

MOST IMMEDIATE

No. 25022/74/2011-F.I
Government of India
Ministry of Home Affairs
(Foreigners Division)

New Delhi, the 10th October, 2013

To

Dr.(Mrs) Neena Malhotra
Joint Secretary (PV)
Ministry of External Affairs
Patiala House Annexe
New Delhi

Subject : Foreign nationals intending to visit India for commissioning of surrogacy.

Madam

Please refer to this Ministry's letters of even number dated 9th July, 2012, 7th March, 2013 and 16th July, 2013 on the subject mentioned above.

2. This Ministry had issued detailed guidelines regarding grant of visa to foreign nationals intending to visit India for commissioning surrogacy vide letter of even number dated 9th July, 2012 (copy enclosed). Subsequently, vide this Ministry's letters of even number dated 7th March, 2013 and 16th July, 2013, in respect of cases where the baby has already been born through commissioning of surrogacy or the birth of the baby was expected shortly, certain relaxations were allowed up to 31.10.2013.
3. The MHA guidelines of 9th July, 2012 have been widely circulated to all Indian Missions and Clinics through the Ministry of External Affairs, ICMR/ Ministry of Health & Family Welfare and Bureau of Immigration. This has also been placed on the MHA website www.mha.nic.in.
4. It has been decided, with the approval of the competent authority, that **w.e.f. 1.11.2013**, the guidelines issued by the Ministry of Home Affairs on 9th July 2012 would be strictly followed, including in **all cases where surrogacy has already been commissioned prior to 1.11.2013**, and there shall be no further relaxation in the conditions to be fulfilled for grant of Medical Visa/ exit permission, etc.

5. You are requested to circulate these instructions to all Indian Missions/ Posts urgently for strict compliance and they may be advised to place these instructions on their website.

Yours faithfully

Vikas Srivastava

(Vikas Srivastava)
Under Secretary (Foreigners)
Tel. no. 2343 8040

Copy to :

1. Principal *Secretary* (Home) of all State Governments/ UT Administrations
2. Joint Director, Bureau of Immigration, New Delhi – with the request to circulate these instructions to all FRROs/ FROs for strict compliance
3. Indian Council of Medical Research (Dr. R.S.Sharma, DDG), Ramalingaswami Bhavan, Ansari Nagar, New Delhi - with the request to circulate these instructions to all ART clinics for strict compliance
4. JS (F)/ Dir(MU)/ Dir(F-II)/ US(OCI)/ All Sections of Foreigners Division.

Vikas Srivastava

(Vikas Srivastava)
Under Secretary (Foreigners)