
ANALYSING ALTRUSTIC SURROGACY UNDER ART BILL VIS-À-VIS INDIA

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ABSTRACT

The Assisted Reproductive Technologies (Regulation) Bill, 2010 is another enactment that intends to direct the surrogacy business for which India has turned into a favoured goal by remote residents searching for "womb for rent". This paper intends to engagingly examine the spot of a surrogate in the general plan of the Bill which spotlights on the helped conceptive innovation industry accordingly and of which surrogates are a section. The creator through this paper infers that the Bill ignores the vast majority of the issues appropriate to the enthusiasm of a surrogate making her a little player in the billion dollar industry however to which she is a significant giver. In clarifying this position, the creator has examined different parts of the Bill additionally in detail while finishing up by and large that the Bill primarily pushes the intensity of managing business surrogacy in private players of the ART business as opposed to giving her an autonomous billet. Truth be told, the Bill has been surrounded by the procedures in which the business keeps running at present and to which the surrogates push themselves for cash keeping their haggling power sketchy. Other auxiliary inadequacies of the Bill, important to understanding the job of a surrogate has moreover been managed in the paper by the creator.

Keywords: Surrogacy, Assisted Reproductive Technology (ART), Gestational, Altruistic, Surrogate Mother.

INTRODUCTION

Altruistic Surrogacy incorporates getting a 'nearby relative' as a surrogate by a wedded couple who have been childless for a long time of their marriage. This line, in substance, isolates selflessness from the business tinge that surrogacy conveys with it.

How is a demonstration of benevolence converted into pondering a pregnancy that is pointed towards surrendering the youngster to a nearby relative? In the U.K., laws on surrogacy permit just philanthropic plans where the surrogate can be paid just 'sensible costs'. The smoothness in characterizing sensible costs implies this ought to in a perfect world incorporate installment for medicinal treatment, and in-vitro preparation (IVF) yet may incorporate other 'costs'. In the greater part of Australia, benevolent surrogacy involves confined — in various pieces of the world, differing levels of lawful limitations, or complete bans are rehearsed — pre-endorsed installments to the surrogate, including for diet during the pregnancy, as well as for the medicinal treatment. In any case, selflessness additionally involves the arrangement that the surrogate is the legitimate mother of the youngster, which can be moved to the guardians through a lawful procedure, including reception. In numerous nations in Europe, the demonstration of incubation characterizes parenthood, despite the fact that the egg utilized for the pregnancy through IVF may have a place with the couple entering the course of action¹.

Job of the surrogate - According to the new Surrogacy Bill, the surrogate in India keeps on satisfying her job as a gestate. With regards to the emphasis on gestational surrogacy, which utilizes IVF and other helped regenerative advances required, the flow Bill is dedicated to the Indian Council of Medical Research's Draft Assisted Reproductive Technology (Regulation) Bill, 2010. The last has administered the act of surrogacy till the Surrogacy Bill of 2016 restricting business surrogacy happen. Parenthood didn't have a place with the surrogate; she was prepared to consider herself a gestate, as research by Amrita Pande proposes, and the surrender of the youngster was a significant condition inside the draft charges on business surrogacy, and by and by in the surrogacy contract².

¹ <https://www.thehindu.com/opinion/op-ed/what-is-altruistic-surrogacy/article25814445.ece>(last visited on 23rd oct 2019 at 4:17 PM)

² N B Sarojini, *Unravelling the fertility industry: ARTs in the Indian Context, International Consultation on Commercial, Economic and Ethical Aspects of Assisted Reproductive Technologies, New Delhi, A Report*, Sama-Resource Group for Women and Health, New Delhi, page 46

The business surrogacy game plan in India was a trade of cash for administrations: but, facilities and surrogacy specialists put forth an admirable attempt to change the business component of the surrogacy game plan, essentially recognized as the surrogate's expenses, into blessing giving, and penance. That parenthood could be available to be purchased involves pain and stun.

In that sense, benevolent surrogacy isn't altogether different from its contrary business variation. In contrast to the U.K., philanthropy in India is being characterized through the tie of family relationship, not through the trading of installment for 'administrations rendered'. Here, connection and family conceal the business component involved in looking for a surrogate from among close relatives. In this way, a significant part of the analysis against the Surrogacy Bill in Parliament indicates the absence of definition that the classification of the 'nearby relative' conveys.

