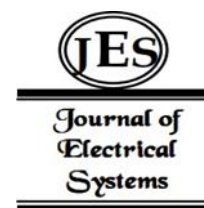


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Concept of Altruistic Surrogacy in Indian Context



Abstract: - Commercial surrogacy was made completely legal in India in 2002, and since then, India has become a pivot point. In 2015, the government of India made the decision to restrict commercial surrogacy. Altruistic surrogacy was also introduced in 2016 to end abuse. However, debate still prevails in India. Here, researchers compare and contrast the Key features of the ART Regulation Bill, 2016 with the ART Regulation Bill, 2020 in terms of their potential influence on altruistic surrogacy in India. Finally, Researcher consider the Indian context into account to eradicate exploitative policies and practices.

Keywords: Couples, Altruistic Surrogacy, Infertile, India, Commercial surrogacy

INTRODUCTION

There are two possible methods for carrying out the surrogacy arrangement: the more commonplace "traditional" method, and the more recent "gestational" method.²India has become a well-liked location for international surrogacy in recent years. The news is regularly filled with reports of unethical practices, including the trafficking of human embryos and gametes, the mistreatment of surrogate moms, and the abandonment of surrogate children. Commercial surrogacy has been widely criticized in India over the past few years, and this has been reflected in a variety of print and electronic media outlets on a daily basis.

The rise of exploitative commercial surrogacy and other unethical surrogacy practices can be directly attributed to the legal and ethical ambiguity surrounding surrogacy that has been exploited by surrogacy clinics.³The "Surrogacy (Regulation) Bill 2016" was drafted and tabled in the Lok Sabha in November 2016 in response to the government's decision to bar foreigners from the country's surrogacy business in November 2015. "The Parliamentary Standing Committee on Health and Family Welfare was given the bill in 2017" and held hearings and submitted a report later that year.⁴The purpose of the Surrogacy (Regulation) Bill 2016 was to preserve the rights and dignity of women participating in the surrogacy process while addressing the ethical and social problems related to commercial surrogacy. To protect against exploitation due to their poverty and lack of education, the bill banned commercial surrogacy while permitting "altruistic" surrogacy solely within families. Altruistic surrogacy occurs when the surrogate mother consents to bear a child. The "altruistic" surrogacy model proposed in the law would have surrogates do reproductive labor for free. The goal of this method was to eliminate the potential for financial incentives as a factor in women's decisions to become surrogates. Only Indian couples

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²"Directorate General for Internal Policies (Legal Affairs), European Parliament, A Comparative Study on the Regime of Surrogacy in EU Member States," Visited on 27-03-2023, available at <http://www.europarl.europa.eu/studies>

³Smt. KusumRawat and Shri Rajkumar Patton, "The surrogacy (regulation) bill, 2016", 2018, Available At- <https://loksabhadocs.nic.in/>

⁴Timms O., "Ending commercial surrogacy in India: Significance of the Surrogacy (Regulation) Bill, 2016," Indian J Med Ethics. 2018;3 (2), 99-102

with a five-year marriage and medical intending parents without receiving any payment. The notion of "altruism," which denotes a selfless commitment to the well-being and welfare of others, is whence the term "altruistic" derives its meaning.^{5,6} certificate of infertility were eligible to participate. The bill's emphasis on resolving infertility-related difficulties was further emphasized by the inclusion of this criterion, which was designed to ensure that only couples experiencing serious fertility concerns would be eligible for surrogacy. The bill's limits and limitations sparked debate and controversy in India, though. It bars **“lesbian couples, live-in couples, single parents, and anyone with Indian citizenship or Indian ancestry to use surrogacy.”** A proactive measure was taken by the government committee in charge of the bill to permit a thorough study of the proposed legislation and its possible implications. Policymakers might use the information to improve the bill, taking into account the issues voiced and yet achieving the bill's overall aims.⁷

The Surrogacy (Regulation) Bill of 2020 is the result of further revisions made by a select committee after the resubmission of the updated 2019 Bill to that body. One of the most significant changes in the 2016 Bill proposal is the addition of Indian unmarried women (defined as widows or divorcees between the ages of 35 and 45) to the pool of prospective surrogate mothers. Previously, only married Indian couples or couples for five years with at least one Indian member were eligible.

