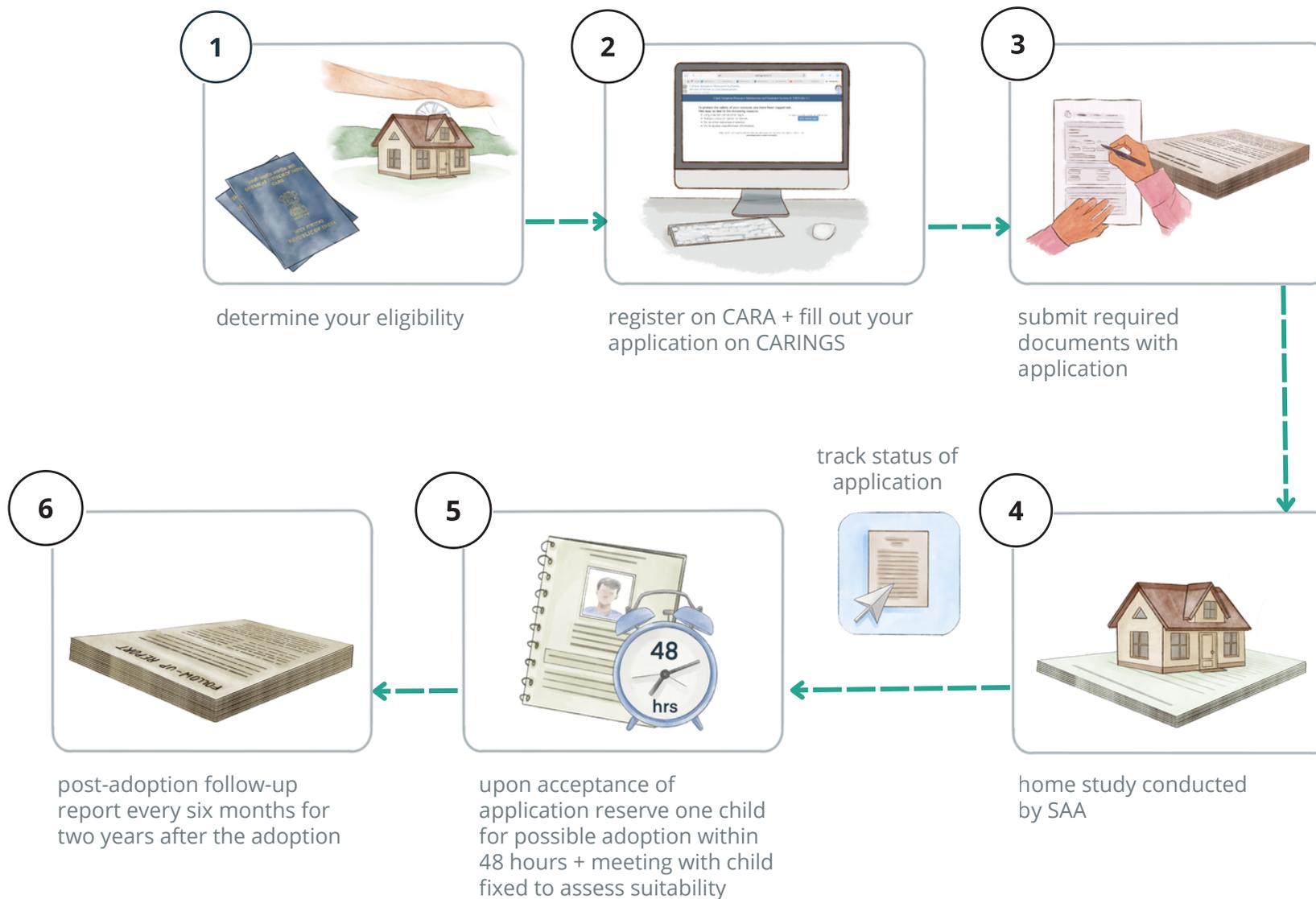


Fig 4.1 **Overview** (Procedure for Adoption by Overseas Citizen of India (OCI) or a Foreigner Living in India)

STEP 1

You should determine if you can adopt. You may adopt a child through this means only if you are an OCI or a foreign citizen who is a habitual resident of India (i.e. you live in India regularly).



STEP 2

You should register online on the website of Central Adoption Resource Authority (CARA) [here](#). It will redirect you to Child Adoption Resource Information and Guidance System (CARINGS) where you will have to fill out your application.



