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**Government of India**

**Ministry of Health and Family Welfare**

**(Department of Health Research)**

**Notification**

**New Delhi, the March 2022**

G.S.R ... (E)-- In exercise of the powers conferred by Section 51 of the Surrogacy (Regulation) ACT 2021, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following regulations namely:-

**1. (a) the fulfillment of any other condition under which eligibility certificate to be issued by the appropriate authority under sub-clause (d) of clause (v) of section 4;**

The eligibility certificate specified in Forms 1 & 2 shall be issued subject to fulfillment of the following conditions for surrogacy

- a) Woman with absent uterus /or abnormal uterus (like hypoplastic uterus/intrauterine adhesions/thin endometrium/ small unicornuate uterus, T-shaped uterus) or if the uterus is surgically removed due to any medical conditions such as gynecological cancers.
- b) Intended parents/woman who has repeatedly failed to conceive after multiple IVF/ICSI attempts. (Recurrent implantation failure).
- c) Multiple pregnancy losses resulting from an unexplained medical reason. Unexplained graft rejection due to exaggerated immune response.
- d) Any illness that makes it impossible for a woman to carry a pregnancy to viability or pregnancy that is life-threatening.
- e) Single woman ( widow / divorced).

**2. the time and place of the meetings of the National / State Board and the procedure to be followed for the transaction of business at such meetings and the number of Members which shall form the quorum under subsection (1) of section 19**

The National/ State Board shall hold its first board meeting at least once in six months from the date of the constitution. After the first board meeting. The meeting may be conducted virtually or physically as per the instructions of the central government. The Board shall meet in place decided by the administrative ministry and maintain the quorum. The board may co-opt the members for its meeting after approval of the central / state government for attending the proceedings of the said meeting.

**3. the manner in which a person may be temporarily associated with the National/ State Board under sub-section (1) of section 22;**

The board may co-opt the members for its meeting after approval of the central/ state government for attending the proceedings of the said meeting.

Certificate No.

**FORM 1**  
**THE APPROPRIATE AUTHORITY**  
**ELIGIBILITY CERTIFICATE**  
**(Intending Couple)**

This is to certify that intending couple  
Ms.....age.....wife of

Mr.....

age.....residing at ..... under the provision of  
The Surrogacy (Regulation) Act, 2021 & Rules there under. Under the said certificate the  
couple is eligible to undergo Surrogacy Procedure for the treatment/ management of  
infertility subject to the terms & conditions\*

The certificate is valid from..... to.....

**Date:**

**Sign& Seal**

**Appropriate Authority**

**Place:**

**Terms**

1. The Intended couple should be duly married.
2. The Surrogacy services shall be available to a woman above the age of twenty-three years and below the age of fifty years and to a man above the age of twenty-six years and below the age of fifty-five years;
3. The intending couple should not have had any surviving child biologically or through adoption or surrogacy earlier.
4. Duration of Infertility: Trying to conceive for more than 1 year of unprotected coitus
5. The couple has a medically necessitating condition
6. Upon production of Marriage certificate

**FORM 2**

Certificate No.

**THE APPROPRIATE AUTHORITY  
ELIGIBILITY CERTIFICATE  
Intended woman**

This is to certify that Ms.....age.....marital status (widow/ divorced) residing at ..... under the provision of The Surrogacy (Regulation) Act, 2021 & Rules there under. Under the said certificate is eligible to undergo Surrogacy Procedure subject to the terms & conditions\*

The certificate is valid from..... to.....

**Date:**

**Sign& Seal**

**Appropriate Authority**

**Place:**

**Terms**

1. Surrogacy services shall be available to a woman above the age of twenty-three years and below the age of fifty years.
2. upon Proof of Divorce / Death Certificate

