



CARA issues nationwide directions to strengthen adoption procedures, safeguard records and protect children's identity

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The Central Adoption Resource Authority (CARA), a statutory body under the Ministry of Women and Child Development, Government of India, has issued three important Office Memorandums to all State Adoption Resource Agencies (SARAs) across States and Union Territories to reinforce compliance with adoption procedures, safeguard records of adoptees, and ensure strict protection of children's identity. These directions have been issued in accordance with the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 (as amended in 2021) and the Adoption Regulations, 2022.

Adoption under the Juvenile Justice Act is intended to secure the right to family for orphan, abandoned, and surrendered children, as envisaged under Section 56(1) of the Act. Through the first Office Memorandum, CARA has reiterated the mandatory observance of statutory procedures and timelines before declaring a child legally free for adoption.

The Authority has clarified that no orphan or abandoned child can be declared legally free for adoption without completion of due inquiry, tracing of biological parents, restoration efforts, and other statutory requirements within the prescribed timeframe. In cases of surrendered children, the mandatory reconsideration period of two months, as provided under the Act, must be strictly followed before the child can be declared legally free for adoption.

In a second Office Memorandum, CARA has issued policy clarification regarding the safekeeping, maintenance, and transfer of records of children and adoptees. This step has been taken in view of difficulties faced by adult adoptees seeking information about their origins through the root search process under Regulation 47(2) of the Adoption Regulations, 2022.

It has been observed that in some cases, records are unavailable because the concerned Specialized Adoption Agency (SAA) or Child Care Institution (CCI) has been closed, de-registered, merged, or its functions transferred to another institution. To address this issue, CARA has reiterated that the responsibility to preserve and safeguard records continues irrespective of the operational status of the institution.

States and Union Territories have been requested to ensure that all physical and digital records are securely preserved and transferred to the designated authority or institution, and that appropriate arrangements are made for long-term safekeeping of records to facilitate root search by adoptees in the future. CARA has also emphasised that records must not be destroyed, discarded, or rendered inaccessible, except in accordance with the procedure laid down under the law. These provisions are also aligned with Section 99 of the Act, which mandates confidentiality of reports and records relating to children.

Through the third Office Memorandum, CARA has directed all States and UTs to ensure strict compliance with Section 74 of the Juvenile Justice Act, which prohibits disclosure of the identity of children in conflict with law or children in need of care and protection.

CARA has directed States and UTs to issue necessary instructions to all concerned institutions and officials to ensure that no photographs, videos, or identifying particulars of children residing in Specialised Adoption Agencies (SAAs) or Child Care Institutions (CCIs) are disclosed in any form of communication, including social media.

States have also been advised to initiate appropriate action in cases of violation and to sensitise officials and staff regarding confidentiality requirements and penal consequences under Section 74(3) of the Act.

Through these measures, CARA aims to strengthen transparency, accountability, and child protection within the adoption ecosystem, while safeguarding the rights, dignity, and privacy of children and adoptees across the country. The Authority has urged all States and Union Territories to ensure strict adherence to these directions for the effective implementation of the adoption framework in India.

Detailed OMs can be viewed:-

1. <https://cara.wcd.gov.in/PDF/Circular/LFA-%20Procedure%20%20%20Timeline-%20Bilingual-%2019.02.2026.pdf>
2. <https://cara.wcd.gov.in/PDF/Circular/OM%20dt.%2006.02.2026%20policy%20clarification%20regarding%20safekeeping,%20maintenane%20&%20transfer%20of%20records%20of%20children%20and%20adoptees%20for%20future%20reference%20and%20root%20search%20purpose-reg.pdf>
3. <https://cara.wcd.gov.in/PDF/Circular/OM%20dt.%2005.03.2026%20Strict%20compliance%20of%20Section%2074%20of%20JJ%20Act,%202015%20regarding%20prohibition%20on%20disclosure%20of%20identity%20of%20children-reg.pdf>

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