CHAPTER - V
OBJECTIVES AND HYPOTHESIS OF THE RESEARCH PROBLEM
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The significance that the other countries have started according in the issue of surrogacy and are also demonstrated it by the reality that different nations have sponsored national expenses and tribunals for researching through new, social and very important problem of surrogacy. The reports prepared and presented by the committee have served us with prescribed guidelines for the national laws to be implemented or on the verge of it.

Absolutely it is very in commenting that the number of cases of surrogacy arrangement is increasing day by day and there is marvelous growth in the number of surrogate mothers over all in the world specifying mostly in India.

It is routine that the surrogacy law was updated and is updating regularly as a part of a broad appraisal to building the fertility law in some selected countries. Its legal structure is no more getting fundamentally renovating and so it is as complicate, multifaceted and restricted. The enlisted States that permit surrogacy treatment do have strong control over the surrogacy process and its operative methods for those who are entering into surrogacy contracts or agreement. Almost all mentioned legislative questions are complex in answering and absolutely not at all competent enough to authenticate when related with surrogacy. Surrogacy laws do vary wide enough by state to state. With some states happily permitting all types of surrogacy while others are having strong opposition towards its simple existence even and then remaining is keeping quiet on the matter of surrogacy. Some states allow both traditional and gestational surrogacy with not a single step towards Commercial Surrogacy.

The developed countries are at least trying to tackle the problem of surrogacy by forming different laws and regulations. However India is yet an alien in forming legislative enactment.

According to necessities built over changes in the legalities concern with the aspects of surrounding surrogacy are very multifaceted, varied and mostly disturbed on the natural process. In most nations the originality of being mother stops with the woman conceiving a baby in her womb and delivering the baby is called as the legal mother of the child.
India at the top of the list recognizing the Intended or Commissioning Parents can be considered on the biological basis, the legality of the parents. Many states have begun providing pre-birth certificates. India, with the surrogacy as the business market, is now growing as a foremost and most wanted destination for surrogacy. This is because the couples without child are especially from the US and Europe, are having greediness for the prospecting surrogate child. Many people quote in respect to surrogacy that India is sure to become the most likely and famous centre of "reproductive tourism" in very near future. Orders passed by the courts ask to mention the names of the intended parent or parents on the birth certificate.

In many of the nations there is possibility of not recognizing all types of surrogacy contracts because it is specifically stating about different legalities with which the parents are being void or is prohibited. These are the loopholes that India is facing as the severe problems like increasing commercialization of surrogacy in India by foreigners.

We find that there is absolutely no international coordination and similarity of surrogacy law. The difficulties in relation with the surrogacy are enforcing the existing different countries to prohibit, ban or restrict or permit the surrogacy. Most developed and industrialized nations have mentioned total rejection and acceptance of the practice of surrogate parenting.

International agreement on surrogacy could have a major and permanent crash on the growing numbers of intended parents crossing borders to find and transfer surrogate mothers. If numbered almost half the states are very silent on the issue all the available types of surrogacy treatment and have no absolute commitment over the expressing and stating about the laws either will be allowing or disallowing the total treatment of surrogacy. The significance that the other countries have started according in the issue of surrogacy and are also demonstrated it by the reality that different nations have sponsored national expenses and tribunals for researching through new, social and very important problem of surrogacy. The reports prepared and presented by the committee have mentioned the guidelines for the national laws necessarily to be enacted as soon as possible or they should be one the verge of doing it.

No doubt that the number of cases of surrogacy are tremendously increasing and there is tremendous and a lot of increase in the surrogate mothers over all in the world, especially in India.
Surrogacy the topic itself, in India will continue to remain a very sensitive, social and an emotional topic. The laws ready to get regulated over the arrangement of surrogacy are still in promising and vacant and silent stages mentioning the reason that they are they are stuck at different legislative and legal levels. As of now, there is no any satisfying law concerning with the Surrogacy treatment through or assisted Reproductive Technique in India or even all over the world.

In present condition in India, personal understanding and faith in connection with the surrogate mother and the parents commissioning the same as the basic of any contract or agreement signed by them that too with the mentioned source of funds compensation remunerated to the surrogate mother. So this does reflect to the guidelines recognized as the fully commercial surrogacy treatment in whichever way it is done. Surrogacy, it is consigned with the monarchy of an ordinary and a very common business contract.

The only available guidelines related to the field of surrogacy are the one that has approved by the Indian Medical Association (IMA), which dates back to 2006. Surrogacy agreement’ is the only source of legal documentation that governs and educates both the parties in proceedings of the Surrogacy. And so it becomes must for the Intended Parents to devote their valuable time and consequently the attention towards having a perfect agreement in the required conditions. This then gives us the assurance of the success of the surrogacy agreement even when passed through the court of law.

Not even a single law in India prohibits any types of surrogacy treatment. But contrary to it then there is no law gives legal permission for the surrogacy either. India is yet an unfamiliar to the laws of surrogacy in the nonappearance of any meticulous law to govern the surrogacy treatment; hence it will become vital in many circumstances.

Although lot of concentration has been given to the arguments and troubles related with surrogacy as well as anecdote surrounding surrogacy treatment not enough has been said about the legalities and legal status of its involvement. This lies as a shame because a couple, or an individual, toying and playing with the idea of having a baby through the method of surrogacy necessitates to have full answers to all the questions concerning to the arrangement of surrogacy.

The special legislative enactment for surrogacy laws in India is very much important either that day is not far that India will become famous commercial tourism point for surrogacy.
The researcher has carried out this research work to secure human rights of surrogates, surrogate child and intended parents.

**Research Problem**

The significance that the other countries have started according in the issue of surrogacy and are also demonstrated it by the reality that different nations have sponsored national expenses and tribunals for researching through new, social and very important problem of surrogacy. The reports prepared and presented by these pertinent bodies often have served as prescribed guidelines for the national laws eventually to be enacted or on the verge of it.

It is routine that the surrogacy law was updated and is updating regularly as a part of a broad appraisal to building the fertility law in some selected countries. Its legal structure is no more getting fundamentally renovating and so it is as complicate, multifaceted and restricted. The enlisted States that permit surrogacy treatment do have strong control over the surrogacy process and its operative methods for those who are entering into surrogacy contracts or agreement. Almost all mentioned legislative questions are complex in answering and absolutely not at all notaries are competent enough authority in all the relative items when related with surrogacy. Surrogacy laws do vary wide enough by state to state. With some states happily permitting all types of surrogacy while others are having strong opposition towards its simple existence even and then remaining are being very silent on the matter of surrogacy. Some states allow both traditional and gestational surrogacy with not a single step towards Commercial Surrogacy.

