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सत्यमेव जयते

F. No. 1/7/2011- VS -CRS/1585

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

OFFICE OF THE REGISTRAR GENERAL, INDIA

V.S. Division, Civil Registration System, 2-A, Mansingh Road, New Delhi – 110011

E-mail – drg-crs.rgi@nic.in

File No. 108245 is in with legal section.

This communication may be in connection with the file 108245.

Ravi
14/11/23

AD (Ravi)

Dated: 03.11.2023

CIRCULAR

To
All Chief Registrar of Births & Deaths

Subject: Clarification on making / changing entries in birth record of children taken on adoption.

Madam/Sir,

Please refer to this office circular of even number dated 31.08.2018 vide which instructions were issued taking into consideration the Adoption Regulations, 2017 of Central Adoption Resource Authority (CARA) that production of adoption order of court is sufficient for making / changing entries in the birth record of children taken on adoption through institutions / agencies.

2. In this context, you may be aware that in supersession of the Adoption Regulations, 2017, the CARA under Ministry of Women and Child Development has notified the Adoption Regulations, 2022 on 23.09.2022. Now, specifically, in view of the regulation no. 40 of Adoption Regulations, 2022, it is further clarified that in cases of institutional adoptions through Specialized Adoption Agency and also in case of relative / step adoptions under Juvenile Justice (Care and Protection of Children) Act, 2015 (amended in 2021), the concerned Registrar shall register or make necessary changes in the birth record of adopted child, incorporating the names of the adoptive parents as parents and the date of birth of the child as mentioned in the **adoption order issued by the District Magistrate.**

3. Taking into consideration the Adoption Regulations, 2022, you are requested to direct all the concerned registration authorities in the State to issue birth certificate within five days from the date of receipt of the application in favour of an adopted child from the Specialized Adoption Agency or adoptive parents in case of Adoptions which took place under JJ Act 2015 (amended in 2021). As mentioned in the said Regulations, no physical presence of the adoptive parents shall be required for issue of such certificate.

जायसी नं. / Dy. No.
दिनांक. / Date. 03/11/2023
केन्द्रीय-दत्त ग्रहण संस्थान
Central Adoption Resource Authority
Ministry of Women and Child Development
Government of India
New Delhi-110066

DIR(P)
Ravi

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4. Further, in reference to this office circular of even no. dated 15.05.2015, it is once again informed that in case of non-institutional adoptions i.e. adoption within relatives under the provisions of Hindu Adoption and Maintenance Act (HAMA), 1956, the need for production of **adoption deed** i.e. document registered under any law and signed by both parties is sufficient for the concerned Registrar to register the birth or make necessary changes in the birth record of the child taken on adoption.

5. In this context, it is pertinent to mention that the order for delayed registration under Section 13(3) of the Registration of Births and Deaths (RBD) Act, 1969 (amended in 2023) shall not be required in cases of institutional adoptions and in case of relative / step adoptions under JJ Act, 2015 (amended in 2021), as in these cases adoption order has already been issued by the District Magistrate. However, in case of non-institutional adoptions under HAMA, 1956, if an adopted child is more than one year old and his/ her birth is not-found registered earlier then as per the prescribed procedure of section 13 (3) of the RBD Act, 1969 (amended in 2023), an order of District Magistrate or Sub-Divisional Magistrate or by an Executive Magistrate authorised by the District Magistrate should also be obtained before registering the said event.

6. This office may be apprised about the action taken in this regard.

Yours faithfully



(A.K. Pandey)
Joint Director (CRS)

Copy forwarded to:

1. All DCO's for information and necessary action.
2. The Chief Executive Officer (CEO), Central Adoption Resource Authority (CARA), West block-8, wing-2, 2nd floor, R.K. Puram, New Delhi-110066 in reference to DO. Letter no. CARA-Misc/293/108245 dated 19th September, 2023.



(A.K. Pandey)
Joint Director (CRS)



प्रत्येक जन्म एवं मृत्यु का पंजीकरण सुनिश्चित करें।
"Ensure Registration of Every Birth and Death"
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