



CDN-20011/148/2025-COORDINATION-NMC
National Medical Commission
Policy & Coordination Division



Pocket- 14, Sector- 8,
 Dwarka, Phase-1, New Delhi-77
 Dated: 10 July, 2025

PUBLIC NOTICE

Subject : Request for Issuance of Advisory to Ensure Compliance with Juvenile Justice (Care and Protection of Children) Act, 2015 in Hospitals and Medical Facilities

Ministry of Women and Child Development (MWCD), DO letter dated 30.05.2025 (copy enclosed) has informed about observing instances of deviation from the legal procedures governing the care, reporting, and adoption of children found abandoned or surrendered in hospital and medical institutions. These practices are in contravention of the Juvenile Justice (Care and Protection of Children) Act, 2015, as amended in 2021.

2. In this regard, the following legal provisions are reiterated for strict compliance:

a. Section 32 - Mandatory Reporting: Any individual or institution, including hospitals, who finds or is informed of an abandoned child is legally required to report the case to the Childline (1098), the police, the Child Welfare Committee (CWC) or the District Child Protection Unit (DCPU) without delay. Section 33 and 34 contain penal provisions for lack of compliance to the same.

b. Section 35 - Procedure for Surrender: If a parent wishes to surrender a child, the hospital must immediately notify the CWC. The child must be taken into care as per the procedures laid out in this section, ensuring the surrender is voluntary, informed, and documented.

c. Section 80 - Punishment for illegal Adoptions: This section prohibits handing over of children for adoption in violation of the JJ Act. Any such action is punishable under law.

d. Section 81 - Sale and Purchase of Children: involvement of persons or institutions in the sale or illegal transfer of children is a cognizable offence. In cases of involvement of employees of a hospital or nursing home or maternity home, the term of imprisonment shall not be less than three years.

3. In view of above, all Medical Colleges/Institutions under the administrative domain of NMC are requested to follow the legal protocol in this regard, particularly by the Obstetrics & Gynaecology, and Paediatric departments of the college. All Medical Colleges are also

requested to issue suitable instructions to their faculties and students to ensure compliance of the legal protocol in this regard.

4. Further, in order to prevent unauthorized adoptions, eliminate risks of trafficking and exploitation of children and safeguard their rights and welfare, all Medical Colleges may institutionalize the following institutional safeguards to prevent illegal adoptions:

a. **Mandatory Training and Legal Orientation:** All hospital staff, particularly those in Obstetrics & Gynaecology and Paediatrics Departments, should undergo mandatory sensitization and legal training on the provisions of the JJ Act. MWCD will facilitate this process through its training agency NIPCCD.

b. **Establishment of Reporting Protocols:** Hospitals must establish internal protocols to ensure that any child found abandoned or proposed to be surrendered is reported immediately to the CWC through the District Child Protection Unit located in the Office of DC/DM, as per Rule 7 (4) and 9(4) of the Adoption Regulations, 2022.

c. **Prohibition of Direct Adoption Facilitation:** No medical practitioner or staff member shall directly facilitate the adoption of a child by any individual or family, under any circumstances, outside the legal framework supervised by the Central Adoption Resource Authority (CARA).

d. **Display of Legal information:** Display of posters, brochures and advisories on the legal process of adoption, and the consequences of illegal adoptions, should be made mandatory in all hospitals and nursing homes. Central Adoption Resource Authority (CARA) of MWCD will coordinate this process.

e. **Establishment of Accountability Measures:** Mechanisms for audit and accountability should be introduced to monitor the compliance of Health Care Institutions with the provisions of the JJ Act.

5. Infographic posters, attached herewith, may also be disseminated and displayed in all medical colleges/healthcare establishments.

Digitally signed by

Dr.Raghav Langer

Date: 10-07-2025 (Dr. Raghav Langer)
14:28:53 Secretary, NMC

To

Dean/Principal of all the Medical Colleges/Institutions
(under the purview of NMC)

अनिल मलिक, आई.ए.एस.
सचिव

Anil Malik, I.A.S.
Secretary

Tel. : 011-23383586, 23386731

Fax : 011-23381495

E-mail: secy.wcd@nic.in



सत्यमेव जयते

भारत सरकार
महिला एवं बाल विकास मंत्रालय
शास्त्री भवन, नई दिल्ली-110 001

Government of India
Ministry of Women & Child Development



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आज़ादी का
अमृत महोत्सव

D.O. No. MP/1/2025-CARA

30th May, 2025

Dear Purnya ji,

The Ministry of Women and Child Development (MWCD) is the nodal agency for implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015 (hereinafter "the JJ Act"). This Act provides a comprehensive legal framework for care, protection, rehabilitation and adoption of children who are Orphaned, Abandoned, or Surrendered (OAS).