The developed countries are at least trying to tackle the problem of surrogacy by forming different laws and regulations. However India is yet an alien in forming legislative enactment.

According to necessities built over changes in the legalities concern with the aspects of surrounding surrogacy are very multifaceted, varied and mostly disturbed on the natural process. In most nations the originality of being mother stops with the woman conceiving a baby in her womb and giving birth to a baby child is considered as the Child's legal mother. At the minimum lists of the nations considers that the Intended Parents are to be recognized as the legal parents of
the surrogate child, from birth of a child by the virtue of the fact that the Surrogate has contracted and being compensated to give the birth of the Child for the commissioned Parents.

India is one country amongst the few that recognize the Intended or Commissioning Parents as the legal parents of the child. Many states have started providing particularly pre-birth orders or certificates through the related court words about placing the all names of the intended parent or parents on the birth certificate from the start.

In other nations the possibility of all types of surrogacy is either not recognized to all contracts because it is specifically stating about different legalities with which the parents are being void or is prohibited. These are the loopholes that India is facing as the severe problems like increasing commercialization of surrogacy in India by foreigners.

Senior advocate Karta Gupta quotes, "At the present situation, it is absolutely not difficult to have a baby through surrogacy treatment in India because there is no particular law to control or regulate it. The technique is very cheap, when compared to other developed countries, and surrogate mothers here charge comparatively less for the services”.

Hence there is difficulty facing the surrogacy arrangements that frequently demonstrate unfavorable and unpleasant to the generated interests of the surrogate mother, and the child even. Some times the commissioning parents have to go through the judicial and legal obstacles. These were very nicely verified or detailed in the case of a Japanese couple had the child from an Indian surrogate. This matter had shown many factors to expose and made the concern to have some concrete discussion with the solution. The Ministry of Women and Child Development as well as Government of India organized a meeting-cum-workshop for the Government agencies, NGOs, Doctors and concerned duly with Ministry personnel on the 25th June 2008. This was about proper discussion over the aspects of surrogacy. A particular and detailed aspect was mentioned on its effects with the welfare of women and the children born through surrogacy arrangement.

The major and satisfying benefits of surrogacy arrangement are mostly generated by the rich, capitalist, patriarchal developed and socially developed people, in short by the economically sound person/persons. There is no any specific amount to be paid by the commission parents to the surrogate. The exchange of money paid depends totally on the mutual understanding. The truthness of the contract or an agreement connected in the two parties for
surrogacy treatment forms only if there are comparatively equal living standards between the two parties. The woman getting ready for surrogacy must give more than her egg in order to gestate a child from the surrogacy arrangement. The adjudication of rights and duties conceal central and social and class issues which make surrogacy contracts possible. Addition to this, it is noted that the bio-ethicists concerning with the Indian surrogate’s arrangements are being heavily remunerated and are employed as surrogates in a nations with high maternal mortality rate.

To go through these types of matters eventually in relation with the surrogacy treatment, Centre for Social Research (CSR) is opened in three popular areas namely Anand, Surat and Jamnagar of Gujarat state, is allowing going through for an exploratory and important study on surrogacy agreement.

The research is totally depending upon the information and data which researcher has collected, researcher has sort out different objectives for this study.

AIMS AND OBJECTIVES OF THE RESEARCH PROBLEM-

1. To study, how many people have knowledge about surrogacy?
2. To examine increasing trend of surrogacy in India, promoting reproductive tourism or not.
3. To study Indian laws with respect to surrogacy, and also to study is it necessary to frame new laws for the protection of parents, surrogate mother and the child.
4. To study the need of adapting new laws for protection of surrogate mother.
5. To examine legal, emotional and psychological issues regarding surrogacy.
HYPOTHESIS OF THE RESEARCH PROBLEM

H1] Present hospital rules, regulations and surrogacy agreements are sufficient to Tackle the problem of surrogacy.

Researcher studies the present hospital rules and regulations for the surrogacy treatment. The researcher studies the various hospitals rules and regulations and tackle the homogeneity of the rules and laws follows during the treatment of surrogacy. The role of hospitals in the total surrogacy arrangement.

H2] Existing rules are sufficient to face the problem of surrogacy.

India is becoming the famous surrogacy centre in all over the world. Most of countries had framed the strict and particular laws on surrogacy. In some developed and developing countries. India is becoming the famous surrogacy centre in all over the world. Most of countries had framed the strict and particular laws on surrogacy. In some developed and developing countries the surrogacies laws are different. No harmonization is there.

H3] Global phenomenon ultimately demands a global solution. International surrogacy arrangements have given satisfactory solution. OR yet they are in need of more enactments.

Surrogacy is done not only with in the nation but in international level also. International surrogacy arrangement done only through the International agreement.

H4] Available acts are serving its purpose entirely.

The surrogacy needs some special legislative enactment to tackle the issues of surrogacy. The available acts, rules and Guidelines serving its purpose totally. The surrogacy needs some special legislative enactment to tackle the issues of surrogacy.

H5] Special legislative provisions for surrogacy in India.

India is in need of Special legislative provisions for surrogacy. The surrogacy is becoming the well-known and global issue that legislation should make some provisions.
**History of surrogacy**

Women from all times – ancient, historical or modern, are leading up to several hours always had trouble conceiving. Because it is one social method by which they can start a family. The substitute has come in market in the name of surrogacy. Surrogacy - this treatment is "old-fashioned". People from ancient era dreamed of having a baby, despite having an infertility that was impossible to get cured. History of surrogacy mentions many cases for the birth of child while in the problem of infertility. Many of the nations in its historical period had slaves and the hetaeras as the surrogates. During the ancient time there was only the method of traditional surrogacy and gestational surrogacy followed.

**Surrogacy in the ancient India**
Surrogacy in Hinduism, Muslims and Christianity

**In Hindu Tradition**

The Hindu religion is the most ancient religion as well as very much respectable religion from the ancient India. The some of the historical perspective could be getting from the previous Hindu religion. The some of the Hindu surrogacy examples are bleeding found when we go deep in that section. The historical and very much famous example of the ancient surrogacy is the surrogacy of the Gandhari that has been stated the example of the surrogacy in the time of the
Mahabharat. She was the wife of the Dhritarashtra and with the help of the surrogacy treatment shoe gave broth to the 100 children with the help of the surrogacy treatment.

