

High Commission of India
Canberra

IMPORTANT NOTICE REGARDING VISA FOR SURROGACY PURPOSE

Following a recent judgement of the Hon'ble Supreme Court of India, it has been decided by the Government of India that:

- **No visa would henceforth be issued by Indian Missions/Posts to foreign nationals intending to visit India for commissioning surrogacy.**
- **No permission would be granted by the Foreigners Regional Registration Officers (FRROs) /Foreigners Registration Officers (FROs) to Overseas Citizen of India (OCI) cardholders to commission surrogacy in India.**
- **No exit permission would be granted by the (FRROs)/(FROs) to the child/children to be born thorough surrogacy to foreign nationals including OCI cardholders. However, for child/children born through surrogacy already commissioned on or before 04.11.2015, exit permission will be decided by FRROs/FROs on a case to case basis.**

It is further clarified that

- Visa, if any, granted by the Indian Missions/Posts to foreign nationals and permission, if any, granted by the FRROs/FROs to OCI cardholders, for commissioning surrogacy in India after 04.11.2015 would be cancelled and the applicants would be informed of the position immediately.
- Cases prior to 04.11.2015 where action might have been initiated/taken by Surrogacy Clinics /ART Clinics/ IVF Clinics / Genetic Counselling Centres / Genetic Laboratories/ ART Banks or such other clinical establishment to commission surrogacy, including import of 'Human Embryo' and implantation thereof into surrogate mother or child/children born from it, will be allowed to complete the processes already started to avoid medical complications. However, all such cases will approach the State Health Authorities for permission. The State Health Authorities will decide such cases on case to case basis.

- Import of "Human Embryo" is prohibited except for research purposes based on the guidelines to be issued by the Department of Health Research, Government of India. The Surrogacy Clinics / IVF Clinics / ART Clinics /any genetic counselling centres / other clinical establishments, by whatsoever name they may be called, offering surrogacy services / Assisted Reproduction Services will not import human embryo for offering surrogacy services or in connection thereto.

This comes into force with immediate effect.

04.11.2015