A parallel View- We should take a gander at the Transplantation of Human Organs Act (THOA), 1994, as a parallel to the discussion on charitableness and its linkages with business surrogacy. The Act endorses that organ contributors are permitted to give their organs before death just to 'close to relatives'. Giving organs to 'outsiders' or not close to relatives before death isn't permitted, and might be endorsed of just through the authorisation council. The classification of the 'close to relative' shows up again in a comparable vein to the 'nearby relative'. In any case, not at all like the Surrogacy Bill, the THOA recognizes 'close to relatives' as 'life partner, child, little girl, father, mother, sibling or sister'. It's a shut gathering of relatives — inside the structure of the family unit — individuals who may not be qualified to be surrogates, tragically.

In my exploration, IVF authorities found the mother and sister of the barren lady to be flawless as gestational bearers. In 2004, in Gujarat, Nayana Patel, who later wound up renowned for her surrogacy center in Anand, encouraged the surrogate pregnancy of a 43-year-elderly person trying to support her childless girl and child in-law to have their very own offspring. However, the ladies having a place with the dad to-be family, for example, his sister and mom as surrogates, conveyed relationship with interbreeding (despite the fact that gestational surrogacy is encouraged through innovative mediations).

By restricting business surrogacy for its benevolent symbol, the recognizable proof of 'close relatives' will take on a cloudy turn. Much the same as on account of organ gift, wherein

'outsiders' were spruced up as 'close to relatives', in charitable surrogacy as well, comparative dealings might be gone into. In a plainly man centric culture, ladies are consistently at the less than desirable finish of exclusion and abuse. In encouraging philanthropic surrogacy among close kinfolk, we must be careful about the sort of abuse we are cultivating.

Regardless of absolving gay couples, single people, and live-in couples from looking for surrogacy, not unmistakably characterizing the regulative components inside unselfish surrogacy, and the backward endorsement for couples with in unexpected way abled kids to settle on surrogacy, the Bill seeks certain significant changes. The push towards reception is welcome, similar to the holding up time of five years. The prominence of IVF and other helped regenerative innovations comes from a dangerous conceptualization of barrenness itself, pushing couples to choose obtrusive intercession inside a time of unprotected copulation. Of significance presently is to return to getting why and how the craving for kids is socially interceded to help couples looking for surrogates, and the other way around.³

COMMERCIAL AND ALTRUISTIC SURROGACY-

Commercial Surrogacy is a kind of surrogacy in which surrogate mother enters into the contract for monetary benefits or we can say for some financial reasons.

Whereas, in Altruistic Surrogacy The surrogate gets no monetary reward for her pregnancy and the surrender of the kid. In any case, in such examples normally all costs identified with the pregnancy and birth are borne by the proposed guardians; these might incorporate therapeutic costs, maternity apparel, what's more, other related costs. In charitable surrogacy, it is for the most part an individual from the same family, or somebody referred to the couple who goes about as the surrogate With no money related motivating forces, these courses of action frequently convey moralistic undertones, and the surrogate's commitment seen as a 'respectable' deed for 'more noteworthy benefit' or giving the 'most prominent endowment' of a youngster to a fruitless couple. The discussion and upsides and downsides of business surrogacy and philanthropic surrogacy need to be talked about and saw further, under the steady gaze of a law is made commercializing. Much alert should be taken before making this lawful, as we realize that in destitution ridden conditions, surrogate moms will be accessible with no respect to their very own security and with no respect to any guidelines or models that should

³ Surrogacy: Oxford India Short Introductions, Anindita Majumdar Assistant Professor, Department of Liberal Arts, Indian Institute of Technology Hyderabad.

be pursued. The administration can't pass a law that would put in danger their very own kin or that would exploit the defenselessness of the individuals because of their circumstances and conditions.

THE SURROGACY (REGULATION) BILL, 2019

The Indian Council of Medical Research (ICMR) tried to manage surrogacy in 2005 by drafting the National Guidelines for Accreditation, Supervision and Regulation of ART (Assisted Reproductive Technology) Clinics in India - the facilities that treat fruitlessness, as in-vitro preparation (IVF), and offer surrogacy administrations. This prompted drafting of the ART Bill in 2008, 2010 and 2014 yet was never passed by the Parliament.