The lord visa also been stated the importance of that part of the situations that the temperature is that cells was being maintained like the temperature in the womb of the mother and the birth of the 100 Kauravas took place beyond the womb of the Gandhari because the birth of the 100 children was not possible from the womb of the Gandhari. These birth was took place outside the womb of the Gandhari. It was specifically mentioned in the Yajnivalkya and the Manu. The important part of the arrangement is that this was being specifically mentioned in the history and we get the references at different stages of historical perspectives.

Auras was the legal child of the lawfully wedded wife. The name of the other sons are as follows that is Ksetraja, he was appoint ion and geed by her own husband for insemination for getting pregnant and gives birth to the child through the process of the traditional surrogacy. The name of the son was Gudhaja he was born from the man other than his father. Now days it called as an adultery. In this decade the adultery is a crime. This was done very much secretly and not knowing to any other person rather than the arrangers. There are many related definitions for the surrogacy in the ancient period of the time. The first one is Kanina; it could be called as the son who is secretly born by the unmarried woman in her own fathers house means an illegal child of the woman.

Other important definition is Putrikaputra means the son born the daughter which is given to the bridegroom as a gift for the marriage ceremony. Sahodhaja means the men is getting married to the pregnant woman whether he was doing it knowingly or unknowingly that is not the question. Pounarbhava means the son who is born through the man or the woman who get timely married. Dattak means the son is born by the adoption. This was sometimes given as a gift from the other man in the cast.

In Hindu traditions lots of examples are there to prove that the surrogacy is not the recent trend but it has some historical perspective also. Sage Bharadwaj produced the Drona, that the teacher of the Kauravas and Pandavas. The birth of the Dhritarashtra and Draupadi was also very much interesting. And it is also interesting for the supernatural powers for the great Rishis of the Drona kills. The Dronacharya was having the strong son and so they suggested for the insemination for the men for giving birth to the strong son. Draupadi was born from this kind of
treatment also. If they refused for the surrogacy treatment the ayurvedic treatment was giving to
the woman and then Draupadi was born through the treatment. They were totally rejected to
accept the surrogacy treatment. AIH treatment was given by the Yajnakunda was being made for
the giving to the treatment. With the Dronacharya wanted the child who could kill the Drona
himself.

The Balram is also one of the examples of the surrogate child. The Indian gave now try to
regulate the increasing trend of surrogacy specifically for the commercial surrogacy. It also states
that there is really need of the instant ban on the commercial surrogacy.

The Balram also the example of the surrogacy arrangement. He was the elder brother of
the Lord Krishna. The historical perspective state that the Balram was born through the way of
the surrogacy treatment. The prophesy was being made for the Lord Krishna that the Devaki’s
eight son will kill his uncle i.e. the King Kansa. Hindu tradition says that the Lord Vishnu sit over
the Shesha when they take the rest and therefore the According to the legend, King Kans ordered
to the servants that the all the children of the Devaki should be killed by the servants. So there
will be no enemy left of the King Kans. He also kept the Devaki and Vasudeva in the same
prison for the giving the birth to the child.

At the time of the Devaki’s eight child the Vasudeva metrically transfer the baby in the
womb to the womb of the Rohini who is the second wife of the Vasudeva.

The Rohini wanted her own child and therefore she was firstly get upset to giving birth to
the child but afterwards she gave birth to the Balram the elder brother of the Krishna. She saved
that Balram from the entire cruel person especially from the uncle Kansa.

If we look towards it very scientifically then Vasudeva was the sperm donor and the
Devaki was the egg Donor for giving birth to the Balrama. Rohini was playing the role of the
gestational surrogate mother of the child Balram.

So from these all examples it has been proves that the in the traditional Hinduism also
there was some examples of the gestational as well as traditional surrogacy arrangements were
took place.

In Islamic tradition
Islam is the largest religion in India. As we give importance to the hound tradition that we should also give importance to the Muslim Tradition also. Surrogacy is ban in the Islamic tradition because the woman is bearing the child of the man and this is Haram in the Islamic culture and tradition. This procedure gives arise to the many of the evils and many evils could be born from this treatment. This is totally ban in the Islamic tradition.

If we really look over towards the concept of the surrogacy arrangement the sperms is being transferred to the Womans womb. The sperm was the means sperms which is not at all the sperm of her husband. This concept could not be accepted so easily and the properly. The surrogacy is adopted by the two ways and it is mostly adopted by the gestation ally and in the rare case traditionally, but in the Islamic tradition the surrogacy is haram and the traditional surrogacy is not at all accepted by the thinkers of a Muslim Traditions. Surrogate motherhood is illegal and not at all accepted in the tradition.

According to the Abd al-‘Azeem al-Mat’ani of al-Azhaar University renting the womb is not the new tradition or the new concept for the country. The surrogacy and the commercial surrogacy was took place due to the incapacity of the woman for giving the birth to their child. This is not the new concept this concept is really rare and the known to all the people. In many of the examples the science and technology is firstly introduces in India, and then in the other countries then also we are attracting towards the western culture but the fact is that they are following us and taking the references of the Indian culture and the tradition of the India.

The Shari has the great importance for the Muslim tradition the rules and regulations are strict of the Shari. The rules should be follows by each and every Muslim member. The Muslim tradition is very much strict tradition and there should not be any restrictions over the men but the women have many limitations for the day by day activities also. They always kept in the Parda system and not allow to show her face to any of the man outside to their house and there religion. Nobody knows the real face of the woman specifically deals with the given tradition and the culture.

For the surrogacy treatment very much delicate part is used for the insemination and for the pregnancy purpose it is very much delicate part as well as the used for the purpose of the sex, which is delicate and private also, it should not show to the all people and not other than the husband.
Keeping relationship with the other men is totally means as the adultery and also called as the adultery. Renting the womb is the ads like the adultery in the Muslim Tradition and culture. It is just like selling your body to the person and the private part is used for the husband only nobody except her husband have right to see her body and used it for the purpose of the sex and the keeping the physical relationship with the husband. So she do not have any right to use her body for any purpose other than to keeping sexual relationship with her husband. In the Holy Quran the mother is only one who bears the child for the 9 months in her womb taking all the stress for delivering the child. Sarah-al-Mujadalah says that nobody could compel the woman to give birth to the couples’ child by regular insemination or by the other gestational kind of surrogacy treatment or arrangement.

All kind of the surrogacy arrangements are Haram in the Muslim Tradition and the rules and regulation of the surrogacy arrangements involved in the surrogacy arrangements.

In the Muslim tradition it compel the evidences that support the ayah that means Sarah-al-Mujadalah that also holy kurgan says that it is not compulsory that the every couple should have children some could be childless also and it is not the sin it is called as the Waladna hum that specifically concern with the uncertain terms of the history that also call the acknowledgement for these facts.

