The Lok Sabha on Wednesday passed a Bill banning commercial surrogacy with penal provisions of jail term of up to 10 years and fine of up to ₹10 lakh.

The Bill, which will become law once the Rajya Sabha approves it, allows only close Indian relatives to be surrogate mothers and purely for “altruistic” reasons. It states an Indian infertile couple, married for five years or more, can go in for ‘altruistic surrogacy’ where the surrogate mother will not be paid any compensation except medical expenses and insurance.

‘Historic legislation’
Union Health Minister J.P. Nadda termed the proposed legislation historic and thanked the members for a “high-quality” debate, despite noisy protests from the Congress, the TDP and the AIADMK. While the Congress raised the issue of a JPC probe into the Rafale deal, AIADMK members were protesting against the delay in constituting a Cauvery Water Board.

Opening the debate, Mr. Nadda said India had become a hub of commercial surrogacy and surrogate mothers were being exploited. The Minister claimed that the Bill had the support of every section of society, besides political parties, the Supreme Court and the Law Commission.

Dr. Kakoli Ghosh Dastidar of the Trinamool Congress, while supporting the Bill, suggested ways to improve it. “The hon. Supreme Court has recently decriminalised Section 377 and the LGBT community has been accepted to be a part of the mainstream. So, we have same-sex couples now. But, in this Bill, there is no mention of them,” she said.