

U.11019/255/2022-HR
Government of India
Ministry of Health and Family Welfare
(Department of Health Research)

2nd Floor, IRCS Building,
New Delhi, the 06th January, 2023

To,

Principal Secretary (Health)/ Secretary (Health)
[All States/UTs]

Sub: Instructions regarding filling application for getting certificates of medical indication and Essentiality, Parentage order before approaching clinic for surrogacy services in India under Section 4 of the Surrogacy (Regulation) Act, 2021.

Sir/Madam,

I am directed to draw attention to the above noted subject and to say that action for submitting applications for the purposes as mentioned in the subject above as per Section 4 of the Surrogacy (Regulation) Act, 2021 shall be as under:-

(i) For the Issuance of Certificate of medical indication necessitating gestational surrogacy as per Section 4 (iii) (a) (I), the applicant(s) may approach the District Medical Board under the jurisdiction of the State of his/her place of residence or the place where residing due to employment.

(ii) For issuance of Certificate of Essentiality, as per Section 4 (iii) (a), the applicant(s) may approach the Appropriate Authority having jurisdiction over the District Medical Board.

(iii) For the issuance of the Order concerning the parentage and custody of the child to be born through surrogacy, as per Section 4 (iii) (a) (II), the applicant(s) may approach the court of the State from where the Certificate of Essentiality has been issued.

3. After completing the above formalities/ procedures/ documents and other required formalities/ procedures/ documents as per the applicable provisions of Surrogacy (Regulation) Act, 2021 the applicant(s) may approach the clinics of his/ her choice located anywhere in India for availing required services.

4. This issues with the approval of Competent Authority.

Yours sincerely,



(S.N. Jasra)

Director (Coordination)

Tel.: 011-23736218

Copy to: All Nodal Officers – ART/Surrogacy (States/UTs)