

**MOST IMMEDIATE**

No.25022/74/2011-F.I  
 Government of India  
 Ministry of Home Affairs  
 (Foreigners Division)  
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New Delhi, the 7<sup>th</sup> March, 2013

To

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

Subject : Foreign nationals intending to visit India for commissioning surrogacy  
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Madam,

Please refer to this Ministry's letter of even number dated 9<sup>th</sup> July, 2012 on the above mentioned subject.

2. It has been brought to the notice of this Ministry that the Indian Missions/ Posts abroad are not entertaining visa applications for grant of Medical Visa to foreign nationals intending to visit India for commissioning of surrogacy since conditions for grant of such a visa stipulated in the above mentioned letter dated 9<sup>th</sup> July, 2012 are not fulfilled.

3. It is understood that in a number of cases where surrogacy has already been commissioned, the birth of the child/ children are expected shortly and therefore, the foreign nationals concerned desire to come to India for taking back the child/ children. Keeping in view the humanitarian issues involved, it has been decided, with the approval of the competent authority, that in such cases, where the child/ children has already been born through commissioning of surrogacy or the birth of the child/ children is/are expected shortly, the Indian Missions/ Posts may consider grant of Medical Visa (up to 3 months) to foreign nationals involved in such cases on production of a letter from the ART clinic concerned certifying the status of the child/ children i.e. whether actually born and kept in the hospital/ clinic or if not born, the expected date of delivery of the child/ children. However, the conditions mentioned in sub-paras (ii), (iii) and (v) of this Ministry's letter dated 9.7.2012 should be strictly enforced before grant of the Medical Visa. This relaxation will be available for the next three months.

Yours faithfully

  
 (P.V. Sivaraman)  
 Director (Foreigners)  
 Tel. no. 2343 8059

for file & confer with  
 Dir (F)

20/3/13  
 VCLB