

1571-86  
No. \_\_\_\_\_/DHC/Gaz/G-2/GOI/2016

From :

The Registrar General,  
Delhi High Court,  
New Delhi.

To

1. The District & Sessions Judge(Headquarters), Tis Hazari Courts, Delhi.
2. The District & Sessions Judge, South District, Saket, New Delhi.
3. The District & Sessions Judge, North-West District, Rohini, Delhi
4. The District & Sessions Judge, South-East District, Saket, Rohini, Delhi.
5. The District & Sessions Judge, South-West District, Dwarka, Delhi.
6. The District & Sessions Judge, East District, Karkardooma, Delhi.
7. The District & Sessions Judge, Shahdara District, Karkardooma, Delhi.
8. The District & Sessions Judge, New Delhi District, Patiala House Courts, New Delhi.
9. The District & Sessions Judge, North District, Rohini, Delhi.
10. The District & Sessions Judge, West District, Tis Hazari Courts, Delhi.
11. The District & Sessions Judge, North East District, Karkardooma, New Delhi.
12. The Principal Judge(HQ), Family Courts, Dwarka, New Delhi.

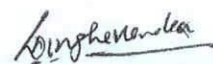
New Delhi, dated the 22<sup>nd</sup> March, 2016.

Sub : Disposal of adoption cases in compliance with the directions as contained in the judgment dated 27.9.1985 passed by Hon'ble Supreme court of India in Writ Petition(Criminal) No.1171 of 1982 titled "Laxmi Kant Pandey Vs. Union of India & Anr."

Sir/Madam,

I am directed to forward herewith a copy of D.O. letter No.CARA-J07/1/2016 dated 16.02.2016 received from Ms.Maneka Sanjay Gandhi, Hon'ble Minister, Ministry of Women & Child Development, Government of India, New Delhi, on the above subject and to request you to kindly direct all the Judicial Officers, under your control to adhere to the time frame given in the Apex Court judgment dated 27.09.1985 passed in CWP No.1171 of 1982 titled "Laxmi Kant Pandey Vs. Union of India and Anr." regarding disposal of the adoption cases.

Yours faithfully,



(Devendra Singh)  
Deputy Registrar (Gazette-I)  
for Registrar General

Encl. : As above.

La. OIC (Judicial)



सत्यमेव जयते

मेनका संजय गांधी

Maneka Sanjay Gandhi

मंत्री  
महिला एवं बाल विकास मंत्रालय  
भारत सरकार  
नई दिल्ली-110001  
MINISTER

MINISTRY OF WOMEN & CHILD DEVELOPMENT  
GOVERNMENT OF INDIA  
NEW DELHI-110001

D.O. No. CARA- J07/1/2016

16<sup>th</sup> February, 2016

Hon'ble Justice Smt. Rohini,

Kindly refer to my earlier D.O letter no. 1-65/2014/CARA dated 09/06/2014 regarding pendency of adoption cases in various courts in the Union Territory of Delhi.

2. It may be mentioned that keeping in view the best interest of the Children involved in adoption, Hon'ble Supreme Court of India, in its Judgement dated 27/09/1985(Para 16) in the Case of L.K. Pandey vs. Union of India and Ors. (CWP No. 1171 of 1982), has given direction for the Districts Courts to dispose of adoption cases within two months from the date of filling. This direction is binding on all Courts within the territory of India dealing with adoption cases in terms of the provisions of Article 141 of the Constitution of India. It has also been stipulated under Section 61 (2) of the Juvenile Justice (Care & Protection of Children) Act, 2015 that the adoption proceedings shall be held *in camera* and the case shall be disposed of by the Court within a period of two months from the date of filling.
3. To my understanding, adoption cases should not be prolonged as such cases are non-adversal in nature. Considering the fact that the early placement of the children in loving and caring families is in their best interests, the following measures are requested in the above regard:

- (i) Necessary instruction/advisory (from administrative side) may be issued to the concerned courts within the jurisdiction of your High Court, to dispose the pending cases without further delay and to adhere to the timeline as directed by the Hon'ble Apex Court and as stipulated in the J.J. Act, 2015.
- (ii) The Courts (s) concerned may assign a particular day in a week/month for the adoption cases, as being the practice at the City Civil Court, Mumbai (every Friday) and District Court, Thane (every Thursday).