The male and female are in the hand of the god no could be should control on it all it happens with the consent of the god nod nothing else that in Muslim relision the Allah has the great importance they all are taking very much proud as well as the very much importance for the tradition and the sayings of the Allah and they also follows their tradition in a perfect way.

The heaven is being created by the earth and the god. Both have been made by the god. If he keeps you infertile then their must be some reason for it and therefore the woman who are infertile that is the wish of the god i.e.Allah. He is also made with the full of knowledge and courage which is called as the Sarah-al-Shura.

Halal is the medicine that is made for the keeping for the men and the women infertile. The god has made all the male and female on the equal basis and that has been shows the similarity in the human beings also. The human beings are really very much thankful to god that he has made the male and female on the equal basis and make the woman capable for giving birth to their child the traditional surrogacy. Which is not allowing?
In the Muslim community the first preference has been given to the structure which has been given details to the primary criteria of being infertile and also being the childless. The Halal is no doubt the medicine which has been created for the people who are infertile and cannot gives birth to their child. This was the only way for the infertility in the Muslim religion. The Islamic religion did not give permission for the traditional as well as for the gestational surrogacy kind of the surrogacy. The traditional surrogacy was not done according to the present pattern of the medical advances the actual recorded ibis they and the directly insemination is done for the having baby the eggs are being used for the surrogacy treatment and the embryos are being used of the intended father for this purpose this was surrogacy is being attached for the called as the traditional surrogacy. The gestational surrogacy means the only the sperm is used and the egg is of the gestational mother and therefore the given data has been arises for the strategy of the surrogacy.

All kind of the surrogacy arrangements are Haram in the Muslim Tradition and the rules and regulation of the surrogacy arrangements involved in the surrogacy arrangements. In summary the conclusion wants to make that the In Muslim tradition the really thing is that the traditional and the gestational surrogacy is not permitted. All married couple should be enjoy the parenthood and this depression turns them towards the surrogacy treatment. This frustration turn towards them for the infertility and also for doing the sin of the All kind of the surrogacy arrangements are Haram in the Muslim Tradition and the rules and regulation of the surrogacy arrangements involved in the surrogacy arrangement. The Quran and Shari'a did not accept the surrogacy concept and the treatment because the relationship of the surrogacy mother and the intended male part is the illegal and it is called as the Haram in the Muslim tradition and the religion.

Now days this law is not accepted by the people. People give more importance to the judiciary and the laws. The medical development of the technology is took the progress in this recent years and therefore the instant growth of the medical and the sciences has been given the decent way for the adoption of the surrogacy treatment. The surrogacy treatment is the way of the getting the solution over the infertility and this thing has been accepted by all the parties and all the concern relationships they have been made for this.
**In Christianity religion**

The Bible has the great importance to the Christian religion. In Hindu Gaeta is most important Book. In the Muslim the Quran is having the great importance and in the Christian religion the Bible having the great importance. All the rules are followed according to this book. In the Bible it has been stated that the surrogacy is not the recent trend but some historical background we could get from the Bible. The Bible having given the some examples of the traditional and gestational kind of surrogacies.

In the ancient periods the women were get flustered due to not having the children because the society always get guilty of the woman for the infertility also. The women who are infertile they appointed the servants as a surrogate mother and so they act as the surrogate mother for the child of their owners. Those women do not consider the thinking of the society and the thinking of the other people. They only want their own child for restricting the people for their thinking and for tab endear debates. To stop all these kind of the problems the women appoint the surrogate mother from her secret servants and then they all are having the nice baby and they also enjoy the parenthood.

The child is the gift of god and not the right of the each and every person. The god gifted some people with the children and they not gifted to some couple. This is the heartbreaking incidence for the couple when they get known that they are incapable for having their own child. When to create the solution for the infertility the sometimes they act for the surrogacy. The child born through the process of surrogacy and then when he get the real secret of their bath then they are get so depressed and try to understand the concept that the he is not born by his biological mother and not by the own mother and the woman is different who kept him in her womb for the period of the nine months and gave birth to the child.

Commercial surrogacy means surrogacy done only due to monetary benefit. The main criteria behind this article were fixing the actual expenses of surrogacy. The expenses are varying from hospital to hospital, party to party and facility to facility level provided to the surrogate mother. The level of expenses should be fixing for all kind and standard of people, that nobody should take the disadvantages of the service provided to the biological parents and surrogate mother. The govt. should take involvement in the price fixing as well as facilities provided to the surrogate parties involved. Surrogacy is relating with the emotional as well as
physical issues. Govt. should enact some important and special legislative enactment for surrogacy. The surrogacy deals with the legislative enactment of surrogacy because the need of some legislative enactment was there. This article specifically deals with the need of surrogacy laws. This article specifically deals with the expenses and laws on surrogacy. The laws should be framed on expenses of surrogacy that nobody should take the disadvantages of medical facilities. The medical facilities should be provided equally to all people. The special laws should be framed for expenses of surrogacy. The special legislative enactment should be framed for expenses of the surrogacy. Hospital should not provide different treatment for different people.

The marriage is very much unique concept that means the two people comes together get married with the each other and then they form the family. The marriage is the bridge between the two people that is the men and the women so they live together and then they gave birth to the children. In surrogacy their no relationship between the surrogate mother and the man. She left their house and then deliver the custody of the child to their intended parents and then there is no relationship is exists between the surrogate mother and the man.

There is one beautiful thinking of the Bible is whatever you eat whatever you drink whatever you see god is with you and god always care for their children different Surrogacy Treatment this is an option only available to the women who are suffering from a medical problem like absence of uterus. This treatment helps them in having their own genetic children. Recently published review about the prenatal rights. They have been stated that they follow the surrogacy treatment. This article states that the importance of the children of the born through the process of surrogacy treatment. They have been taken the interview of the children born through the surrogacy treatment. The surrogacy treatment is the treatment that really causes the importance of the arisen the child or children with the surrogacy treatment.

God has created the men and the women and the bonding is defined as the marriage between these two men and the women has been created the relationship between these two angles. The bible has not made any difference between the born also not born children. Child has illustrated by the Greek word, repos, it was also used for the describing the intra uterine baby which is called a Jujus .It is the part of the life is the fetus. The fetus is really not the part of the bobby means it is really a doubtful thing. So, according to many thinkers if the surrogacy is helping the people and the surrogacy giving the next broth to the childless couple then we should
treated the surrogacy as a positive manner. Though there are some kind of the misconception and some kind of the misappropriation between the concept of the traditional surrogacy and the gestational surrogacy because the traditional surrogacy is not that much easy to understand and the gestational surrogacy is compare to the very much problematic and the long process. According to bible the human beings are those human beings which are having the important part that is the heart and therefore they must think by their heart and not at all time they should think by their brain and therefore all these aspects are treating the surrogacy in the positive manner and force the people to understand the concept really and by heart and try to get familiar with the concept of surrogacy. They should know what are really the pros and cons of the surrogacy arrangements.