At that point the Law Commission of India took it up in 2009 perceiving the requirement for managing ART centers and accommodating rights and commitments of gatherings to surrogacy. It suggested permitting just 'benevolent' surrogacy and a prohibition on business surrogacy. What pursued, notwithstanding, was the Surrogacy (Regulation) Bill of 2016. It was inspected by the Parliamentary Standing Committee on Health and Family Welfare. In its 2017 report the board recommended healthy changes and proposed that the ART Bill ought to be brought first since "there are no different surrogacy centers all things considered" and that "by and large ART facilities offer surrogacy benefits too", inferring that "the need of great importance, subsequently, is to direct all ART centers".

It brought up that the ART Bill of 2014 contained subtleties of all the ART facilities and ART banks, nature and kind of administrations gave, the result of the administrations and so forth. The administration, be that as it may, disregarded this and the vast majority of its different suggestions. The 2016 Bill was reintroduced in 2019 and the Lok Sabha expeditiously passed it. Presently the Rajya Sabha proposes to send it to the equivalent Parliamentary board again before taking it up for section.

What Bill gives-

The Bill proposes Surrogacy Boards at the national and state/UT levels and arrangement of suitable experts for directing the training and procedure of surrogacy.

It bans business surrogacy and deal or import of human fetus with the end goal of surrogacy. It accommodates obligatory enlistment of surrogacy facilities - those leading surrogacy

methodology in any structure. Negations of Bill's arrangements would pull in detainment for at least ten years with a fine of up to Rs 10 lakh.

It permits just "moral selfless surrogacy" to Indian wedded couples, in the age gathering of 23-50 for ladies and 26-55 for men, who ought to have been legitimately hitched for in any event five years. "Altruistic surrogacy" has been characterized as one in which no charge, costs, charges, compensation or money related impetus of anything that nature is paid to the surrogate mother, aside from her therapeutic costs and protection spread.

The Bill says the surrogate mother ought to be a "nearby relative", "an at any point wedded lady having her very own offspring" and in the age gathering of 25-35. She would be permitted to surrogate "just once". The end of such a pregnancy must be completed with the composed consent of surrogate mother and on authorisation by suitable power.⁴

It likewise looks to forestall relinquishment of the youngster conceived out of surrogacy under any condition and accommodate indistinguishable rights and benefits from are accessible to the natural kid.

ASSISTED REPRODUCTIVE TECHNOLOGY BILL

The Bill clarifies that absence of enactment on surrogacy has prompted its widespread commercialization, unscrupulous practices, misuse of surrogate moms, relinquishment of youngsters resulting from surrogacy and import of human developing lives and gamete. In accordance with the proposals of the Law Commission of India, it proposes to address these issues and secure the privileges of surrogate mother and kid.

Parliamentary board's unaddressed concerns - Aside from worrying on the need to initially manage ART centers, the 2017 Parliamentary board, appended to the Rajya Sabha, had proposed a few critical changes which the 2019 Bill disregards. Accordingly, the need to send the Bill again to a similar board is vague.

The progressions the board had suggested included characterizing 'close relative', rethinking 'barrenness', expelling limitations on surrogacy to 'selfless' reason alone, switching the weight

⁴ Surrogacy; Oxford India Short Introduction; Anindita Majumdar, Assistant Professor, Department of Liberal Arts, Indian Institute of Technology, Hyderabad

of confirmation on the blamed, evacuating the requirement for composed consent for fetus removal and indicating survey and claim methodology and so on.

The board protested constraining surrogate to a 'nearby relative' and making it 'charitable' saying that these would prompt intimidation and further misuse of ladies because of family pressure, given the social, lawful, passionate and moral elements included. It said constraining to 'close relative' (which has not been characterized) would not just motivation intense deficiency and inaccessibility of ladies yet in addition had no association with the goal of halting the misuse of surrogates and in this way, both related and irrelevant ladies ought to be allowed. It doubted constraining qualification for surrogacy in the meaning of 'barrenness' to those incapable to imagine 'for a long time', with an arrangement to include qualification conditions some future date, while the WHO and the ART Bill of 2014 proposed a time of 'one year'.⁵

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⁵<http://www.surrogacy-regulation-bill-2019-infertility-indian-council-of-medical-research->

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PARLIAMENTARY BOARD UNADDRESSED CONCERN-

Aside from worrying on the need to initially manage ART facilities, the 2017 Parliamentary board, appended to the Rajya Sabha, had proposed a few critical changes which the 2019 Bill overlooks. In this way, the need to send the Bill again to a similar board is misty.