STEP 3

Along with your application, you should submit the required documents, which are:

- Your photograph
- PAN Card
- Your proof of birth (in case of a married couple, the spouse's proof of birth too)
- Proof of residence (Aadhar card/ voter card/ passport/current electricity bill/telephone bill)
- Proof of income of last year (salary slip/income certificate issued by the government/income tax return)



- Certificate from a medical practitioner certifying that you do not suffer from any chronic, contagious or fatal disease and they are fit to adopt (in case of a married couple, the spouse's Medical Certificate too)
- Marriage certificate/Divorce Decree/ Declaration from the Court or affidavit pertaining to divorce under personal law/Death certificate of spouse, if applicable.



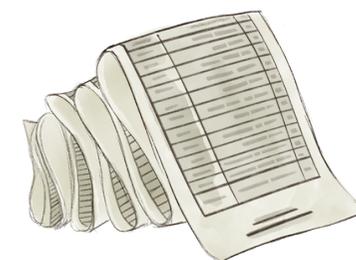
STEP 4

A home study will be conducted by the Specialised Adoption Agency (SAA), and depending on this, your application to adopt may be accepted or rejected. The result will be uploaded on the CARINGS website.



STEP 5

If your application is accepted, on the basis of your seniority, three children will be referred to you by the SAA through the CARINGS. You may reserve one child for possible adoption within 48 hours, and a meeting will be fixed for matching you to the child and assessing suitability. This process will be completed within twenty days, and if you do not accept the child, your name will be moved to the bottom of the seniority list.



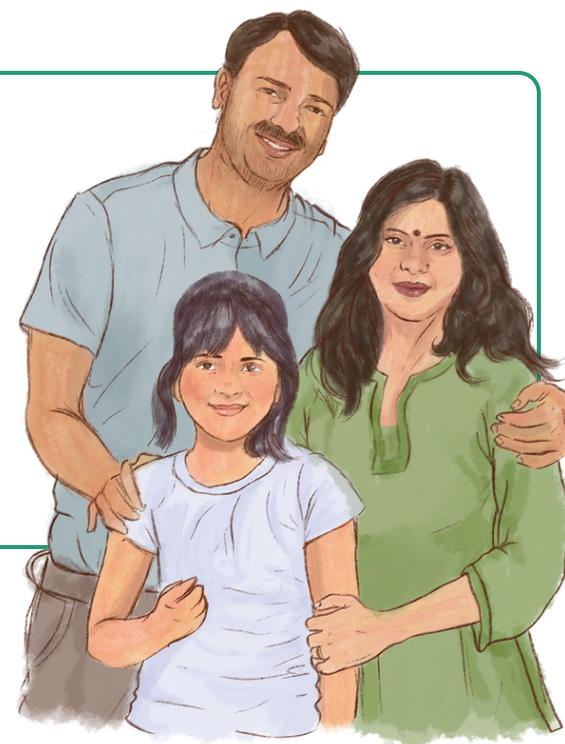
STEP 6

The SAA will follow-up on the adoption, and create a follow-up report every six months for two years. In case of any issues, counselling will be provided, and if there is an issue after adopting the child, the child may be taken back and declared as legally free for adoption again for other prospective adoptive parents.



Procedure for Adoption by **Step-Parent** (Non-Religious Law)

As a step-parent of the child you want to adopt, you can follow the procedure given below



