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News / India / Single parent can now foster children, adopt after 2 years

Single parent can now foster children, adopt after 2 years

In India, children who can be fostered have to be above the age of six years living in child care institutions and having “unfit guardians”.

Written by **Abhinaya Harigovind** [Follow](#)

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Minors who are placed in the category of “hard to place or children having special needs” can also be fostered. (Image source: Freepik)

Doing away with the rule that limited foster care to married couples, the Women and Child Development (WCD) Ministry has now permitted single individuals — including those who are unmarried, widowed, divorced, or legally separated — aged 25 to 60 years, to foster a child and adopt after two years, according to the recently released revised Model Foster Care Guidelines. However, while a single woman can foster and eventually adopt a child of any gender, a man can only do so for male children. Previously, under the 2016 Model Foster Care Guidelines, only married couples, referred to as “both spouses” in old documents, were permitted to foster a child.

Fostering is an arrangement in which a child temporarily lives with either extended family or unrelated individuals. In India, children who can be fostered have to be above the age of six years living in child care institutions and having “unfit guardians”. Minors who are placed in the category of “hard to place or children having special needs” can also be fostered.

Apart from opening up fostering to any person “irrespective of their marital status (single/unmarried/widow/divorcee/legally separated)” and whether or not they “have biological son or daughter”, the revised guidelines have also allowed the

foster parent to adopt a child after she has been in her foster care for minimum of two years, as opposed to five years earlier.

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In case of married couples who want to foster, the new guidelines state that “no child shall be given in foster care to a couple/spouse” unless they have had a “stable marital relationship of two years”. Earlier, there was no such caveat for couples.

The 2016 guidelines have been revised in accordance with the amendment to Juvenile Justice (Care and Protection of Children) Act in 2021 and the Juvenile Justice (Care and Protection of Children) Model Rules of 2022. The revised guidelines were circulated amongst all states in June.



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An official in the WCD Ministry said the change in guidelines made sense since single individuals were allowed to adopt children, but were not allowed to foster, as per the earlier guidelines.

Satyajeet Mazumdar, Director-Advocacy at Catalysts for Social Action, a non-profit organisation that works in the child protection space in [Maharashtra](#), [Madhya Pradesh](#), [Odisha](#), [Goa](#) and [Karnataka](#), said, “There were discussions in the civil

society and at state levels that there was a discrepancy in individuals being allowed to adopt, but not foster. The revised guidelines remove that discrepancy.”

Age factor

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In terms of age of the foster parents, the 2016 guidelines stated that both spouses must be above the age of 35. The revised guidelines are more specific – to foster a child in the six to 12 years and 12 to 18 years age brackets, the “composite age of the married couple” is to be a minimum of 70 years, while a single foster parent is to be of minimum 35 years. It also specifies the maximum age for prospective foster parents — up to 55 years for a single individual to foster a child in 6 to 12 age bracket and till 60 years to foster a child in 12 to 18 age bracket.

The official said the foster parents can now register online through a platform — Child Adoption Resource Information and Guidance System (CARINGS). The platform was already being used by prospective adoptive parents for registration.

The 2024 foster care guidelines provide for a designated online portal where prospective foster parents can upload their documents for the District Child Protection Units to access them.

Mazumdar said, “The number of children in foster care are few. People don’t know about foster care as well as they might know about adoption. It’s an intensive process... Many of these children have spent considerable time in institutions or have faced trauma; a lot of work is involved.”

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As of March 2024, there were 1,653 children in foster care in States and UTs, excluding Goa, Haryana, and Lakshadweep, according to data with the WCD.



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On the impact that the changes in the 2024 guidelines might have, Mazumdar said, “It might encourage more people to apply for foster care. But people who are accepting a child for foster care need to be clear that it is intended to be temporary care for a child, till the biological family is found to be capable for the child to go back to them.” Data with WCD shows that between September 2022, when the Model Rules were notified, and July 31 this year, a total of 23 children in foster care were adopted by the families after two years of care.

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