2. The JJ Act prescribes detailed procedures for adoption and mandates the reporting of all OAS children to the local Child Welfare Committee (CWC). Further, the Act stipulates penal consequences for any individual or institution - including medical establishments - that fail to report or they facilitate any adoption in contravention of the law.

3. Given that hospitals, nursing homes and medical practitioners often serve as the first point of contact for unwed mothers, distressed parents/ parent wishing to give away their unwanted child, or couples/ individuals desperate to adopt a child, it is imperative that all medical institutions are made fully aware of the legal procedures and prohibitions pertaining to the adoption process.

4. I request your Ministry's support in ensuring that the legal provisions under the JJ Act are disseminated across all healthcare institutions - public and private - including through professional bodies such as the Indian Medical Association (IMA), The Federation of Obstetric & Gynaecological Societies of India (FOGSI) and other relevant associations. The objective is to prevent unauthorized adoptions, eliminate risks of trafficking and exploitation of children and safeguard their rights and welfare.

5. In particular, I propose the following institutional safeguards to prevent illegal adoptions:

- a. **Mandatory Training and Legal Orientation:** All hospital staff, particularly those in Obstetrics & Gynaecology and Paediatrics Departments, should undergo mandatory sensitization and legal training on the provisions of the JJ Act. The MWCD will facilitate this process through its training agency NIPCCD.
- b. **Establishment of Reporting Protocols:** Hospitals must establish internal protocols to ensure that any child found abandoned or proposed to be surrendered is reported immediately to the CWC through the District Child Protection Unit located in the Office of DC/DM, as per Rule 7(4) and 9(4) of the Adoption Regulations, 2022.

Contd:-

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- c. **Prohibition of Direct Adoption Facilitation:** No medical practitioner or staff member shall directly facilitate the adoption of a child by any individual or family, under any circumstances, outside the legal framework supervised by the Central Adoption Resource Authority (CARA).
- d. **Display of Legal Information:** Display of posters, brochures and advisories on the legal process of adoption, and the consequences of illegal adoptions, should be made mandatory in all hospitals and nursing homes. Central Adoption Resource Authority (CARA) of MWCD will coordinate this process.
- e. **Establishment of Accountability Measures:** Mechanisms for audit and accountability should be introduced to monitor the compliance of Health Care Institutions with the provisions of the JJ Act.
6. In support of these efforts, I am enclosing herewith a group of infographic posters **Annexure I** and an Office Memorandum **Annexure II** prepared by this Ministry for dissemination and display in all healthcare establishments.
7. I request you to kindly issue suitable advisories and directions to all Departments and Institutions under your purview to ensure strict adherence to the legal adoption framework to protect and safeguard the best interests of all vulnerable children.



Yours sincerely,


(Anil Malik)

Encl: As above

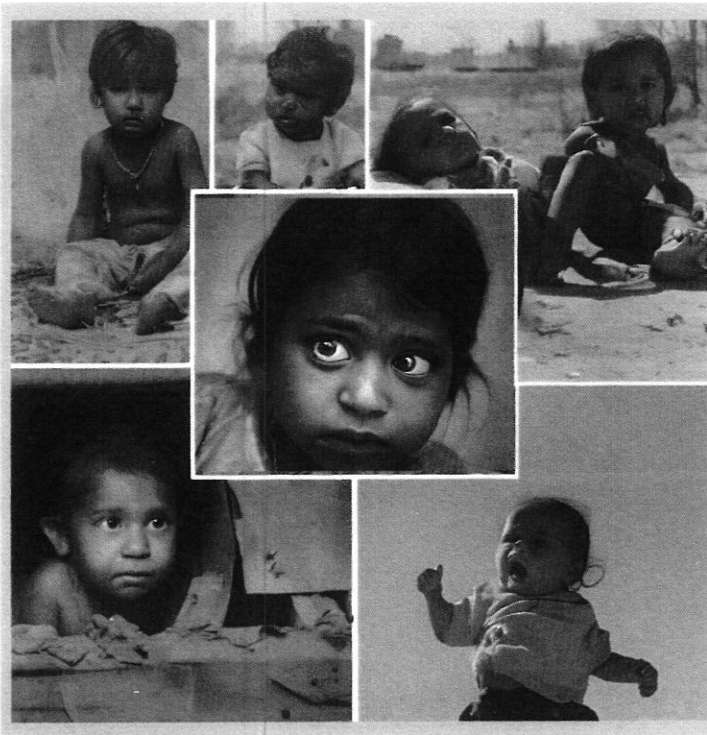
Ms. Punya Salila Srivastava
Secretary,
Government of India,
Ministry of Health and Family Welfare,
Nirman Bhawan,
New Delhi



केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण
Central Adoption Resource Authority
महिला एवं बाल विकास मंत्रालय, भारत सरकार



REPORT THE INFORMATION OF A CHILD FOUND WITHOUT PARENT/ GUARDIAN



Any individual who finds and takes charge or is handed over a child who:

- 1- Appears or claims to be abandoned or lost; or**
- 2- Appears or claims to be an orphan without family support,**

shall within twenty-four hours (excluding the time necessary for the journey), give information of such child to the state bodies.

Did you know?

If the information regarding a separated/ abandoned/ orphan child is not given to these bodies within 24 hours (excluding the time necessary for the journey) then such act shall be regarded as an offence either with **imprisonment up to six months or fine of ten thousand rupees or both.**

Information related to Abandoned/ Separated/ Orphan child can be given to:

- Child Helpline (1098)
- Nearest Police Station
- Child Welfare Committee
- District Child Protection Unit
- Registered Child Care Institution

Ref. Section 32(1), 33 & 34 of the JJ Act, 2015 (as amended in 2021)



केंद्रीय दत्तक-ग्रहण संसाधन प्राधिकरण
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A parent or guardian, who for physical, emotional and social factors beyond their control, wishes to surrender a child, shall produce the child before the Committee*.

*Committee – Child Welfare Committee (CWC)
Ref. Sec. 35 (1) of the JJ Act, 2015 (as amended in 2021)

Who all can Surrender?

- Married couples
- Single Parent
- Unmarried Mother
- Any minor or victim of sexual abuse



DON'T ABANDON YOUR CHILD! KNOW THE PROCESS TO SAFELY SURRENDER A CHILD TO THE STATE

1- Parent/ guardian(s) produce the Child before their district's **Child Welfare Committee (CWC)**.

2- If after prescribed process of inquiry and counselling, the committee is satisfied, a **surrender deed** shall be executed by the parent or guardian before the committee.

3- The parents or guardian who surrendered the child shall be given two months time to **reconsider their decision** to surrender the child.

4- During intervening period of reconsideration, the CWC can either allow the child to be with the parents or guardian **under supervision**, or place the child in a Specialized Adoption Agency (SAA)/ Childcare Institution (CCI).

Ref. Sec. 35 (1), (2) & (3) of the JJ Act, 2015 (as amended In 2021)

**A BIOLOGICAL FAMILY HAS THE FIRST RIGHT OVER ITS CHILD AND
IS CAPABLE TO ASSESS THEIR BEST INTERESTS.
SO THINK, RE-THINK AND THEN MAKE A WISE DECISION!**



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LEGAL ADOPTION

To adopt an orphan, abandoned or surrendered child legally, login to **CARINGS Portal** (carings.wcd.gov.in)

- Register & upload your documents based on the type of adoption.
- After verification of documents, select adoption agency and submit adoption fee for your Home Study Report (HSR).
- If approved and validated, you will be assigned a seniority based number.
- Once the seniority queue is cleared, a child will be referred to you for adoption.

For more details, visit cara.wcd.gov.in

TYPES OF ADOPTIONS (JJ ACT)

- In-country Adoption (OAS children)
- Inter-country Adoption (OAS children)
- In-country Relative Adoption
- Inter-country Relative Adoption
- Adoption by Step-parent
- Foster Adoption

O : Orphan
 A : Abandoned
 S : Surrendered



In case where the offence related to selling or buying a child for any purpose (Section 81) is committed by a person having actual charge of the child, including employees of a hospital or nursing home or maternity home, the term of imprisonment will not be less than 3 years and can extend upto 7 years.

