

Ministry of Health and Family Welfare  
(Department of Human Research)

2nd Floor, IRC S Building,  
Red Cross Road, New Delhi  
Dated: 25<sup>th</sup> July, 2016

To,  
The President,  
Indian Society for Third Party Assisted Reproduction (INSTAR),  
House No. 252 Ground Floor,  
Sant Nagar, New Delhi-110065.

Subject: Plea to overturn the ban on Foreigners from accessing surrogacy in India-  
regarding.

Sir,

I am directed to refer letter from Mr. P.N Janardhan, INSTAR on the subject cited above and to inform you that the matter regarding the foreign nationals commissioning surrogacy in India has been examined in consultation with various stakeholders and after consideration of all the issues involved in the matter, particularly those relating to the rights/interests of the children to be born out of surrogacy and the Indian surrogate mothers in order to prevent exploitation of them, and, also with a view to discouraging commercial surrogacy in the country, the Government had taken a conscious decision not to allow foreign nationals including OCI Card holders to avail of surrogacy services in India. This decision of the Government has been conveyed to all States/Union Territories for strict implementation.

This issue with the approval of Secretary (DIIR).

Yours faithfully,

(S. N Sharma)

Under Secretary to the Govt. of India

Tel.: 23736228

Sr. DDG(A) ICMR OFFICE

Diary No. 1261

Date 25/07/2016

Copy to:

- Dr. R. S. Sharma, Head, Scientist-G & Sr. DDG, Indian Council Medical Research (ICMR) with reference to ICMR letter No. 5/7/15/ART-Bill/2013/RCH (Part-2) dated 04.07.2016
- Mr. Janardan Gangaputra, Ethics Committee, INSTAR, House No. 252 Ground Floor, Sant Nagar, New Delhi-110065

AD (AA)  
Adh  
27/7/16  
Dy. ND 626 ATJ  
03/08/2016

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