

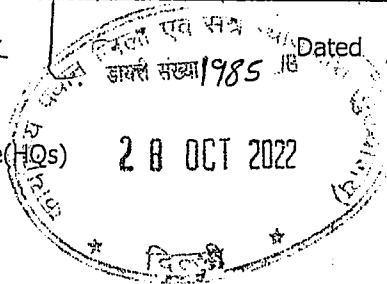
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29-10-22

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
DEPARTMENT OF LAW, JUSTICE & LEGISLATIVE AFFAIRS  
8<sup>TH</sup> LEVEL, C-WING, DELHI SECRETARIAT, I.P. ESTATE,  
NEW DELHI-110002

No.F.1/37/2021-Judl./Suptlaw/ 1672

To

The Pr. District & Sessions Judge (HQs)  
Tis Hazari Court Complex,  
Delhi



Dated 19/10/2022

**Sub: Regarding transfer of pending court cases in matters of adoption.**

Sir,

I am directed to forward herewith letter No. 61(1812)/Correspondence with MWCD/DD/(ICPS)/DWCD/2022-23/13167-70 dated 10.10.2022 received from Director, WCD, Department of Women and Child Development on the subject cited above for further necessary action at your end.

Yours sincerely,

Encl: As above

(Ramesh Kumar )  
Dy. Secretary (Law, Justice & LA)

Judl. Br.

P. J. Singh (Hqs)  
28/10/22

OFFICE OF PRINCIPAL DISTRICT & SESSIONS JUDGE (HQs) : DELHI

No. 8/326-332

/F.3(4)/Gaz/2022

Dated: 29 OCT 2022

**Sub:- Regarding transfer of pending court cases in matter of adoption**

**Copy alongwith its enclosures forwarded for information & compliance to :**

- I) Sr. AO(J)/AO(J)/Branch In-charge, Filing Section, Facilitation Branch, Website Committee, Tis Hazari Courts, Delhi.
- II) The Reader, PS & Ahlmad to Ld. Principal District & Sessions Judge (Hqs), Tis Hazari Courts, Delhi.
- III) The R & I Branch (Central) for uploading on LAYERS.

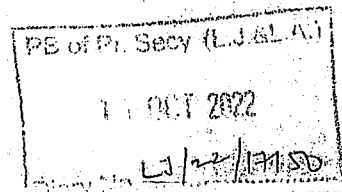
(KAVERI BAWEJA)

District Judge (Commercial Court) (Central)  
Officer In-charge (Judicial Branch, Central)

GOVT. OF NCT OF DELHI  
DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT  
STATE ADOPTION RESOURCE AGENCY  
5<sup>TH</sup> Floor, ISBT Building, Kashmere Gate, Delhi-110006  
(Email ID: saraaredelhi@gmail.com)

F.No.61(1812)/Correspondence with MWCD/DD(ICPS)/D.WCD/2022-23/ Dated: 13/10/22

To,  
The Principal Secretary  
Dept. of Law, Justice & Legislative Affairs  
GNCTD, 8<sup>th</sup> Level, C-Wing,  
I.P. Estate, Delhi Secretariat  
Delhi-110002



10 OCT 2022

Subject: Regarding transfer of pending court cases in matters of adoption.

Respected Sir/Maam,

With reference to the above cited subject matter, a letter dated 12<sup>th</sup> September, 2022 has been received from Sh. Indevar Pandey (IAS), Secretary, MWCD, GOI, wherein intimation regarding pending court cases in matters of adoption which shall stand transferred to the District Magistrate from the date of commencement of the Rules ie. 01.09.2022 (copy enclosed)

As you might be aware about the fact that the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 & the Juvenile Justice (Care and Protection of Children) Model Amendment Rules, 2022 have been notified on 01.09.2022 thereby amending the earlier JJ (CPC) Act, 2015 and the Model Rules, 2016 and the Adoption (Amendment) Regulations, 2022 is yet to be notified.

Also, the Rule 31(iv) (3) of the Juvenile Justice (Care and Protection of Children) Model Amendment Rules, 2022 states that "All the cases pertaining to adoption matters pending before the Court shall stand transferred to the District Magistrate from the date of commencement of these rules"(copy enclosed).