The Surrogacy (Regulation) Bill 2020 upheld the concept of altruistic surrogacy. As restrictions on who can serve as a surrogate mother are relaxed, however, the procedure is expected to become more widely available.⁸

ALTRUISTIC SURROGACY OR NON-COMMERCIAL SURROGACY

This form of surrogacy deals with “Section 2(b) of the Surrogacy (Reg.) Bill, 2020 provides,”

“Altruistic surrogacy means the surrogacy in which no charges, expenses, fees, remuneration or monetary incentives of whatever nature, except medical expenses incurred on the surrogate mother and the insurance coverage for the surrogate mother, are given to the surrogate mother or her dependents or her representative”.⁹

SIGNIFICANCE OF ALTRUISTIC SURROGACY ACROSS GLOBE?

- The surrogate in the United Kingdom can only be compensated for her "reasonable expenses," as set down by the legislation.
- Due to the flexibility with which permissible expenses are defined, this should ideally include payment for medical care and IVF, but it may also cover other 'expenditures'.
- Pre-approved payments to the surrogate, including those for food throughout the pregnancy and/or medical care, are a common aspect of altruistic surrogacy in most of Australia, however, these may be prohibited in other countries.
- However, the surrogate's legal status as the child's mother must be transferred to the biological parents through a legal process, such as adoption, for the act to be considered selfless.

LEGAL AND ETHICAL ISSUES RELATED TO SURROGACY IN INDIA

- The surrogate mother is subject to the surrogacy contract's physical and emotional costs either, because of a desire to aid the childless parents (for free) or due to the financial pressure of the family. Here, her health has deteriorated dramatically.

⁵ John P. Friel, “Dorland’s Illustrated Medical Dictionary”, W.B.Saunders, Philadelphia, Visited on 28-03-2023

⁶Information on Surrogacy, last visited 10-04-2023, available at: information_on_surrogacy.com/altruistic-surrogacy.

⁷Rajya Sabha Secretariat. Department-related parliamentary standing committee on Health and family welfare 2017. One hundred second Report on The Surrogacy [Regulation] Bill 2016. 2017."

⁸Yuri Hibino, “The advantages and disadvantages of altruistic and commercial surrogacy in India”, 2023, Available At- <https://peh-med.biomedcentral.com/>

⁹ DipsikhaKonwar, "Socio-legal dimension of altruistic surrogacy in India a critical study", 2020, Available At- <https://shodhganga.inflibnet.ac.in/>

- The idea that an unemployed husband will force his wife to become a surrogate is a classic example of patriarchal power over women.
- It is a clear violation of Article 14 and Article 21 of the Indian Constitution that the LGBTQ community, those living in committed relationships, and single parents are all excluded from this sort of chance.
- Meanwhile, the prospective parents must present a "certificate of essentiality" establishing that biological childbearing is impossible due to infertility on the part of one or both of them.
- In most jurisdictions, the woman is automatically considered the child's legal parent once she gives birth. Who gets custody of the child? If the intended parents are going through marital problems during the surrogacy agreement, the child's custody may become an issue.
- The Surrogate Mother has the Option to Terminate the Pregnancy in accordance with the Medical Termination of Pregnancy Act of 1971. In the event that she changes her mind about carrying the pregnancy to term, will she be able to terminate the surrogacy agreement? Consent in surrogacy cases is notoriously murky. Attachment to the child carried by the surrogate mother might alter her disposition toward giving the infant up for adoption.¹⁰

legislative framework of surrogacy

Surrogacy is permitted in certain countries yet illegal in others. There are a number of countries and states that have legalized altruistic surrogacy, "in which the surrogate mother is not paid or is compensated only for reasonable expenses. These include Belgium, the United Kingdom, Denmark, Greece, the Netherlands, Israel, and the states of Kentucky, Nebraska, Maryland, Washington, and Michigan." Preconception, Because of the protections afforded to both "commissioning parents" and surrogates under the South African Children's Act of 2005, surrogacy arrangements in South Africa are legally acceptable and must be approved by the High Court. It will be clear who the child's legal parents are if the commissioning parents are given that status right away.

Several American states permit commercial surrogacy; they include California, Massachusetts, Illinois, India, Russia, Ukraine, and Russia, etc. "France, Germany, Italy, Spain, Portugal, Bulgaria, and the U.S. states of Arizona, District of Columbia, New York, New Jersey, and Indiana all have laws prohibiting all types of surrogacy." The Science Council in Japan has pushed for stricter penalties for commercial surrogacy, including criminal charges against doctors, agents, and clients. Surrogate moms are forbidden by Saudi Arabia's religious leaders.