In Jain religion

The Tactile and her son Mahaveer are like the pioneer of the join community and they are base of the Jainism and therefore the 24th tirthankar is the Mahaveer. After many of the years of the bible the Jainism came into existence and therefore the Jainism community having the great importance in the tradition of India. Jainism community having the respect and long history in the decade. The principles of joins have been accepted by many people rather than the joins. If we look towards if scientifically then also the principles are the good and well and these are always welcome by the all people and thinkers. He one woman to the womb of the woman.

24 the tirthankar was born by the transferring the embryo from the womb of the one woman to the womb of the woman. This is really a truth we thought that the in the older age the surrogacy was not prevailed but in the Jainism we got some historical perspectives that the Jainism always think for the good will of the people it always teaches us how to live in the society and how to tackle the problems by peacefully and control over the anger.

The real truth of the birth of the birth of the Mahaveer is the birth of the Mahaveer is by surrogacy that is by the gestational surrogacy. The meaning of the Mahaveer is the great Hero so; Indian thinkers explained that the concept of surrogacy was totally accepted by the Jainism and the people of the Jainism community. In Sanskrit this meaning has been defined that the Mahaveer means the great hero. If the Jainism totally neglects the surrogacy and if the join
people are against the concept of surrogacy then the people should be think twice for making the Mahaveer as the 24th tirthankar that is really a very important responsibility and status.

So it is clear that from the ancient period not only in the Jainism but also Islam, Christian people also took the help of the surrogacy for overcome from their problems for the really great and the admirable people of the community and they also respect for the people who go for this treatment.

Only in Islam the concept of surrogacy was ban, but when all the circumstances changes it also change the thinking of the people also and this create the really a good and strong relationship between the all people and the surrogate mother. Now a day’s people do not looks towards the surrogacy as a bad profession and a bad thing. All people have been accepted this thing of the surrogacy.

There are mainly two types of the Jainism the first is the Digambara and the second one is the Swetambara the both are the sub relision of the Jainism community and both are the followers of the join principles. In the Digambara divisions the 16 auspicious dreams have been defined. The pregnant women should see that dreams and should be fulfill these dreams. It is just like the worship of the god Tirthankar and these dreams always concern about that day on which the surrogacy has been took place. The Trishala and the Devananda are the first women who carries the baby of the another men in her womb. These dreams sure just like thanking giving top them for the boss Tirthankar.

Now a day’s lots of surrogate mothers are their but at that period no science was there and no modern technology also then also these kinds of the surrogacies was taking place that was the miracle. We think that the surrogacy is the foreign concept and we cannot accept it as it is so the surrogacy is the trend of Indians and the pioneer and base is the Indian, and then further study has been made from the foreign countries.

**History of surrogacy in foreign countries**

The first case of surrogacy was being the described in the very old testaments so in the books of the Genesis. Christ having very long history. Maid Hagar was asked to invite by the Abraham to for carrying his child and she was indirectly asked to become the surrogate mother.
The problem with the Abraham to be his wife could not become the mother naturally because some of the some of the physical problems. His wife could not become mother naturally and so he asked his maid for giving birth to his child.

In old age also people want their own children and their own offspring also. To be the childless it was the sin and torture mentally also. People was giving very much disrespect to the woman and to the other members of the family. The happiness of family was get end due to the not having the child.

The first surrogate mother in the ancient history is was beloved that for somewhere near the city of Hebron, before the 2000 years of the Christ, the bible says that the Genesis of Sarah, that is wife of the Abraham, was barren and she also hired for giving birth to the child of the Abraham, i.e. her maid Hager to carry the child for her husband.

The surrogacy was not the true concept in the ancient Egypt history. Many of them asked to help them in the producing the baby from adopting this technique. The ancient rulers were totally beloved on the direct part of the god i.e. the god of the Sun Ra.

The most important part of the surrogacy was the debate between the relies and the traditional roots and the culture. The another example is of the Jacobs mesco was being asked to his maid and then adopt the resulting the surrogate child as her own Sara otherwise she send the Abraham to her maid and then Hagar was told to Sara that he will obtain the child by the maid.

Abraham and Isaac

In the year 1910 Hagar then gave birth to the son whose name was Ishmael. He was the first surrogate child. After the many tears the Sarah get pregnant for her own spouse and that period was about 100 years old has been prescribed in the books of history, we get there. There was the gap of the 14 years between the births of two children.

History of surrogacy in Egypt

Surrogacy was very common concept in the history of the Egypt. Many examples have been stated that the man has taken help of the other man or women for getting the offspring or
the baby. The ancient rulers of the Egypt was beloved that the it directly descend from the god of son he was in favour that he will not miss the biled of the son to the ordinary man. Then the Pharaohs married with their sisters also. Due to many miscarriages happens the baby was born as healthy as he wants. There was much no. of miscarriages took place because of the many reason.

We take one example that, Amenhotep, in the 16th century did not have successor to his country so he decided to took the treatment of surrogacy and ask his maid for the same to bear his child.

However the secret of birth is surrogacy, those were treated differently and called as the Pharaohs. The rules and regulation was different for each member, and it was decided by the birth of the child. Though he enjoys the name and name of his family the slight discrimination was there with all that children. There was lack of any static or legislative rule for giving the human rights to the children.

Thutmose, who is the son of the Amenhotep, was the king from the 30 years, they have thousand of slaves and they made exploitation of the slaves, the historical perspective also says that. The wife and his sister were influenced by his death very in the critical condition. His legal child that is his daughter was the sixteen years old. She became the first woman ruler in all history of the Egypt. The Thutmose was not the legal child of the king.

The birth was by adopting the surrogacy arrangement. Not only he but also his grandson was also born with the taking help of the surrogate mother. Egyption ruler the rule was very different the son is only one whose birth we natural and the Pharaoh means the son who is born through the surrogacy procedure. He could also be called as the son but if he marries to the step sister or to the half sister means the mother of both the children are different but the father is same but if they get married then they could be called as the legal successor of the kingdom.