In view of the above, it is requested to kindly issue directions to the District & Session Courts in Delhi to follow the provisions of the above mentioned Rules and transfer all cases pertaining to adoptions to the concerned District Magistrates at

R. Singh (LJ)  
DS (J)  
12/10  
copy  
13/10/22  
On Magistrate

1855012/2022/OWD/SECRETARY, WCD

INDEVAR PANDEY, I.A.S.  
Secretary



सत्यमेव जयते

Government of India

12<sup>th</sup> September, 2022

D.O.No.11/1/2016-CW-II-Part(1)

Dear Chief Secretary,

This is in reference to the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 notified by the Government w.e.f 01.09.2022 amending the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Juvenile Justice (Care and Protection of Children) Model Amendment Rules, 2022 notified on 01.09.2022 thereby amending the Juvenile Justice (Care and Protection of Children) Model Rules, 2016. The copies of these Gazette notifications are available on Ministry's website.

2. The Ministry had earlier organised a National Dissemination Workshop on 29.08.2022 with all State/UT Governments on the Juvenile Justice (Care and Protection of Children) Act, 2015, its amendments and the rules & regulations thereunder and their amendments. The Ministry also plans to organise such Workshop to sensitize the officers of States/UTs at the level of District Magistrates and Superintendents of Police.

3. It is brought to your notice that in accordance with amendments made to JJ Act 2015, vide JJ Amendment Act, 2021 and as per Rule 45(3) of JJ Model Rules, 2016 (as amended), all the cases pertaining to adoption matters pending before the Courts shall stand transferred to the District Magistrates from the date of commencement of the Rules i.e. 01.09.2022.

4. I would be highly obliged, if you could kindly direct the concerned authorities in the State/UT for immediate compliance of the same, so that there is no further delay in passing the adoption orders

With regards,

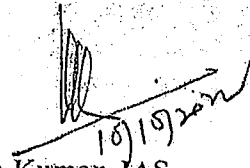
Yours sincerely,

(Indevar Pandey)

✓ Chief Secretaries of all States/UTs

the earliest so that adoption orders could be issued and the child & parent do not feel lost (with no guidance).

This issues with the approval of the Secretary, WCD

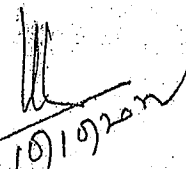
  
10/10/2022  
Kishan Kumar, IAS  
Director, DWCD

Enclosed: as above

F.No.61(1812)/Correspondence with MWCD/DD(ICPS)/DWCD/2022-23 Dated:

Copy for information to:

1. The Chief Registrar, High Court of Delhi, Shershah Road, Justice SB Marg, New Delhi - 110001
2. PS to Secretary, Ministry of Women and Child Development, GOI, Shashtri Bhawan, New Delhi-110001
3. OSD to Secretary, Dept. of Women and Child Development, GNCTD, GNLS Complex, Opp. Firozshah Kotla Stadium, Delhi Gate, Delhi-110002.

  
10/10/2022  
Kishan Kumar, IAS  
Director, DWCD

2022/01/SECRETARY, WCD.

इन्दीवर पान्देय, आई.ए.एस.

सचिव

INDEVAR PANDEY, 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  
राष्ट्रीय भवन, नई दिल्ली-110 001

Government of India

Ministry of Women & Child Development

12<sup>th</sup> September, 2022

D.O.No.11/1/2016-CW-II-Part(1)

आजादी का  
अमृत महोत्सव

Dear Chief Secretary,

This is in reference to the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 notified by the Government w.e.f 01.09.2022 amending the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Juvenile Justice (Care and Protection of Children) Model Amendment Rules, 2022 notified on 01.09.2022 thereby amending the Juvenile Justice (Care and Protection of Children) Model Rules, 2016. The copies of these Gazette notifications are available on Ministry's website.

2. The Ministry had earlier organised a National Dissemination Workshop on 29.08.2022 with all State/UT Governments on the Juvenile Justice (Care and Protection of Children) Act, 2015, its amendments and the rules & regulations thereunder and their amendments. The Ministry also plans to organise such Workshop to sensitize the officers of States/UTs at the level of District Magistrates and Superintendents of Police.