"The ART clinics in India have demonstrated that the ICMR's accreditation, monitoring, and control criteria are frequently violated".¹¹

METHODOLOGY

This paper adopts doctrinal research to understand the concept for collecting data from journals, news sources, websites, books, etc. This study uses qualitative analysis to highlight the key aspects. Also, I have tried to analyze the law to study the required conclusion.

CONTROVERSIES SURROUNDING ALTRUISTIC SURROGACY

As was said in reference to the Surrogacy (Regulation) Measure 2016, the government committee tasked with studying the measure solicited feedback from a wide range of interested parties and members of the public. There were public hearings and a report was issued about the law. The study included opinions that altruistic surrogacy might be seen as "unworkable, draconian, discriminatory, and based on an outdated patriarchal model." This concept is built on a patriarchal extended family structure that does not operate inside the nuclear family structure most frequently in metropolitan areas, making it challenging to find a surrogate among family members. No one would be prepared to be a surrogate mother without proper compensation, while others said it was unreasonable to limit surrogacy to family members. Others opposed it as well, including some feminists and non-involved

¹⁰Varun Kumar, "Legal Framework on Surrogacy In India", Law Audience Journal, 2022

¹¹ Limon C., "Surrogacy and parenthood: An overview of the research on the relationship between surrogacy and adoption", Aust J Adoption, 7(3), 2013 pages 1-16

segments of society. The resistance from the impacted corporate sectors and the surrogacy industry, including IVF experts, was reasonable.¹²

One journalist argued that there were benefits to commercial surrogacy, especially for low-income families:

"There have been many successful cases involving commercial surrogacy in Anand. Many poor families lack education and have no well-paying employment, so commercial surrogacy might help to improve their lives. Activists, including feminist groups, claim that exploitation is occurring, but surrogate mothers are not making the same claim. Indeed, for surrogate mothers, money is important, and they tend to say nothing as long as they are well-remunerated. Their voices can be easily neglected in this hierarchal society. (Observation from a journalist in Mumbai, January 2018)"

There have been other reports of testimonials expressing the same view on commercial surrogacy¹³. An ex-surrogate who now works as a surrogate broker in Mumbai has spoken out against introducing altruistic surrogacy into Indian culture, saying:

"I have never seen altruistic surrogacy cases. I think altruistic surrogacy involving relatives only, does not work here in India.

Firstly, because childless couples do not like to ask their relatives to become involved in surrogacy. Secondly, because they want to maintain their privacy, whereas they would ask for commercial surrogates. Thirdly, concerning poorer women, they could never make such a large amount of money from ordinary work. Indeed, foreigners are more welcome because they pay more and can give additional money as tips. Finally, I think surrogacy is surrogacy and it makes no difference whether it's commercial or altruistic – I mean, the two are almost the same. If the government prohibits commercial surrogacy, we will pay bribes and continue to do it. (Observation from a surrogate broker and former surrogate in Mumbai, January 2018)"

The bill's report¹⁴ claimed that the committee chairperson believed that surrogacy should not be a realistic choice for generating money and that underprivileged women should be given academic opportunities so they may attain well-paying employment¹⁵. The Indian government has identified the empowerment of women as a key long-term goal. However, low-income families still face the daily challenge of making ends meet with rising prices and dwindling resources. "Since becoming a surrogate mother is likely to be seen as an attractive alternative in this circumstance, it follows that some women would still desire to become surrogate moms even if commercial surrogacy were to be outlawed entirely."

As a means of subsistence for Indian families of lower socioeconomic status, assisting other expectant mothers with their pregnancies and deliveries has become a common and well-established practice. Even under the most stringent of laws, gray areas will always be discovered. In the wake of Thailand's effective ban on international surrogacy in 2015, reports have surfaced of the country's surrogate mothers being transferred to nearby countries.¹⁶ This practice carries significant risks because neither the local law nor the government of these countries protects "local women who provide surrogacy outside of the country, making these women particularly

¹²Aparajita Amar, "Surrogacy Regulation Bill: Parliamentary panel report highlights legislation's draconian, paternalistic nature", 2017, Available At- <https://www.firstpost.com/>

¹³Priya Shetty, "India's unregulated surrogacy industry", 2012

¹⁴RaywatDeonandan, Samantha Green, Amanda van Beinum, "Ethical concerns for maternal surrogacy and reproductive tourism", *Journal of Medical Ethics*, 2012

¹⁵"The Department of Home Affairs," Notification No.25022/74/2011-F-1, Visited on - 25-5-2023