The progressions the board had suggested included characterizing 'close relative', rethinking 'fruitlessness', expelling limitations on surrogacy to 'unselfish' reason alone, turning around the weight of verification on the blamed, evacuating the requirement for composed authorization for premature birth and determining audit and claim strategies and so on. The board protested restricting surrogate to a 'nearby relative' and making it 'unselfish' saying that these would prompt intimidation and further abuse of ladies because of family pressure, given the social, lawful, enthusiastic and moral elements included.

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Such impediment would not just debilitate odds of parenthood to many, as individuals get hitched late nowadays with their organic clock ticking, yet in addition disregard their conceptive rights, the board said. It proposed a one-year time span, which ought to be postponed off for therapeutic reasons.

The board likewise questioned restricting surrogacy to just lawfully wedded couples and expecting them to be affirmed as fruitless. Calling the confirmation pointless, it said limiting it to legitimately wedded couple added up to overwhelming restriction on widows, separated from ladies, live-in accomplices, which was not reasonable given the shame joined to barren ladies.

It requested to know the justification behind the forswearing of pay to a surrogate mother, who might experience hardships for nine months and past, while specialists, emergency clinics and attorneys engaged with the procedure would get paid for theirs.

In addition, it recommended that ruined ladies ought to be taken into consideration paid surrogacy to accommodate her family needs⁶.

The board's different complaints and recommendations which have been overlooked are: meaning of surrogacy ought to be exact, express and engaging with no degree for confusion,

⁶ <https://www.businesstoday.in/current/policy/surrogacy-regulation-bill-2019>

evacuation of confinements on giving gamete, expulsion of composed authorization for premature birth without setting a period limit for it - the method of reasoning for which wasn't clear since the Medical Termination of Pregnancy Act of 1971 previously accommodated it and time was of embodiment in fetus removal - and giving shields against gigantic optional forces to the District Medical Board for giving fundamental testaments.

Dr Sharda Jain, a prominent gynecologist and IVF pro who instructed at Chandigarh's PGIMER and Delhi's Lady Hardinge Medical College and speaks to the perspective on the Indian Medical Association (IMA) - the summit body of the medicinal society in India - portrays the Bill as a decent move to end business surrogacy.

She invites the transition to boycott surrogacy for "single guardians" (permitting just Indian wedded couples to benefit this), saying 90% of those originating from abroad for business surrogacy in India were from the gay network - not actually the ones for whom surrogacy is implied, she says. Notwithstanding, she concurs with the Parliamentary board that ART Bill ought to have started things out and that 'nearby relative' ought to have been characterized for clearness.⁷

Be that as it may, the consolidation of the condition of reality in the Bill for what it's worth, could likewise be the immediate impact of the main choice of the Apex Court identifying with surrogacy, Baby Manji

*Yamada versus Association of India and Anothers*⁸ instead of the proposals of the Law Commission. The issue identifying with the nonattendance of a guideline was featured for the situation however, the Court acknowledged the current marvel of surrogacy and surrogacy contracts in India with the impact of tolerating it as legitimate in the accompanying words:

"We need not go into... ..regardless of whether bona fides are included or not."

"Surrogacy is an outstanding technique for proliferation whereby a lady consents to become pregnant to gestate and bringing forth a child she won't lift however hand over to a contracted party."

⁷ <https://www.businesstoday.in/current/policy/surrogacy-regulation-bill-2019>

⁸ Baby Manji Yamada vs. Union of India and Another, AIR 2009 SC 84; (2008)13SCC518

At the hour of this choice, surrogacy was completed only by fruitlessness centers and was performed under the rules built up by the Indian Council of Bio-restorative Research in the year 2006 whereby surrogacy agreements were held to be legitimate. There, be that as it may, was no structure for the checking of the acts of neither these facilities nor an instrument to control or censure any infringement of the guidelines.⁹ Child Manji can likewise be attributed to be the antecedent to the 228th Report of the Law Commission and the Bill as the business surrogacy industry got enormous media inclusion featuring the nonappearance of an administrative component to a significant degree. One more case identifying with surrogacy is being thought upon and is pending last transfer under the steady gaze of the Apex Court.¹⁰ Very frequently, the issue of surrogacy harvests up tossing inquiries on the lawfulness of surrogacy contracts, legitimate acknowledgment and privileges of a child conceived out of a surrogacy, privileges of the people who picks to do so.

