

## All about Central Adoption Resource Authority (CARA)

### Why in news?

The Supreme Court has expressed concern over the delay in India's system of child adoption.

### What is Central Adoption Resource Authority (CARA)?

- **Statutory body-** CARA is enacted under *Juvenile Justice (Care and Protection of Children) Act, 2015*.
- **Launched-** 1990
- **Aim-** To oversee child adoption procedures, in the best interest of the child, for *Indians and non-resident Indians* living abroad.
- **Mandate-** To monitor and regulate in-country and inter-country adoptions.
- To deal with inter-country adoptions in accordance with the provisions of the *Hague Convention, 1993*.
- **Nodal agency-** Ministry of Women & Child Development.

*CARA became a signatory to the Hague Convention on Protection of Children and Co-operation of 1993 and India ratified the convention in 2003.*

### What are the functions of CARA?

- **Adoption**
  - To promote in-country adoptions
  - To facilitate inter-state adoptions in coordination with State Agency
  - To regulate inter-country adoptions
- **Regulations-** To frame regulations on adoption and related matters from time to time as may be necessary
- **Monitor-** It regulates bodies like
  - State Adoption Resource Agency (SARA)
  - Specialised Adoption Agency (SAA)
  - Authorised Foreign Adoption Agency (AFAA)
  - Child Welfare Committees (CWCs) and
  - District Child Protective Units (DPUs)

### Procedure for Adoption

- **Adoption** - It means a legal process that allows someone to become the parent of a child, even though the parent and child are not related by blood.

- But in every other way, adoptive parents are the child's parents.
- **Legal framework for adoption in India** - It includes
  - Hindu Adoption and Maintenance Act, 1956 (for Hindus, Jains, Sikhs and Buddhists) and
  - [The Juvenile Justice \(Care and Protection of Children\) Act, 2015](#)



- **Procedure** - A database of children and registration of prospective parents is done on a centralised ***Child Adoption Resource Information and Guidance System (CARINGS)***, which is maintained by CARA.
- Parents register themselves on CARINGS.
- ***Specialised Adoption Agency (SAA)***, the first point of government contact for a child, conducts a Home Study Report and completes the referral and adoption process.
- Parents can then take in the child for pre-adoption foster care. SAA is required to file a petition in the court.
- CARA conducts *post-adoption follow-up* for a period of ***2 years***.
- ***Child Welfare Committees*** play a vital role of declaring a child legally free for adoption thereby releasing the child for adoption placement.



### What reforms were undertaken by CARA?

- **SC's move**- In 2011, Supreme Court criticised CARA for its inefficiency and for not maintenance of records.
- **Amendment**- In 2015, the *Juvenile Justice Act* was amended to overhaul the adoption system and curb malpractices.
- CARA was empowered to streamline the process and to introduce transparency in the regulation body.
- CARINGS enabled direct adoption by children institutions and civil society organisations with a no-objection certificate.
- Eligibility was expanded for adoption to *include individuals in a live-in relationship*.
- **Decentralisation**- In 2022, the Juvenile Justice Act was further amended to decentralise the adoption process and give more authority to local District Magistrates to issue adoption orders and inspect childcare institutions.

### What are the challenges with CARA?

- **Delayed adoption**- To adopt a child, India's almost 30,000 prospective parents wait for an average of 3 years.
- **Decline in adoption**- Despite the legal and procedural changes, the adoption figures have dropped almost 50% from 2010 to 2021.
- **Complexity**- 2022 amendment in Juvenile Justice Act fostered decentralisation in amendment process but also created confusion and delays in adoption by parents.
- **Lack of awareness**- Most District Magistrates (DMs) were not aware of the revised changes, and the transfer of cases from courts to DMs would further extend timelines.

- **Lack of registration-** Many children in need of adoption are not registered by SAA and CWCs due to poor functioning and administrative hiccups.
- **Shortage of licensed agencies-** A child can be registered on CARA only through a licensed agency, but children find themselves in a loop of transfers and delays due to missing localised adoption channels.
- **Procedural flaw-** CARA faced difficulties in issuing no-objection certificate for inter-country adoptions and ensuring post-adoption follow-ups.
- **Parent-centric-** CARA process become tedious as it focuses on parents neglecting the best interest of child.
- **Informal placements-** Many children are placed directly with the families by hospitals without following legal procedures making them vulnerable to the risks of trafficking, exploitation and abuse.

### What lies ahead?

- The need of the hour is to follow the advice of the Parliament Committee to find and adopt the children who beg on the streets as soon as possible.
- CARA should be governed by a "*child-centric, optional, enabling and gender-just*" special adoption law.

### References

1. [The Hindu- CARA regulation body explained](#)
2. [MoWCD- About CARA](#)