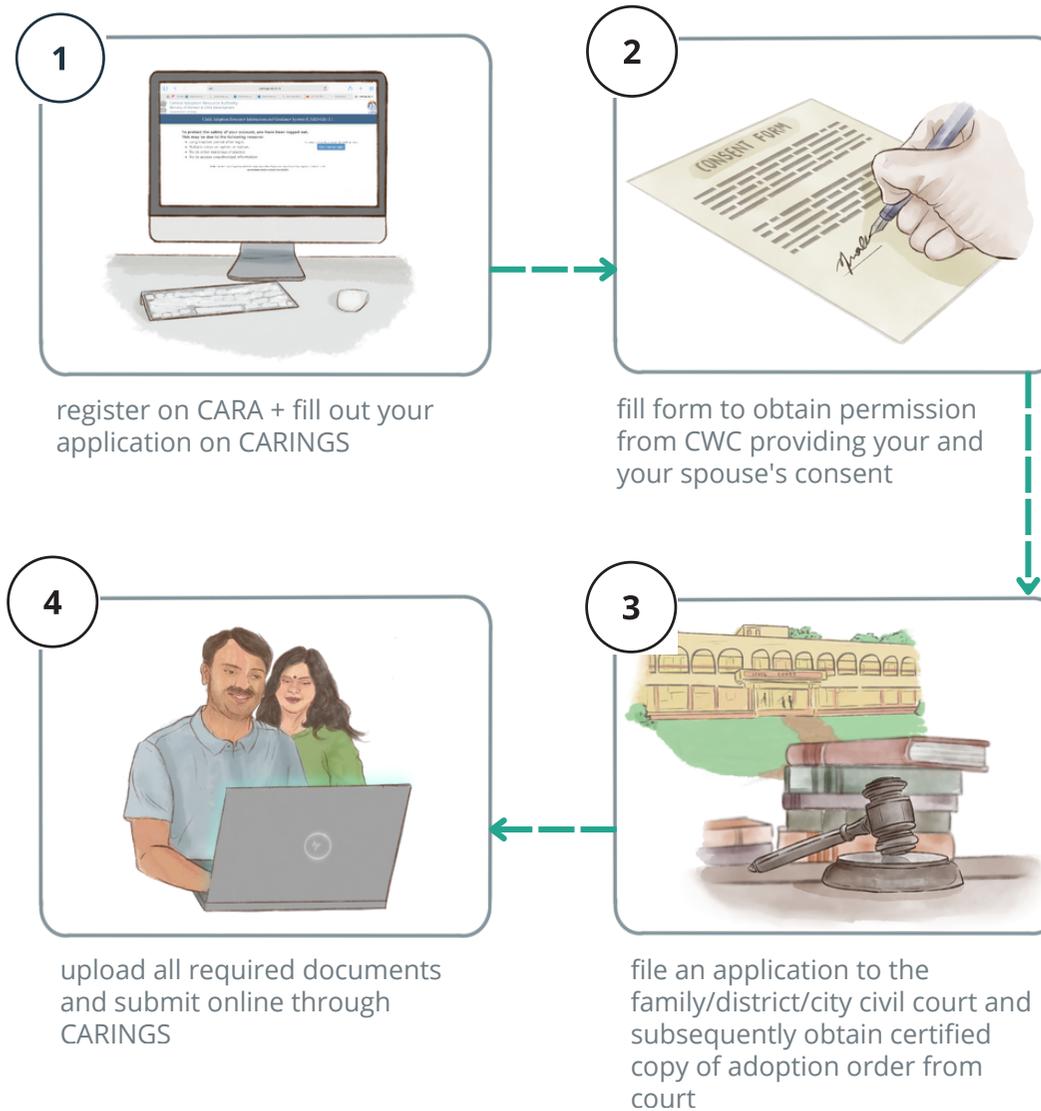


Fig 5.1 **Overview** (Procedure for Adoption by Step-Parent)

STEP 1

You and your spouse (the biological parent of the child) must register on the website of Central Adoption Resource Authority (CARA), [here](#). It will redirect you to Child Adoption Resource Information and Guidance System (CARINGS), where you can fill your application details such as your personal details, employment details, etc.



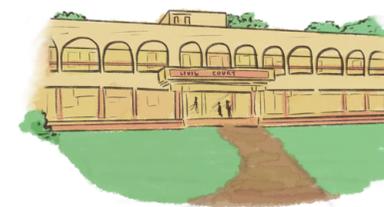
STEP 2

- You must be granted permission from the CWC to adopt the child. You must fill up this form, which also provides your and your spouse's consent. In case children are being relinquished/surrendered by both spouses from their respective earlier marriages for adoption, separate consent forms shall be filled up.



STEP 3

You along with your spouse must file an application in the Family/District/City Civil Court in this format. Thereafter, you should obtain a certified copy of the adoption order from the court and submit a copy of it online through CARINGS.



STEP 4

You must then upload the relevant documents, which are:

- Proof of residence of you and your spouse
- Proof of the parties mentioned above being legally wedded



- Death Certificate of the biological parent in case he/she is not alive
- Attested photographs of the child to be adopted, the biological parent(s), spouse adopting the child and the witnesses
- Form from Child Welfare Committee (CWC) granting you permission
- Adoption order from court



Procedure for Adoption by **Relative** (Non-Religious Law)

As a relative of a child, following the non-religious law to adopt, you can adopt both within India and also do inter-country adoptions.