Surrogacy was common in the ancient Greece as well as Rome Plutarch only tell us the story of the King Galatia and his infertile wife Stratonicoa. She personally selected a beautiful girl for her husband for giving birth to their child. She selected that from the slavers and the servants. This was the total traditional surrogacy. No a days it is common but at that time it was made naturally and nit by taking any other help.
History of surrogacy in Guinea

In the year 1880, the attempt of surrogacy was made on the pigs. Then in 1891, that attempt was made on the rabbits. The attempt was successful that the scientist got the success for the transferring the embryo from the one womb to the another womb.

In the year 1893-97 firstly it was suggested that the importance of the maturity of the egg. He was first who apply the concept of the surrogacy on the rabbits, for the parenthood.

Later, they were laid down the important principles of the gift called as the transfer of the embryos from one womb to the another womb. Then it mixed with the sperms and eggs nod then that eggs were fertilized.

If we started in the year 1920 century the artificial insemination by the husband egg and the sperm has become important treatment for the childless and the infertile couple.

The first IVF involves material of the human production in the year 1944. The famous gynecologist J.Roach and the M.Minkin cultivated a human egg and inseminated it in the vitro which after all end with the result that in development of the 2 cell embryos.

History of surrogacy in Scottish

When the concept of surrogacy reaches to the Scottish the surrogacy was became the well known concept. In the year 1677. A.Leeuwenhoek examined human semen and he firstly detects the many new things like spermatozoons. It was just like the seed and it should be kept in the Womans uterus it automatically make the healthy environment for the reproduction.

In the year 1790 a Scottish surgeon the venereologist John Hunter injected the unknown mans sperms into his wife’s vagina. It was the noted by the history and it was became the first insemination in the history.

This experiment given laths of women a hope for becoming the mother of her own child. Thousands of women became pregnant and then gave birth to the child and the healthy child.

In the year 1880, the first attempt was done on pig and then after 11 years on the rabbits and finally it was successful by allowing it on the human beings especially on the women who
could not enjoy the courage of the parenthood. The motherhood is really the great feeling and at first time all infertile women got the hope for the same.

**History of surrogacy in England**

Beyond all these early discoveries, the famous researcher Roberts Edwards and the gynecologist Patrick Steptoe, having the great success in their own field. Edward has his first success in the fertilizing the human egg with the vitro, in the year 1967.

The birth of the first alien surrogacy child pregnancy turned out to extra uterine it was registered in the year 1976. They have been stated it by doing the continue research and the experiment also.

In the Nov.1977 when the unsuccessful rate was increasing and the success rate was decreasing then the doctor. Perfectly carried out the 8 cells embryos and it was finally accepted by the surrogate mothers womb. Finally the first test tube baby was born in the 25 July 1978 in England. It is always conceder as not the personal but also the professional arrangement.

**History of surrogacy in Australia**

Another important case of the test tube baby followed not much distance it was in 1980, in Australia. Eight years research also gets completed by birth of the test tube baby. The experiment was done by the Carl Wood and Alex Licata in whose laboratory the test tube baby was born and took her birth. It was implemented in the U.S.

The first successful human egg was being fertilized and it also attempted the soviet union were made t the end of the 1960. It was made by the B.Leonov and Nikitin. The test tube baby Lena was conceived in Leonov’s labored and in feb-1986 just few years back.

**History of surrogacy in Russia**

Boris Leonov was the founder of the IVF treatment and the reproductive technique in Russia. The Soviet Union and the has no matter to discussion that they are so poor and communications also became so poor in that period.
It was isolated from the Europeans and also for the foreign countries. The first Russian surrogacy programme taken in 1995, at the I.V.F. center of the D.O. Otta. The first patient was the having problem of the uterous. Her own uterus was removed during the period of the delivery complications and her child died at the next day after the pregnancy took place. The woman wants her own child and she not loses the hope. She was taken all the relevant information about the surrogacy programmes and the success rate of the surrogacy.

In Russia not at all doctors was ready to adopt this procedure and they are unable to find the surrogate mother. In Russia it was impossible to get the surrogate mother who will be ready to give birth to their child and the becoming the surrogate mother for that helpless woman.

She gets one unmarried woman whose age was nearly 24 years. She is friend of the intended woman. She was unmarried and not having the any of the child of her own. She became ready for the love and affection with the friend. The first attempt was successful and it shows that she has twins. The pregnancy was versa like under obey much difficult. The surrogate mother was like under observation to continue this pregnancy and enjoy the period of the pregnancy. She was taken to the hospital for lots of time and lots of period of the time.

It has been always advice by the doctor that the surrogate pregnancy should be bearded by the woman who already has the one own child of the same.

History of surrogacy in U.S.

The first traditional programme of surrogacy was taken in the U.S. It was being successfully implemented in the 1980. Richard Melvin’s states that all the procedure of surrogacy treatment nearly takes the period of the 9 months.

In one cases the pregnancy is achieved at the first attempt and she delivers a boy, a healthy boy. After the five days the surrogate mother transfers the custody of the child to the biological father. That was the traditional surrogacy means the surrogate mother is the biological mother of the child. It was the best example of the traditional surrogacy. The co-ordination between the surrogate mother and the biological father was outstanding. The mother did not create any of the issue and gives the delivery of the child to the biological father.
In the year 1976 in the U.S. 40000 babies were born from the surrogacy treatment. Some of them were traditional some of them were gestational. All kinds of surrogacy was being achieved by the medical sciences. At the particular 15 cases mostly in the traditional surrogacy the surrogate mother refused to deliver the child to the intended couple.

The most famous case of the Baby Manji was heard in the court in the year 1988, in the New Journey. Mary Beth has been decided between the rational and the gestational kind of the surrogacy for the decided kind of the surrogacy.

After the delivery all surrogate mother leaves the country with the baby and they turn towards the Florida. The private detectives was appointed by the party and they all being caught in the same situation with the baby.

**History of surrogacy in South Africa**

The famous example of the first and the latest surrogacy programme was 48 years old pt and the Anthony they successfully bore and also delivered the many no of three grandchildren for her own child. In the year 1987 the 25 year old lady Kern Ferreira-Jorge was being brought to the South Africa.

Karen the 33 year old husband and the Alsino have already a son at that particular time the couple was dreaming for the four children. The problem is that the uterus was removed from the body of the Karren and as a result she could not become the mother of the child that she was dreaming for. The heavy internal postnatal bleeding was took place and as a result of that she could not be pregnant again and could not fulfill her dream.

After that she collects the total information about the surrogacy treatment. The couple also selects one lady and appoints her as the surrogate mother. She was in fear that if surrogate mother will keep all the babies with herself then she was afraid of that situation.