RIGHTS OF SURROGATE CHILD UNDER ART BILL

For instance, the occurrence of Robert's, an European couple who wandered out to India to procure an Indian gestational surrogate, includes the issues related to cross periphery business surrogacy. After the surrogate delivered Jen, an infant young lady made with Mr. Robert's sperm and the egg of a pariah, the Roberts separated. India wouldn't allow Mr. Robert, single parent, to get a visa for Jen or to legally set up his parenthood accepting her. Europe, a country which doesn't explicitly blacklist surrogacy but instead there the law gives right to the gestational mother is the genuine mother of a youth, were denying permitting citizenship¹¹.

Another example of the Balaz twins, approved by German occupants Jan Balaz and his loved one Susan Lohle in India by strategy for surrogacy, reveals the results worldwide business surrogacy. This case is significant of the filiations and citizenship issues that the all inclusive market in business surrogacy raises. For this situation on the birth confirmation of the twins the names of father Jan blaz and the gestational mother instead of Susan Lohle appeared. Indian court held that since they were considered on Indian soil to an Indian mother they were Indian

⁹ Statement of Specific Principles for Assisted Reproductive Technologies , Ethical Guidelines For Bio-medical Research and Human Participants, Indian Council of Medical Research, New Delhi, 2006; pages 101-2, Available in [http:// www.icmr.nic.in/ethical_guidelines.pdf](http://www.icmr.nic.in/ethical_guidelines.pdf).

¹⁰ Union of India and Another v. Jan Balaz and Ors., SLP (Civil) No. 31639/2009, [From Jan Balaz v. Union of India L.P.A.

No. 2151 of 2009, High Court of Gujarat]

¹¹ <https://surrogate.com/about-surrogacy/types-of-surrogacy/can-single-parents-pursue-surrogacy/>

native. The court picked that the gestational mother was the trademark and simply the mother. Selection was accepted to be a possible response for set up parentage. In any case, in India it meant issue as is gathering put something aside for youths who appear to be "vagrants surrendered or gave up". In addition, as India is associated with the Hague Convention on cover country Adoption (the "Determination Convention"), all cross-periphery allotments must agree to Convention rules, including a mandatory essential that joins that the choice office must ensure that no adequate national situation of the child is possible and a confinement on pre-choice contact between the birth mother and the proposed strong guardians. This made tremendous for Jan Balaz to get as he was the normal father, and equivalently Susan was prohibited from determination. Stuck between two arranged real systems the twins were proclaimed to be Indian local against the game-plan of surrogacy. Regardless, after a comprehensive battle in court and deals between the two countries the twins were permitted leave reports from India and enter Germany.

Similarly, by virtue of gay couple Yonathan and Omer, who came to Mumbai and has a surrogate adolescent infant Evyatar. The gay couple took tyke Evyatar to Israel. Israeli government had anticipated that them should finish a DNA test to exhibit their paternity before the kid's universal ID and various reports were readied¹².

The IPs join couples from inside India or abroad with an aching for a tyke. Looked with extravagance issues, they have as of late endeavored various options, for instance, IVF treatment and gathering, before choosing surrogacy, and have the cash related capacity to begin the strategy. One couple from America had grasped one youngster from another Asian country before coming to India for surrogacy. For this surrogacy methodology, the couple used the life partner's innate material and their buddy's egg. The normal father was working in an information advancement firm and the mother was a Human Resources Director in a flexible application firm. The subsequent American couple had their first young lady through a run of the mill strategy; in any case, as they were not capable envision again, they picked surrogacy. The proposed father was an IT firm owner and the arranged mother was a housewife. After an online research on a couple of offices in India, the arranged mother picked this inside, since it watched the SURROGATE MOTHERs all through the pregnancy.

