

## ADOPTION LAWS & SERVICES

Adoption is a legal process by which a child is placed with a married couple or a single female who agree to raise her as their own child & assume all responsibility for her.

### Laws governing Adoption

- Hindu Adoption & Maintenance Act of 1956.
- Guardian & wards Act of 1890
- Juvenile Justice Act of 2000.

### Requirements for a Valid Adoption

No adoption is valid unless:

- The person adopting is lawfully capable of taking in adoption.
- The person giving in adoption is lawfully capable of giving in adoption.
- The person adopted is lawfully capable of being taken in adoption.
- The adoption is completed by an actual giving & taken.

### Who may Adopt A Child

- An Indian
- Non Resident Indian
- A Foreign citizen

- A single female (unmarried, widowed or divorced) or a married couple.

### Capacity To Give The Child For Adoption

- Father or mother or guardian of the child.
- The father alone if mother has completely & finally renounced the world or has been declared by a court of competent jurisdiction to be of unsound mind.
- The mother may give the child in adoption if the father is dead or has renounced the world or has been declared by a court of competent jurisdiction to be of unsound mind.
- Where both the father & mother are dead or where the parentage of the child is unknown - the guardian of the child may give the child in adoption with the previous permission of the court.

### Conditions To be fulfilled by an adoptive parent

- Medically fit & financially able to care for a child.
- Must be at least 21 years old.
- No legal upper age limit for parents.
- If the adoption is of a son, the adoptive father or mother by whom the adoption is made must not have a son living.

- at the time of adoption.
- If the adoption is of a daughter, the adoptive father or mother by whom the adoption is made must not have a daughter living at the time of adoption.

#### → Hindu Adoption & Maintenance Act, 1956

According to this act, an adoptive parent is allowed to ask for a child, as per her preferences (age, gender, skin, colour, religion, specific feature & health condition).

- A single parent or married couples are not permitted to adopt more than one child of the same sex.

#### → Guardian and Wards Act, 1890.

- A foreign national adopts an Indian child under the provisions of the Guardian & Wards Act, 1890.

- The adoptive parent is only the guardian of the child until she reaches 18 years of age.

- An adoptive parent is allowed to ask for a child, as per his/her preferences.

- Foreign citizens & NRIs supposed to adopt according to the adoption laws & procedures of the country of their residence.

## National Child Labour Policy

Child labour refers to the employment of children in any work that deprives children of their childhood. It is mentally, physically, socially or morally dangerous & harmful.

Government had initiated the National Child Labour in August 1987

### Aim.

- To Tackle the problem of child labour
- Rehabilitation of child labour

### Strategies.

- A Legislative Action Plan: The Government has enacted the Child Labour (Prohibition & Regulation) Act, 1986 to prohibit the engagement of children in certain employments & to regulate the conditions of work of children in certain other employments.
- Focusing & convergence of general development programmes for benefiting children wherever possible. A Core Group on convergence of various welfare schemes of the Government has been constituted in the Ministry of Labour & Employment to ensure that, the problems of the child labour are given priority for their upliftment.
- Project based action plan for launching of projects for the rescue of working children in areas of high concentration of child labour.