DELHI HIGH COURT

Gazette Branch

Diary No. 1204

Dated 24/2/16

Off.: Room No. 353, 4<sup>th</sup> Flg, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi-110 001, Tel.: 23074052-54, Fax: 23387384

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348.4/Reg-6/  
22/02/2016

Be put up for  
orders.  
22/2/16  
Jr/G

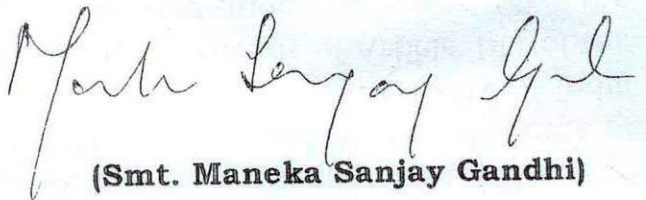
23/2/16



- (iii) A copy of the Juvenile Justice (Care & Protection of Children) Act, 2015 (copy attached) may be circulated from the High Court to all District Courts/Family Courts/City Civil Courts in the State. The Registrar General of your High Court has already been requested vide D.O. Letter No. 11-4/JJ/CW-II dated 21.1.2016 (copy attached).
- (iv) Orientation Programmes on Adoption may be organised at the Judicial Academy of High Court at the earliest, for the Judicial Officers concerned.
- (v) "Child Adoption under the Juvenile Justice Act, 2015" may be included as a subject in the course curriculum for the relevant training(s) conducted on regular basis by the Judicial Academy of your High Court.

With regards,

Yours sincerely,



(Smt. Maneka Sanjay Gandhi)

Hon'ble Justice Smt. Goral Rohini,  
Chief Justice,  
High Court of Delhi,  
New Delhi

Encl: a/a

रश्मी ए. साहनी  
रश्मी ए. साहनी  
Rashmi Saxena Sahni  
Joint Secretary



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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D.O. No. 11-4/2015- CW II

21<sup>st</sup> January, 2016

Dear Shri Goel,

As you may be aware, the Juvenile Justice (Care & Protection of Children) Act, 2015 has come into force w.e.f. 15.1.2016, with the notification of the same in the Gazette of India on 13.1.2016 (copies enclosed).

2. In accordance with the provisions under Section 2 (23) of the above Act, District Courts/Family Courts/City Civil Courts have been mandated to issue adoption orders. The Chapter VIII, which relates to adoption, has following key provisions which need attention of Hon'ble Courts:

(i) As per the provisions under Section 61 of the Act, "the adoption proceeding shall be held *in camera* and the case shall be disposed of by the said Court within a period of 2 months from the date of filing." "Before issuing the adoption order, the said Court shall satisfy itself that: (a) the adoption is for the welfare of the child; (b) due consideration is given to the wishes of the child having regard to the age and understanding of the child; and (c) that neither the prospective adoptive parents has given or agreed to give nor the specialised adoption agency or the parent or guardian of the child in case of relative adoption has received or agreed to receive any payment or reward in consideration of the adoption, except as permitted under the adoption regulations framed by the Authority towards the adoption fees or service charge or child care corpus."

(ii) Section 64 of the Act says, "notwithstanding anything contained in any other law for the time being in force, information regarding all adoption orders issued by the concerned courts, shall be forwarded to Authority on monthly basis in the manner as provided in the adoption regulations framed by the Authority, so as to enable Authority to maintain the data on adoption"

3. I shall be grateful if a copy of the Juvenile Justice (Care & Protection of Children) Act, 2015 may be circulated to the concerned Courts for their information with specific reference to the above provisions.

With regards.

Yours sincerely,

(Rashmi Saxena Sahni)

Shri Vinod Goel  
Registrar General  
High Court of Delhi,  
Cher Shah Road,  
New Delhi - 110003