

Child Legally Free for Adoption (LFA) By CWC

SURRENDERED CHILD

(Section 31, 35 & 38; Rule 19
and Regulations 7 & 39)

A child, who is relinquished by the parent or guardian to the Committee, on account of physical, emotional and social factors beyond their control, and declared as such by the Committee [Section 2(60)]

- 1** Parent or guardian to produce the child before the CWC
- 2** Counselling of parents/guardians [guardian defined as per Section 2(31)] for encouraging them to retain the child
- 3** Deed of surrender to be executed by the biological parents/guardian on the day of production of child/children (a copy of Deed to be shared with the surrendering parents/person) [Schedule V]
 - a) In case of female biological parents/unwed mother- Deed of surrender may be executed in the presence of any one female member of CWC (if not willing to disclose their identity, the case to be treated as of abandoned child). Two witness are mandatory and one witness must be known to the person surrendering the child.
 - b) In case of married couple, the Deed to be signed by both the parents. (One witness must be known to the couple, out of two witness).
 - c) In case of married couple, surrender by one biological parent and whereabouts of the other parent are not known, to be treated as in case of abandoned child.
 - d) In case of Child born out of wedlock, surrender to be executed only by the mother (in case the mother is minor (under 18 years), an adult (parent/guardian) as witness is necessary, if doesn't have any one than the CCI In-charge has to sign as witness.
 - e) In case of Surrender done by a person other than parents/guardians-case to be treated as of abandoned child.
 - f) In case of Surrender done by a single parent in case of death of a spouse, submission of death certificate is necessary.
- 4** Reconsideration period of 2 months to be given to parents/guardians (from the date of execution of surrender deed)
- 5** Declaring the child as legally free for adoption on expiry of reconsideration period (the order along with latest photograph to be signed by at least 3 members of CWC) [Schedule I]

Note: No public notice or advertisement to be issued in the above case

CWC: Child Welfare Committee; CCI: Child Care Institution

'Sections' related to Juvenile Justice (Care and Protection of Children) Act, 2015 (amended in 2021); 'Rules' related to Juvenile Justice (Care and Protection of Children) Model Rules, 2016 (amended in 2022); 'Regulations' related to Adoption Regulations 2022