Case No.: 6479/1141/2016

Dated: 28.12.2016
DispatchNo.....

In the matter of :

.....Complainant

Shri Yogesh Taneja,
S/o Shri L.D. Tanjeja, D628
House No. 2K-23,
NIT Faridabad,
Haryana – 121 001
Email<yogeshtaneja12@gmail.com>

Versus

.....Respondent 1

Ministry of Women and Child Development,
(Through Secretary), D629
Shastri Bhawan, 'A' Wing,
Dr. Rajendra Prasad Road,
New Delhi – 110 001

.....Respondent 2

Central Adoption Resource Authority, D630
(Through Secretary)
Ministry of Women and Child Development,
West Block 8, Wing-2, 2nd Floor,
R.K. Puram,
New Delhi – 110 066

Date of Hearing : 24.11.2016 at 16.30 Hrs

Present :

1. **Shri Yogesh Taneja and Mrs. Sonali Jain - Complainant & wife of complainant**
2. **Shri Rajesh Kumar, Under Secretary, M/o Women & Child Development – On behalf Respondent 1**
3. **Shri Deepak Kumar, CEO, CARA and Ms. Deepa Sharma, Legal Consultant - On behalf of Respondent 2**

ORDER

The above named complainant, a person with 100% visual impairment filed a complaint dated 02.06.2016 under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, hereinafter referred to as the Act, regarding rejection of his application for adoption of a child by Snehankur Adoption Centre, Ahmednagar on the ground of disability;

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2. The complainant submitted that he applied for adoption of a child through CARA (an agency under Ministry of Women and Child Development). On 16.05.2016 he selected a boy child at Snehankur Adoption Centre Ahmed Nagar, Maharashtra. The complainant was called for an interview on 24.05.2016. The very next day, i.e. on 25.05.2016, his application was rejected giving the reason that the complainant cannot adopt a child as both the parents are 100% blind;

3. The matter was taken up with the respondent under Section 59 of the Act vide letter dated 13.07.2016;

5. During the hearing the complainant reiterated his earlier submission that the primary reason for not giving adoption of child to him is that he and his wife are blind;

6. The Representative of Respondent no. 1 did not give his submission but submitted that their reply is same as given by CARA.

7. During the hearing the Legal Consultant for Respondent No.2 informed the Court that CARA did not receive the copy of complaint. A copy of the complaint dated 02.06.2016 of the complainant was provided to the representative of Respondent no. 2. The Respondent no. 2 vide their written submission dated 06.12.2016 submitted the Prospective Adoptive Parents (PAPs) Shri Yogesh Taneja and Mrs. Sonali Jain were registered in the Child Adoption Resource information and Guidance System (CARINGS) with Regn. No. PrHa32555747. The PAPs had given their preference in the CARINGS for adopting a child of any gender in the age group 0-2 years. On 16.05.2016, the PAPs were given referral of 3 children and were duly informed through SMS and email. On the same day, the PAPs reserved a child named Rahul (male DOB:30.10.2015) from Snehankur Adoption Centre. On 24.05.2016 the Adoption Committee of the Snehankur Adoption Centre rejected the candidature of the complainant for adopting the child on the basis of Home Study Report (HSR) being incomplete, abrupt and not well elaborated. On 16.06.2016 Respondent no. 2 asked the Miracle

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Charitable Society at Faridabad to update their HSR to enable them in getting another referral. On 13.07.2016, the complainant/ PAPs were given another referral by Respondent no.2 in which two children were referred to them, namely Baby (Female DOB: 20.01.2015) and Sunita (Female, DOB : 20.12.2014). But the complainant did not reserve any of the above referred children despite reminders. Since the first HSR was not having the required details, the same was required to be updated.

8. The Court directed Respondent no. 2 to give one more chance and to keep the seniority of the complainant restored and facilitate the complainant in adoption of a child as per his choice.

9. The case is accordingly disposed off.

(Dr. Kamlesh Kumar Pandey)
Chief Commissioner
for Persons with Disabilities