3. It is brought to your notice that in accordance with amendments made to JJ Act 2015, vide JJ Amendment Act, 2021 and as per Rule 45(3) of JJ Model Rules, 2016 (as amended), all the cases pertaining to adoption matters pending before the Courts shall stand transferred to the District Magistrates from the date of commencement of the Rules i.e. 01.09.2022.

4. I would be highly obliged, if you could kindly direct the concerned authorities in the State/UT for immediate compliance of the same, so that there is no further delay in passing the adoption orders.

With regards,

Yours sincerely,  
Sd/-  
(Indevar Pandey)

Chief Secretaries of all States/UTs

Copy to :

1. The Principal Secretaries, Dept of Women and Child Development, all State/UT Govts.
2. The Principal Secretaries, Dept of Legal Affairs/Law, all State/UT Governments.

(Indevar Pandey)

(vi) in sub-rule (11), for the words "to the District Child Protection Unit", the words "to the District Magistrate" shall be substituted;

(vii) for sub-rule (13), the following sub-rule shall be substituted, namely:—

"(13) The District Magistrate shall take necessary action on the report of the District Inspection Committee and ensure corrective measures are taken in a time bound manner."

(viii) after sub-rule (13), the following sub-rule shall be inserted, namely:—

"(14) The District Magistrate shall submit a report on the Child Care Institutions functioning in the District and measures taken for their improvement once every year to the State Government."

29. In the principal rules, in rule 43,—

(i) in sub-rule (1), after the words "and cases pending for decision to the Authority online", the words "on a monthly basis" shall be inserted;

(ii) after sub-rule (1), the following sub-rules shall be inserted, namely:—

"(2) The information to be provided in sub-rule (1) shall also be provided to the District Magistrate in Form 16A.

(3) The District Magistrate after review of the report submitted by the Child Welfare Committee in Form 16A shall take necessary measures to expedite the process of adoption of children declared legally free for adoption."

30. In the principal rules, in rule 44, in sub-rule (1),—

(i) for clause (ii), the following clause shall be substituted, namely:—

"(ii) Every child who does not get a family either in in-country adoption or in inter-country adoption and is placed under the hard to place category, shall be eligible to be placed in foster care, by the Committee on the recommendation of the District Child Protection Unit or the Specialised Adoption Agency."

(ii) clauses (iii) and (iv) shall be omitted;

(iii) in clause (v),—

(a) for the words "a minimum of five years", the words "a minimum of two years" shall be substituted;

(b) for the words "after registering in Child Adoption Resource Information and Guidance System", the words "after registering in the portal of the Authority" shall be substituted.

31. In the principal rules, in rule 45,—

(i) for the marginal heading, "Procedure before the Court", the marginal heading, "Procedure before the District Magistrate" shall be substituted;

(ii) for sub-rule (1), the following sub-rule shall be substituted, namely:—

"(1) The procedure for obtaining an Adoption Order from the District Magistrate or the Additional District Magistrate (authorized by the District Magistrate), as the case may be, shall be such as provided in Adoption Regulations."

(iii) for sub-rule (2), the following sub-rule shall be substituted, namely:—

"(2) The District Magistrate, for the purpose of an application for adoption order, shall follow the procedure as laid down in the Act and the Adoption Regulations."

(iv) after sub-rule (2), the following sub-rule shall be inserted, namely:—

"(3) All the cases pertaining to adoption matters pending before the Court shall stand transferred to the District Magistrate from the date of commencement of these rules."

32. In the principal rules, in rule 46,—

(i) for sub-rule (1) the following sub-rule shall be substituted, namely:—

"(1) The District Magistrate or the Additional District Magistrate (authorised by the District Magistrate), as the case may be, shall dispose of an application for making an adoption order within a period of two months from the date of filing of the application, as provided under sub-section (2) of section 61 of the Act."

(ii) in sub-rule (2), for the words "No information or Court order", the words "No information or Adoption order issued by the District Magistrate" shall be substituted.

33. In the principal rules, in rule 49, in sub-rule (1),—

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