¹⁶Yuri Hibino, "Non-commercial Surrogacy in Thailand: Ethical, Legal, and Social Implications in Local and Global Contexts", *Asian Bioethics Review*, 2020.

vulnerable.”¹⁷ In fact, some academics have warned that more stringent laws might lead to the creation of a clandestine market and make the situation for surrogate mothers even more unfair.^{18,19}

IMPACT OF SURROGACY IN INDIA

Surrogacy in India has significant socio-legal ramifications that affect intended parents, surrogate mothers, and the children born as a result of this complex procedure. The intricacy of this terrain is highlighted by a number of urgent concerns and difficulties:

Exploitation of Vulnerable Women:

One of the main issues is the possibility for vulnerable women to be exploited and forced or persuaded to rent their wombs for money. The monetization of women's bodies may result from this business component of surrogacy.

Health Concerns:

Surrogacy carries several health concerns. There are a number of health issues that surrogate mothers and the infants they carry may have, including infections, bleeding, miscarriage, and ectopic pregnancies, which raises valid worries for everyone concerned.

Ethical Dilemmas:

Significant ethical issues about the responsibilities and rights of surrogate mothers, intended parents, and offspring are brought up by surrogacy. Balancing the interests of all those involved may be challenging.^{20,21}

Legal Disputes:

There may be a number of legal issues that arise in relation to surrogacy. Custody, citizenship, inheritance, and child identity concerns can result in long legal disputes and uncertainty for all parties.^{22,23}

Psychological and social repercussions:

Another aspect that needs careful attention is the social and psychological health of intended parents, surrogate mothers, and children. The emotional toll of surrogacy can be severe, having an effect on the participants' relationships and mental health.^{24,25}

¹⁷“The Department of Home Affairs,” Notification No.25022/74/2011-F-1, Visited on - 25-5-2023

¹⁸Aparajita Amar, “Surrogacy Regulation Bill: Parliamentary panel report highlights legislation's draconian, paternalistic nature”, 2017, Available At- <https://www.firstpost.com/>

¹⁹Trowse, Pip & Cooper, Donna, “The agony and the ecstasy: Sacrifice and pain for financial gain: Have Indian surrogate mothers been exploited by their intended parents in commercial surrogacy arrangements?”, *Journal of Law and Medicine*, 25(2), pp. 388-407, 2018

²⁰Jus Corpus, “Socio-legal impact of surrogacy in India”, 2023

²¹EeshanSonak and Sanvi Bhatia, “India’s new Surrogacy Regulation Bill falls short of protecting bodily autonomy and guaranteeing reproductive liberty”, 2021

²²Rudra Pal, “Impact of the New Surrogacy (regulation) Act, 2021 On Surrogacy Arrangements In India.” 2023

²³AnimeshNagvansh, “Surrogacy in India-A long Journey for the Nation”, TOI, 2023

²⁴Jus Corpus, “Socio-legal impact of surrogacy in India”, 2023

²⁵EeshanSonak and Sanvi Bhatia, “India’s new Surrogacy Regulation Bill falls short of protecting bodily autonomy and guaranteeing reproductive liberty”, 2021

The rights and preferences of surrogate mothers, intended parents, and the children who are at the heart of this complicated operation must be upheld while maintaining a careful balance between protecting the interests and well-being of all parties. This is especially important as the surrogacy landscape continues to change.^{26,27,28}

KEY FEATURES OF THE ART REGULATION BILL, 2016, RELATED TO ALTRUISTIC SURROGACY

ART services, which include in-vitro fertilization (IVF), gamete donation, and embryo transfer, are heavily regulated and monitored thanks to the ART Regulation Bill, 2016, which plays an important role in doing so. The provisions of this law are intended to promote ethical and responsible procedures within the ART business, and they are inextricably tied to the concept of altruistic surrogacy. Here's a rundown of the ART Regulation Bill's most important provisions as they pertain to altruistic surrogacy.