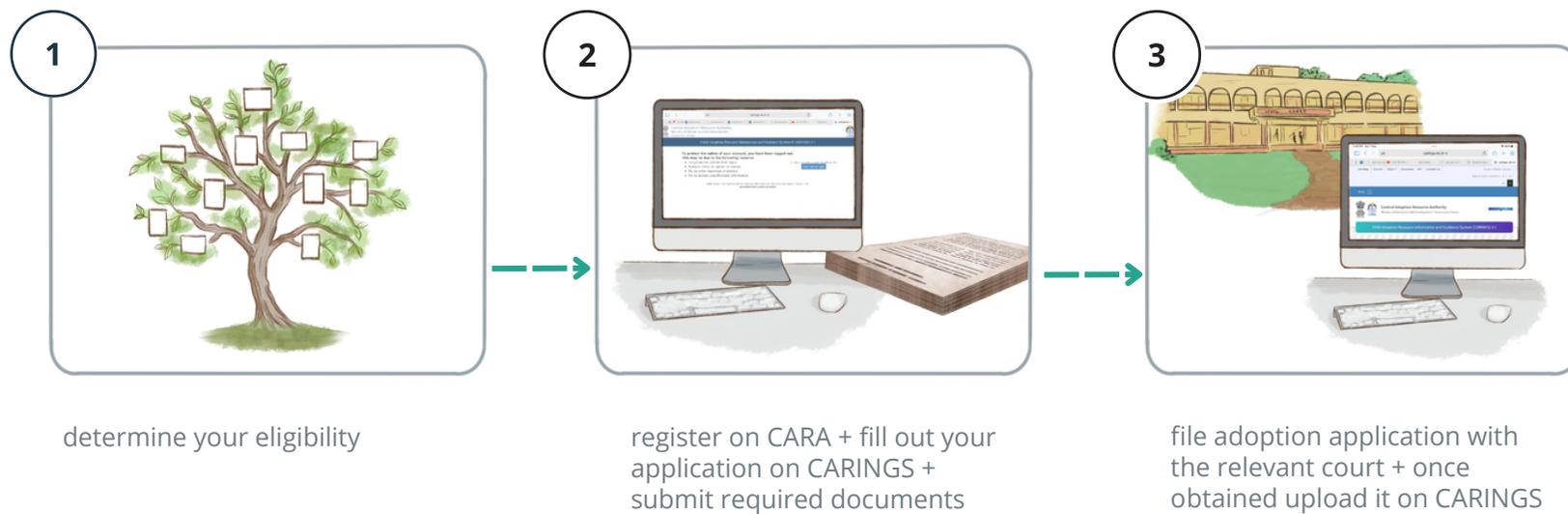


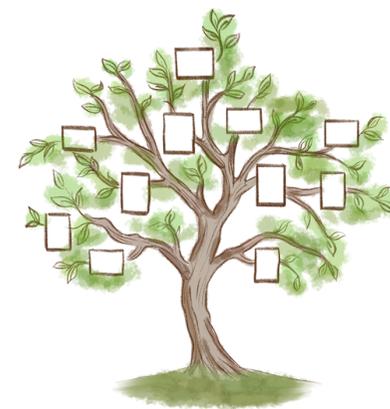
Fig 6.1 **Overview** (Procedure for Adoption by Relative within India)

STEP 1

You should determine if you can adopt the child. You must be related to the child in any of the following ways:²

- You must be his/her paternal uncle or aunt,
- You must be his/her maternal uncle or aunt,
- You must be his/her paternal grandparent,
- You must be his/her maternal grandparent.

You must also be³ either a Resident Indian or Non-Resident Indian (NRI) or an Overseas Citizen of India (OCI) residing in India for at least one year.



STEP 2

You must register on the website of Central Adoption Resource Authority (CARA), [here](#). It will redirect you to Child Adoption Resource Information and Guidance System (CARINGS). You should submit the required documents,⁴ which are:

- Proof of residence



- Consent of the child, if the child is aged more than 5 years
- Consent of the biological parents in this format , or permission from the Child Welfare Committee (CWC) to the legal guardian of the child to surrender the child and give him/her up for adoption in this format
- Adoption order from court, as described in step 3
- Affidavit in support of you and your spouse's relationship, and your financial and social status in this format



