Finding home for a child

Changes in adoption laws to help NRIs

IN a major policy shift, the Ministry of Women and Child Development has mooted a new adoption law which will treat NRI parents as Indians, making them eligible for in-country adoptions. By scraping the existing rule of 80:20 ratio for domestic adoption and inter-country adoption (ICA), the proposed changes, part of the new Juvenile Justice Act, will also help foreigners adopt a child from India. Over 12 million orphaned children in the country are waiting to find a home — anywhere in the world.

Since the arrest of five kidnappers in Chennai, who sold over 350 children to an adoption agency in 2005, which led to the unearthing of a well-knit adoption racket, the need for restructuring of the ICA processes had been felt strongly. There is no legislation that covers the ICA in India, the process is carried by a set of rules laid down by the Supreme Court in a series of judgments. The Central Adoption Resource Agency (CARA) implements and monitors ICAs. Over the years, in the zeal to protect a child's rights, the laws were made too stringent, driving foreigners keen on adopting Indian children to turn to unscrupulous agencies.

As a result, children available for adoption through proper channels could not find a home and genuine parents willing to adopt a child were discouraged by the clearances required from a number of agencies. In the light of this, the linking of 400 children's homes to Specialised Adoptive Agencies, under the proposed policy, will speed up the process of adoption. The demand for children has increased in developed countries owing to a decline in fertility, greater availability of contraceptives, higher participation of women in the workforce and late marriages. The supply rises in the developing countries owing to an increasing number of orphaned and abandoned children because of poor socio-economic conditions. Over the past three decades, 2,65,677 babies have been placed for ICAs, mostly from developing countries. India has had a small share in this,