- “For the purposes of this measure, "altruistic surrogacy" is a surrogacy agreement in which the surrogate mother, her dependents, or her representative do not receive any kind of financial compensation, fees, payments, or incentives. The only permitted financial assistance is that which is used to pay for the surrogate mother's medical care and insurance.”
- The Surrogacy (Regulation) Bill, 2016 specifies qualifying requirements for couples seeking altruistic surrogacy services. It adheres true medical need for surrogacy and would be able to make use of these services.
- The National Registry of ART Clinics and Banks is where all clinics and banks that provide surrogate mother services must be listed. By registering, these centers demonstrate their commitment to following ART National Board rules and regulations.
- To ensure the greatest levels of patient care, safety, and ethics, ART clinics and banks must adhere to a strict code of conduct and set of norms of practice.
- The rights and responsibilities of everyone engaged in surrogacy and ART are laid forth in the bill, from the commissioning couple to the surrogate mother to the donor to the kid.
- Penalties for breaking this statute or the related Surrogacy (Regulation) statute, 2016 are laid forth. These fines are meant to discourage illegal and unethical behavior in the ART sector.²⁹

KEY FEATURES OF THE ART REGULATION BILL, 2020, RELATED TO ALTRUISTIC SURROGACY

The ART Regulation Bill, 2020 is a major piece of legislation that seeks to regulate the full range of ART services, including IVF, gamete donation, embryo transfer, and even altruistic surrogacy. It includes a number of clauses designed to guarantee that these services are delivered in a way that is both ethical and lawful. Here's a longer breakdown of how the bill pertains to charitable surrogacy:

- According to the law, altruistic surrogacy is one in which neither the surrogate mother nor any of her dependents or agents get any type of monetary payment. Insurance for the surrogate mother and payment of her medical bills incurred throughout the surrogacy process are the only two exclusions.
- Couples must fulfill the requirements of the Surrogacy (Regulation) Act, 2021 in order to use a surrogate mother for assisted reproductive technology (ART) services.
- The bill requires all ART clinics and banks that provide surrogate mother services to register with the National Registry of ART Clinics and Banks. This is done to guarantee accountability and the maintenance of specified

²⁶Nalini Sharma, “The Surrogacy Bill and how it proposes to regulate the surrogacy market in India”, 2021

²⁷Rudra Pal, “Impact of the New Surrogacy (regulation) Act, 2021 On Surrogacy Arrangements In India.” 2023

²⁸EeshanSonak and Sanvi Bhatia, “India’s new Surrogacy Regulation Bill falls short of protecting bodily autonomy and guaranteeing reproductive liberty”, 2021

²⁹ Health Ministry, “The Surrogacy (Regulation) Bill, 2016”, 2017, Available At- <https://prsindia.org/>

standards under the national Board for ART's code of conduct and standards of practice, registration is used as a regulatory tool.

- This ban underscores the need of strictly altruistic surrogacy agreements while also preventing the commercialization of reproductive services.
- The rights and responsibilities of the commissioning couple, the surrogate mother, the donor, and the child delivered through ART or surrogacy are all spelled out in detail in the statute. These rules provide forth an unambiguous structure for participation by all parties, open lines of communication, and shared responsibility.
- These fines in Surrogacy (Regulation) Act, 2021, should serve as a deterrence to anybody considering engaging in unlawful or unethical behavior in the ART business.³⁰

THE KEY FEATURES OF THE SURROGACY (REGULATION) ACT, 2021

The Surrogacy (Regulation) Act, 2021, prohibits commercial surrogacy and establishes stringent laws and criteria for altruistic surrogacy in India. Here is a more detailed breakdown of the Act's most important provisions.

- The Act forbids any types of commercial surrogacy. This guarantees that all motivations for surrogacy are purely altruistic, and highlights the fact that surrogate moms get no compensation beyond the costs of medical care and insurance.
- This guarantees that clinics must first register with the state having the required knowledge of surrogacy treatments and that they comply with the relevant requirements.
- Within 60 days following the appointment of the proper authorities, surrogacy clinics performing surrogacy operations must apply for registration. In addition, these registrations expire after three years, further encouraging consistent adherence to rules.
- Clinics, gynecologists, embryologists, and other medical professionals are barred from engaging in or promoting commercial surrogacy in any capacity by the Act. This further emphasizes the Act's central tenet that only surrogacy motivated by altruism is legal.
- The Act requires the couple to meet severe requirements in order to get married. They need to be a married Indian couple in good standing with the law. Men might be anywhere between 26 and 55 years old, while women can be anywhere from 25 and 50. The couple must be childless and have never previously conceived a child through any other means, including surrogacy.
- The Act details the requirements for the surrogate mother to qualify. She has to be an Indian lady, a close relative of prospective parents between the ages of 35 and 45 who wants to become a surrogate mother. The Act also protects surrogate mothers by limiting the number of times a woman can serve in such a capacity during her lifetime.
- "National or State Assisted Reproductive Technology and Surrogacy Board" in order to be issued a "Certificate of Essentiality/Infertility."
- Surrogate moms have a responsibility to be fully educated about the surrogacy process, including its potential risks and outcomes with written informed consent.
- A "National Assisted Reproductive Technology and Surrogacy Registry" is required to be set up as part of the Act.
- Five years in jail and/or a fine of up to Rs 50,000 for first offense. In the case of a second crime, the maximum sentence increases to 10 years in jail and the maximum fine to Rs 1,000,000.