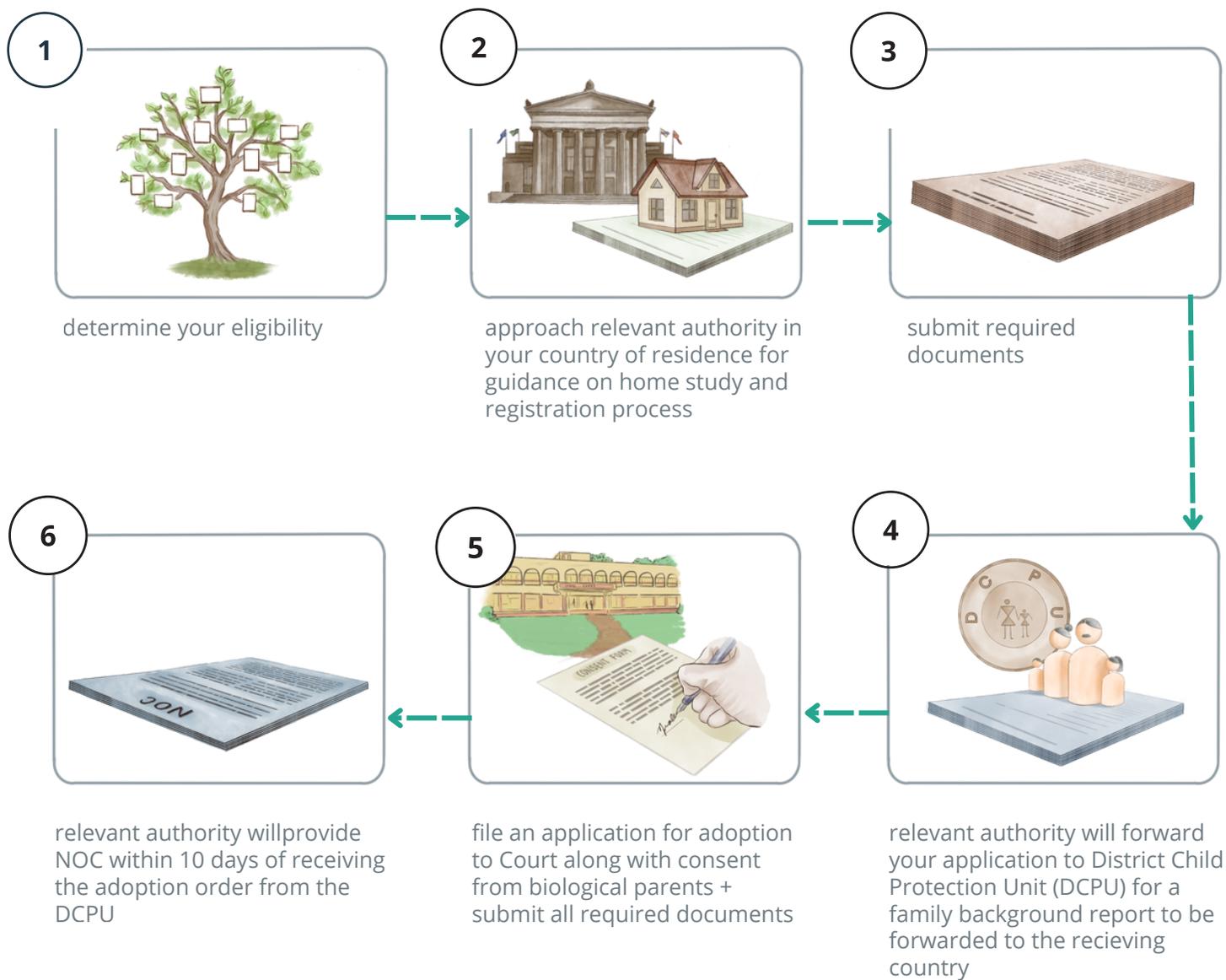
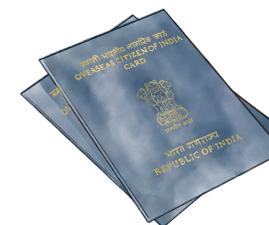


Fig 6.2 **Overview** (Procedure for Adoption by Relative)

STEP 1

You should determine if you can adopt a child. You may adopt a relative's child if you are a Non-Resident Indian or an Overseas Citizen of India.