The Karan’s mother was became ready for the doing the help to the daughter and to the son-in-law, with the help of the IVF treatment. Eleven embryos was been inseminated in the womb of her and the success rate was three.
Criticality

Many Indian thinkers say that adoption could be the other option for surrogacy. The orphan children could get their own parents through the way of adoption procedure. But in adoption much more issues are there, the surrogacy and the different issues has been states by many thinkers about adoption e.g. lengthy process, future emotional issues etc.

Following are some merits and demerits between adoption and surrogacy.

Couples or the single individuals who are unable to conceive or give birth to child, on their own due to societal or infertility hurdles or problems can still reach parenthood with a couple of options. They can either adopt or go opt for a surrogacy process. However, both of these options may have its advantages and disadvantages also. Both may also have its own set or bunch of issues in the societies which you might also want to know detail about if you are thinking of choosing between the two options. In surrogacy news, there are states that do not allow these kinds of procedures as mandated or compelled by their own law while other states allow only one procedure there. This would mostly be in relation to moral and ethical issues that the locals believe in also. However, couples and single individuals can still go for the process that they want to by going overseas facilities, where they can proceed with the process that they have decided on to have a child of their own blood, But it can be a difficult task to choose between surrogacy and adoption. Here are the benefits of surrogacy and the benefits of adoption that you should know about.

### TABLE NO. 3

<table>
<thead>
<tr>
<th>No.</th>
<th>Point of Differentiation</th>
<th>Surrogacy</th>
<th>Adoption</th>
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<tr>
<th></th>
<th>Pros of surrogacy</th>
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</tr>
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<tbody>
<tr>
<td>1.</td>
<td>Genetic bond</td>
<td>Individuals and couples who want to have a hereditary link to the child understand that surrogacy satisfies their needs.</td>
</tr>
<tr>
<td>2.</td>
<td>Personal perspective</td>
<td>Surrogacy takes individual or couple to draw more depth to the prospects of having a child. They could create a good relation for the child to be born from the beginning.</td>
</tr>
<tr>
<td>3.</td>
<td>Money matters</td>
<td>In surrogacy cost of treatment is very high. Everybody could not bear these high expenses. It is differ from hospital to hospital, state to state.</td>
</tr>
<tr>
<td>4.</td>
<td>Legal formalities</td>
<td>In surrogacy treatment legal matters could be arise at any time, during or after surrogacy also.</td>
</tr>
<tr>
<td>5.</td>
<td>Chico in the matter</td>
<td>In surrogacy arrangement intended couple and surrogate mother both could decide that when they want to bring child in this world.</td>
</tr>
<tr>
<td>6.</td>
<td>Procreation</td>
<td>In surrogacy personal touch could be given by couple, through the whole process of surrogacy.</td>
</tr>
<tr>
<td>7.</td>
<td>Avoids future problems</td>
<td>If the surrogacy is gestational and child get known about his/her birth secret, then comparably the issues are less.</td>
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</tbody>
</table>
Surrogacy is a procedure that makes it easily possible for the couple to have a healthy baby to have at least one of their genes. This would be one of the major reasons couples choose this method over the adoption procedure. This could be a good and final option when one of the couples is unhealthy to conceive a baby, is infertile or for the gay couples. Another advantage is on the side of the surrogate mother or the gestational carrier, if this is her main source of income then she may benefit from this regular procedure and she is also helping the couple at the same time.

**Cons of surrogacy**

When it comes to this final procedure, the couple or the single individual may go through series of roller-coaster psychological as well as emotional issues and stress. This process is not welcome to most of the people, which is why couples may have to deal or tackle with convincing their family members and friends that this is the total process that they think is right for them. For the gestational and traditional carrier, it is also a disadvantage if she develops an emotional attachment with the baby which may lead her to have a more difficulty to let go and back out from the given process. Furthermore, she may also go through total series of medically and scientifically invasive process for a long period of time. The whole process may also costly more than the total adoption process and it could also take several years to accomplish, which can possibly become a relevant toll in the couple’s daily lives of the surrogates.

**Pros of adoption**

First of all, adoption is a more complicated cost-efficient compared to the other process? There are even only called as foster care organizations who let people adopt from little no cost. Even if the adoption procedure would happen overseas, the expenses would be still being cheaper. This process may also face no ethical emotional, legal and moral negative issues compared to surrogacy since the latter is usually viewed by religious and traditional groups as baby selling and is described as unemotional or immoral due to the fact that it separates marital sex and procreation of the child. The couples may also have the option to adopt from the other related countries and nation also which can become a form of help to the overpopulated families.
Cons of adoption

There are instances where a few states would not allow this process since it could face ethical and legal objections. In other cases, couples may contribute one of their genes in the surrogacy process for the carrier to conceive a baby, a procedure where it is not possible in adoption. However, it would still be best if you can ask your doctor about the right procedure for you if you are planning to choose between the two procedures.

There are many different causes through which the person gets infertile. For such couple to undergo any treatment on the general basis makes to decline the success ratio. The innovative improvement in Assisted Reproductive Technology like in the process of delivering the baby, the media, one better source for to inform and get informed, has mentioned that the increase in overall success rate from 17% in the past to reach 45% recently also.

Reproductive Technologies i.e. IVF treatment with its relative legislation helps in preventing its unnecessary use. The successful implementation of the applicable Acts viz. Reproductive Technologies raises different legal, ethical, moral and social matters. By now these are extensively and deeply been discussed and had a strong debate. Edwards and Sharpe (1971) wrote their article that included the human experience. It was more defined in the terms of definite legislation against undesirable and unwanted practices that does not prevent with the proper solution.

Legislation deeply strengthened by tareget aimed at bringing about desirable change in social advanced perceptions of the female and male child and women in general also.

According to estimates of the WHO, i.e. World Health Organization, 13-19 million couples in India are not duly capable to infertile. Infertility due to reproduction and giving birth to the infectious or with tuberculosis is surely preventable. The estimated 8%t of the infertile couples generally searches for medical intervention that involves the use of advanced Assisted Reproductive Technologies (ART).
Every family looks the special dream of complete family. The women who could not become mother and could not enjoy joy of parenthood, gets the joy of became mother through the medical treatment. Through the way of surrogacy treatment the family become complete and everybody get the total satisfaction by watching their own child in their warm.