RESULT AND DISCUSSION

Altruistic surrogacy, characterized by a woman willingly carrying a child for intending parents without financial compensation beyond medical expenses, stands as a distinct model within the broader landscape of surrogacy practices. In contemporary society, the advantages and disadvantages of altruistic surrogacy are deeply intertwined with its impact on various stakeholders and its implications for ethical and legal considerations.

³⁰ Roshni Sinha, "Assisted Reproductive Technology (Regulation) Bill, 2020", ART (Regulation) Bill, 2020, 2021, Available at <https://prsindia.org/>

One of the primary advantages of altruistic surrogacy lies in its ethical foundation. By eliminating financial incentives for surrogates, it seeks to ensure that the decision to participate is driven purely by altruistic motives. This fosters a sense of genuine compassion and solidarity. This ethical dimension is particularly significant in addressing concerns related to the exploitation of vulnerable women, as altruistic surrogacy prioritizes the well-being and autonomy of surrogate mothers.

Furthermore, altruistic surrogacy can have a positive impact on societal perceptions and norms surrounding reproduction and family formation. However, altruistic surrogacy also presents certain challenges and limitations. One notable disadvantage is the potential difficulty in finding suitable surrogate candidates within one's own social network or family circle. Unlike commercial surrogacy, which may attract individuals from diverse backgrounds motivated by financial compensation, altruistic surrogacy relies heavily on personal relationships and altruistic intentions. This can limit access to surrogacy for individuals or couples who lack willing family members or close acquaintances to serve as surrogates.

Moreover, the efficacy of altruistic surrogacy in addressing broader societal issues, such as the exploitation of surrogate mothers or the commodification of reproductive labor, may be subject to debate. Critics argue that altruistic surrogacy alone may not suffice to eliminate systemic inequalities or address the root causes of exploitation within the surrogacy industry.

In contemporary society, altruistic surrogacy has gained prominence as a preferred model due to its alignment with ethical principles and its potential to foster positive societal attitudes towards reproductive assistance. Recent legislative efforts, such as the Surrogacy (Regulation) Act, underscore the significance of regulating surrogacy practices to ensure the protection of surrogate mothers' rights and the welfare of children born through surrogacy arrangements. As surrogacy continues to evolve, it is imperative to critically evaluate the advantages and disadvantages of different surrogacy models, including altruistic surrogacy, in order to promote ethical practices and uphold the dignity of all individuals involved in the surrogacy process.

CONCLUSION

In the 1970s, American lawyer Noel Keane created altruistic surrogacy after being chastised for backing commercial surrogacy and forced to shift direction by law.

Surrogacy has been done globally, including in India, although laws are new. Surrogacy has become more common globally owing to rising rates of infertility in young and elderly people and associated medical issues that limit reproduction. Medical technology makes surrogacy the only way to have children with the intended couple's gametes. **An "altruistic surrogacy" happens when a woman bears and births a child for the intended parents to give them custody.** This defines the morality of altruistic surrogacy, which helps people start families and receive no compensation beyond medical costs. Calling the position "altruistic surrogate mother" stresses its voluntariness. The legal system recognizes altruistic surrogacy children as the biological offspring of the intended partner or mother and gives them the same rights and benefits as natural children. The child's family identity and well-being depend on legal recognition. The Altruistic Surrogacy Regulation Act of 2021 protects all parties and guides these operations. Noel Keane's advocacy and legal framework for surrogacy prioritize ethics, compassion, and child welfare. Eliminating exploitative policies and practices in India is crucial.

In conclusion, the evolution of surrogacy, particularly the emergence of altruistic surrogacy, represents a significant advancement in reproductive technology and ethical considerations. Initially met with skepticism and criticism, **altruistic surrogacy has gained recognition as a compassionate alternative to commercial surrogacy.** The legal frameworks, such as the Altruistic Surrogacy Regulation Act of 2021, underscore the importance of ethical practices and the welfare of all parties involved. This altruistic approach aligns with moral principles and ensures legal recognition and protection for children born through surrogacy. Ultimately, surrogacy's continued evolution necessitates ongoing ethical scrutiny, legislative refinement, and a steadfast commitment to compassion and integrity.

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