¹² <http://www.legalservicesindia.com/law/article/1032/24/Commercial-Surrogacy-Legal-Social-and-Ethical-Concerns>

RIGHTS OF SURROGATE MOTHER UNDER ART BILL-

Art Surrogate Motherhood assigns most of the prosperity perils to women. Most critical risks rise up out of egg recuperation and surrogacy. Ripeness drugs increase the odds of a multifocal pregnancy, which speaks to a basic perils to maternal and deadly prosperity and other security issues have been perceived, for instance, birth gives up related with explicit ARTs. Medications that brief ovulation by first stimulating the follicles and after that releasing the create ova give the establishment to a wide range of ART. Such medications are used to fabricate the odds of fake insemination and moreover controlled in status of IVF. In the US, surrogates are offered near two beginning organ Surrogate Mothers for their security, regardless, in India; surrogates are implanted with more than five embryos in order to grow the chances of pregnancy. Inserting broad number of creating lives fabricates prosperity perils for youngsters and the mother. There are extended chances of post birth nervousness of surrogates are the tyke that created in mother's belly. There have been scenes where surrogate mothers have lost their lives by making surprising complexities in the midst of the hour of development. Essentially, in some cases young egg promoters have kicked the pail legitimately after egg gifts. Low informative measurements, Poverty, minimization in work markets, male driven social and family structures and the money related benefit through surrogacy transform into a key push factor. These women can be abused by the administrators working for designating gatekeepers¹³. In like manner surrogacy ranges from being a cash related opportunity to potential gadget misuse. Many battle that the installment for genuine organizations dehumanizes the surrogate mother and tries her regenerative organs.

Also, Surrogate mothers are kept in separation from families and allowed to meet families in parts of the bargains, which are against the human rights. Another huge stress in this setting fuses the standard of measures endeavored in order to verify the prosperity of the surrogate mothers and egg sponsors drew in with such a course of action out of sight of a real vacuum. Because of an all out nonappearance law overseeing surrogacy, there is no strong installment structure for surrogate mothers. They don't get a copy of the formed contract which is set apart between surrogate mother the approving gatekeepers and wealth doctors, they are clueless of the details of the agreement. In this manner as to shield surrogate mothers from being

¹³ Human Participants, Indian Council of Medical Research, New Delhi, 2006; pages 101-2, Available in [http:// www.icmr.nic.in/ethical_guidelines.pdf](http://www.icmr.nic.in/ethical_guidelines.pdf).

mishandled and to secure their qualification to prosperity, there is a brisk need to oversee ART and cross periphery business surrogacy in India.

CONCLUSION

That the Bill has been passed with the principle expectation to manage a previously existing surrogacy industry is evident from the language of the Bill. In any case, there are additionally numerous zones where there are ambiguities and could go about as escape clauses later on separated from those referenced in the past pieces of this paper. As has just been called attention to in Section III of this paper, the gatherings that can approach for surrogacy under the Bill are not unmistakably characterized. There are numerous different reactions to the Bill, that way identifying with the privileges of the youngster too including its entitlement to be supported by the person who brought forth it through breastfeeding. truth be told, the Bill doesn't make reference to the period for which a recently conceived is to be kept with the surrogate mother if such a circumstance emerge because of inconveniences in the strength of the child. It is likewise obvious that a youngster resulting from surrogacy, with the association of various people is set at a powerless position when conceived yet on the off chance that not taken by the dispatching couple, particularly on the off chance that they are outsiders. Section 34(19) necessitates that remote couples designate a nearby watchman for the surrogate mother to care for her welfare during the pregnancy and at the hour of conveyance. It likewise requires that the charging guardians make an endeavor that surrogacy is legitimate in the nation of their source and that the kid brought into the world through the surrogacy will be permitted to enter their nation. In any case, this Clause moreover takes a shot at the supposition that the youngster probably won't be asserted after it is conceived and consequently be exposed to disregard which is a wary acknowledgment of potential maltreatment of surrogacy. Despite the fact that it is an offense under the Bill according to Section 34(11), the commencement of procedures takes time to begin as there is a holding up time of one month during which the neighborhood watchman deals with the child. It is then a duty of the nearby watchman to guarantee that the kid is set up for reception which he/she may do just to reduce a weight? Could surrogacy be energized if such abandoned circumstances could result, What instrument can be put to guarantee that such abandonments doesn't occur in the first place, These circumstances could have been much effectively evaded if arrangements identifying with the definite provisions regarding penalty. Although we have some countries where all sorts of surrogacy is legal e.g., Brazil, Georgia etc., At the same times countries like France, Germany, Finland has made

surrogacy illegal, whereas in Canada, Australia only altruistic surrogacy is allowed. In India only altruistic surrogacy is allowed that too only for indian citizens.