

# SC urged to stop illegal adoption

Details of children orphaned by the COVID-19 pandemic leaked on social media, says NCPDR

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The Supreme Court on Monday agreed to intervene after the National Commission for Protection of Child Rights (NCPDR) sounded the alarm on a spate of complaints about illegal adoption of COVID orphans through private individuals and organisations.

The NCPDR informed a Bench led by Justices L. Nageswara Rao and Aniruddha Bose that it had received many complaints in May that private individuals and organisations have been actively collecting data on these children while claiming that they want to assist families and children in adoption.

## ‘Violates JJ Act’

“Social media posts are circulating that children are up for adoption. This is plainly illegal and violates the Juvenile Justice Act,” advocate Shobha Gupta, for an intervenor, made an impassioned



**Uncertain future:** Twin sisters from Bhopal, who lost both their parents to COVID-19, play with toys as a relative looks on. Thousands have been orphaned by the pandemic. ■ FILE PHOTO

plea.

“The adoption of orphaned/abandoned/ surrendered children is lawful only after the adoption procedure as given under the Juvenile Justice Act, 2015 is followed and the final adoption order is passed by the prescribed

authority,” Additional Solicitor General K.M. Nataraj, for NCPDR, submitted.

NCPDR statistics shows that 3,621 children were orphaned, 26,176 children lost either parent and 274 children were abandoned between April 1, 2021 to June 5,

2021. The second wave of the pandemic was at its worst form during this period, leaving a trail of death across the country.

Justice Rao said the court would pass the necessary orders on the issue of illegal adoptions.

The national child rights body said information about these children, including their personal details, are being leaked from within government sources to private bodies, which circulate them.

“The Commission is receiving intimation regarding disclosure of children’s identity/ information by government authorities to private NGOs and organizations. Care must be taken by the authorities to ensure that their action is not in violation of Section 74 of the Juvenile Justice Act,” the NCPDR affidavit said.

The provision prohibits the disclosure of identity of children with regard to the

name, school, age, address or any information which would reveal the essential details of the child.

## Susceptible to trafficking

NCPDR urged the court to direct the States and Union Territories to not place any confidential information about children in the public domain which would make them susceptible to trafficking,

“The Commission is also concerned to note that several NGOs are seeking monetary support in the name of children impacted by COVID. However, there is no disclosure to authorities regarding actual beneficiaries, as mandated under the JJ Act, 2015,” the NCPDR said.

The Commission asked the court to direct the States and UTs to create State Juvenile Justice Funds to enable the credit of donations/ contributions/ subscriptions directly in the notified account.