There is also no direct control over the all parties how a surrogate mother may behave during a period of pregnancy, meaning that a child could be exposed and defining to smoking, alcohol, drugs, and other related health risk factors because, there is no national and international law in the selected United States, each state can create or made its own laws allowing, limiting or restricting surrogacy. Contracts are used to establish not properly parental rights for the intended parents, terms of payment for the surrogate condition under which the surrogate mother may travel and more, and to favor for the rights of the intended parents. According to some advocates and successful people, because surrogates tend to be of a lower socio economic status and thus less power having they are more vulnerable to decent exploitation and should have legal and judicial representation also. Surrogacy can be a basic controversial issue. Some extraordinary feel giving away a genetic child goes against the social, emotional expectations of a mother. Others feel that offering compensation for a surrogate child is inherently unethical. According to an October 2009 ethics committee filed a report written by American Society for Reproductive Medication and arrangement another ethical debate is whether assisted reproductive agencies that provide special surrogacy services have the authority to offer that to ace or refuse to offer services to single parents or gay and lesbian couples.

While there are emotional benefits of surrogacy, there are also emotional risks. According to the review of the various reach published in “Human Reproduction Update,” both gestational and traditional surrogates report are not “allowing” themselves also to get attached to the developing child in the womb. This makes it less and additional difficult for the surrogate to relinquish for the child, but can't completely eliminate and ignore the possibility that maternal feelings may arise during the pregnancy. In addition, surrogacy can be an isolating experience if family or friends are conflicted or disapprove the facility. Complications with the pregnancy or issues with the intended parents can also be stressful and complicated. Surrogacy support groups provide some surrogate mothers with an opportunity to various bonds with other surrogates, and some mothers also form meaningful long and a term bonds with the intended family members and the children they birth. It is possible that the surrogate will totally experience grief and
psychological and emotional problems when it lastly comes time to hand over the surrogate child she has carried and delivered.

Even though the estimated value of the baby born through surrogacy is more than hundred each year but still the social controversy continues. Some view it as a commercial aspect, taking it to the baby selling. Legal experts warn that, surrogacy contracts can be difficult to enforce. In some states commercial surrogacy is fully illegal and ends with the status of crime. The fact remains that both the intended parents and the surrogate mother take a risk when signing a surrogacy contract. Still, very few surrogate contracts ever evolve into a dispute also.

The high profile people or the people in film and fashion industry or the women who are on the highest position in their work could not give time for their or their pregnancy or there motherhood. The figure conscious women do not have time for pregnancy because it will waste there nearly 1 year of their life which is very important for their carrier. So; surrogacy is becoming fashion trend in our India.e.g. Shahrukh Khan, Amir Khan these big personalities in fashion industries are creating its fame. In case of the Aamir khan the physical problem was there. But in case of Shahrukh Khan there was no need of third pregnancy, and then also he took the help of medical science. And his cousin became traditional surrogate mother and they gave birth to the Son. Balram.

Any new thing about to expose has two parts in respect of its operation i.e. advantages and disadvantages. Taking a risky but brave step in forwarding becomes essential, especially for couples whose dreams of parenthood. When selecting the surrogacy treatment as a source for achieving parenthood despite knowing knowing its pros and con indeed become necessary. Surrogacy has different aspects and each aspect has its own set of pros and cons.

There is one more satisfying benefit of the surrogacy treatment and it is the final chance to form lifelong connections in forming the whole family tree. Finally, surrogacy is often a good way of surviving for some women to help others using a unique and different method.

Some women enjoy the pregnancy but are not financially strong enough to have much healthy process in raising the baby. So this situation sometimes attracts them towards surrogacy treatment. Additionally, this service benefits the surrogates in earning some extra kind of income. Surrogacy is a means of attaining parenthood in the true and definite sense of the term it
also this in itself brings joy to such an intended couple. The surrogate mom makes it possible for infertile couples to have a chance at parenthood.

A lifelong emotional bondage can be established between the couple and the surrogate mother. It is one of the most beautiful and standard environment for the surrogate child to grow up in. In case of traditional and gestational surrogacy, woman is unable to conceive, the male partner is totally allowed to donate his sperm that is used for fertilization in the surrogate’s womb.

In gestational kind of surrogacy there is direct attachment within the surrogate mother and child. Method of surrogacy also offers an optional solution to couples without child but wants to have it. A major advantage of surrogacy treatment is it permits parents to be genetically related to the surrogate child. Surrogacy is totally different from the adoption. Surrogacy involves the intended parents in the baby's conception throughout the natural period of pregnancy. With the kind declination in the number of newborn and early born infants available for adoption, surrogacy offers childless couples who do not enjoy the parenthood do not have another alternative to having a baby.

**Conclusion**

Childless couples who are unable to have their own children either through any fertility process or because they are a gay couple for whom the parenthood are closed, will now find that they have more options for. As in they can either choose the adoption procedure or surrogacy? India's surrogacy industry is becoming highly qualified by group of women's rights straight way mentions that the fertility clinics are nothing but the baby factories and selling of babies for the rich. No any presence of the concern rules and regulation about surrogacy, many poor and the illiterate women are hypnotized financially by agents and then hired by clinics through signing the contracts. This contract is not at all understood by the lady ready for the surrogacy.

The India is now becoming commercial surrogacy center. It is also called as fertility tourism point for surrogacy treatment in India. From all over the world the people are coming to India, for finding and taking surrogate mother for hire surrogacy. The foreigner’s first choice for surrogacy is India. The causes of very much for choosing a surrogate mother from the India. The
researcher studied the people and observe and survey the information of the surrogacy know to people. The researcher studied the various issues arised due to surrogacy treatment. Is surrogate mother, surrogate child got the equal respect in society or not.

The India is becoming the fertility tourism for surrogacy. Though this is increasing there is no harmonization in surrogacy rules and regulations. Hospital does not provide ant security to the surrogate mother and surrogate child. No any kind of insurance is made before accepting surrogacy treatment. India is becoming the most famous centers for the surrogacy treatment. Though there is tremendous increase in the commercial surrogacy in India the legislation is silent and not framed any kind of strict and fix regulation to control the commercial surrogacy in India.aud of the treatment. The surrogacy treatment is not a normal treatment it is done only in the rare case. In India the rate of the surrogacy or commercial surrogacy is very low but foreigners are very much interested in India due to many factors that have been explained in next chapter.

In the surrogacy treatment No human rights have been protected by either party not the biological parents not the surrogate child and not the surrogate mother the researcher also studied legal aspect of surrogacy treatment. The surrogacy is based on mere agreement between the both of the parties if fraud is committed by either party ,then there is no any solution for the protection to any party. If this situation prevails continuously for next decades then No doubt India will confirm become fertility tourism center for surrogacy.