

Lok Sabha passes bill that bans commercial surrogacy

The Union health minister Harsh Vardhan had introduced the Bill to regulate commercial surrogacy in India in the Lok Sabha on July 15, 2019.

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Surrogacy (Regulation) Bill, 2019, was passed in Lok Sabha on Monday.(PTI Photo)

The Lok Sabha on Monday passed the Surrogacy (Regulation) Bill, 2019, that seeks to ban commercial surrogacy in the country. The lower House rejected the amendments moved by the opposition.

The Union health minister Harsh Vardhan had introduced the Bill to regulate commercial surrogacy in India in the Lok Sabha on July 15, 2019.

According to the Bill only infertile Indian couples (between the age of 23-50 years and 26-55 years for female and male), respectively, who have been legally married for at least five years would be allowed to opt for surrogacy, but only through altruistic surrogacy.

Altruistic surrogacy means the surrogate mother has to be a close relative who has been married and has had a child of her own, and there is no monetary exchange except for necessary medical expenses.

The experts in the field say that altruistic surrogacy is not a feasible concept.

“Altruistic surrogacy is a failed concept even in the West and may not take off in India. It’s not easy to find a surrogate in one’s family,” says Dr Shivani Sachdev Gour, Delhi-based IVF expert.

The aim of the Bill that was brought after the Law Commission recommended prohibiting the practice of commercial surrogacy is to control unethical practices.

There is a provision for the constitution of a National Surrogacy Board, state surrogacy boards and appointment of appropriate authorities for regulation of the practice and process of surrogacy.

“It is a myth that millions need surrogacy in India. About 200 000 IVF procedures are done annually, of which just about 5% would need surrogates. If millions needed it then India wouldn’t have been facing the population problem that it is facing,” said Gour.

“However we have realized there’s no point in voicing our opinion, so we are also doing only regular IVF. We have moved on,” she adds.

The Bill was passed by Lok Sabha in December, 2018 but lapsed as it could not get nod from Parliament.

Earlier, the Bill was introduced in the Lok Sabha on November 21, 2016 and was then referred to a parliamentary standing committee on January 12, 2017.