KEY PUNISHMENTS UNDER JJ ACT

- **Section 80:** If any person or organisation offers or gives or receives, any orphan, abandoned or surrendered child, for the purpose of adoption without following the provisions or procedures as provided in this Act, such person or organisation shall be punishable with imprisonment of either description for a term which may extend upto three years, with fine of one lakh rupees, or with both.
- **Section 81:** Any person who sells/ buys a child for any purpose shall be punishable with rigorous imprisonment for a term which may extend to five years and shall also be liable to fine of one lakh rupees.

WANT TO ADOPT A CHILD?

PLEASE NOTE, HOSPITALS, NURSING HOMES OR MATERNITY WARDS ARE NOT THE RIGHT PLACES FOR ADOPTING OR GIVING AWAY A CHILD!

Annexure II

[File No.]

[Date]

Government of India
Ministry of Women and Child Development
Shastri Bhawan, New Delhi

OFFICE MEMORANDUM

Subject: Request for Issuance of Advisory to Ensure Compliance with Juvenile Justice (Care and Protection of Children) Act, 2015 in Hospitals and Medical Facilities

The Ministry of Women and Child Development, through the Central Adoption Resource Authority (CARA), has observed instances of deviation from the legal procedures governing the care, reporting, and adoption of children found abandoned or surrendered in hospitals and medical institutions. These practices are in contravention of the Juvenile Justice (Care and Protection of Children) Act, 2015, as amended in 2021.

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2. **Section 35 – Procedure for Surrender:** If a parent wishes to surrender a child, the hospital must immediately notify the CWC. The child must be taken into care as per the procedures laid out in this section, ensuring the surrender is voluntary, informed, and documented.
3. **Section 80 – Punishment for Illegal Adoptions:** This section prohibits handing over of children for adoption in violation of the JJ Act. Any such action is punishable under law.
4. **Section 81 – Sale and Purchase of Children:** Involvement of persons or institutions in the sale or illegal transfer of children is a cognizable offence. In cases of involvement of employees of a hospital or nursing home or maternity home, the term of imprisonment shall not be less than three years.

In light of the above, all health care institutions, particularly Obstetrics, Gynecology, and Pediatric departments, must be advised to follow the legal protocol. Professional bodies may also be requested to circulate awareness among members.

The concerned are requested to treat this actionable matter with urgency and issue suitable instructions to ensure compliance.

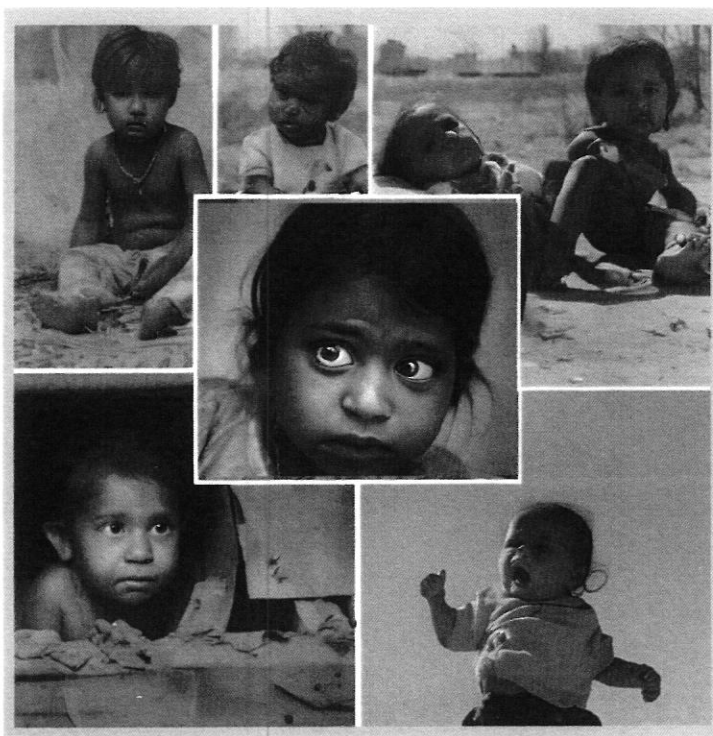
[Name]
Under Secretary



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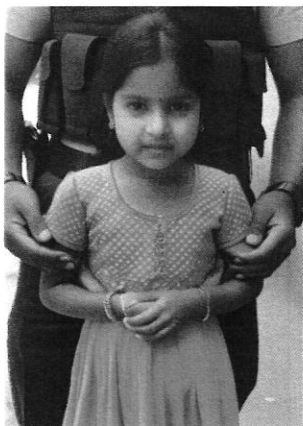
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