STEP 2

- You should approach the relevant authority i.e. the Authorised Foreign Adoption Agency or the Central Authority in your country of residence. In case there is no Authorised Foreign Adoption Agency or Central Authority in your country of residence, then you should approach the relevant Government department or Indian diplomatic mission (in cases of Indian citizens) in that country. They will guide you on the home study that will be conducted and once that is done, the registration process.



STEP 3

You should submit the required documents. Please ask the authority you have approached for more details on this.



STEP 4

- Once your documents have been submitted, the authority will forward your application to District Child Protection Unit (DCPU) for a family background report, (this might be chargeable). See here for more details on the report. This report will be forwarded to the receiving country and the relevant authority.

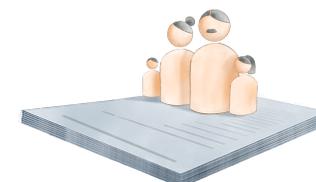


STEP 5

You should file an application for adoption to Court in the district where the child resides in this format, with a consent form from the biological parents and all the other documents, which are:

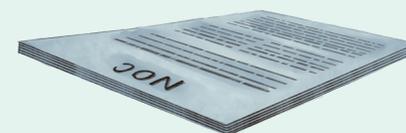
- Consent of the child, if the child is more than 5 years old
- Permission of the receiving country
- Your relationship with the child (family tree)
- Recent family photographs of you, the child and the biological parents
- Consent of the biological parents in this format or permission from the Child Welfare Committee (CWC) to the legal guardian of the child to surrender the child and give him/her up for adoption in this format
- Family background report

Thereafter, you should furnish a certified copy of the adoption order to the DCPU.



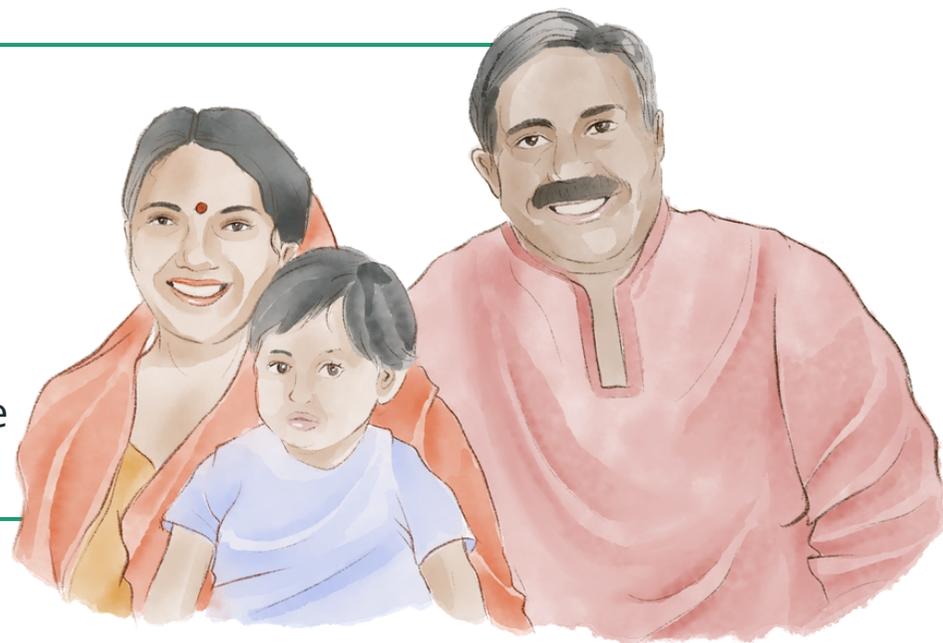
STEP 6

- The relevant authority will provide a No Objection Certificate (NOC) in favor of the adoption within ten days of receiving the adoption order from the DCPU.



Procedure for **Hindu Adoption**

Under the Hindu law on adoption,¹ there is no set procedure on adopting a child. You do not have to follow any guidelines, but you may have to execute an adoption deed. For more details on procedure and the format of the deed, you should consult a lawyer.



Under the Hindu law on adoption,¹ there is no set procedure on adopting a child. You do not have to follow any guidelines, but you may have to execute an adoption deed. For more details on procedure and the format of the deed, you should consult a lawyer.



If you are a guardian

A guardian requires the Court's permission to adopt a child, or give him up for adoption, in certain cases which are:

- Where both the father and mother are dead;
- Where both the father and mother have completely and finally renounced the world;
- Where both the father and mother have abandoned the child;
- Where both the father and mother have been declared to be of unsound mind by the court concerned;
- Where the parentage of the child is not known.

