**Title: Ending Commercial Surrogacy in India - Significance of the Surrogacy (Regulation) Bill 2016**

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**Review Comments**

**Reviewer 1**

1. The submitted paper looks at past and current legislation on commercial surrogacy in India. While topical it fails to engage with a lot of literature on the legislation in India, primarily restricting itself to news media reports and legal analysis. The tone of the paper is moralistic--inappropriate for a commentary on surrogacy legislation in India. Moreover, a large part of the article merely gives a dateline of legislation on assisted reproductive technologies without looking at the machinations, public conversation in and around it.
2. The Surrogacy Bill 2016 is a breakaway from the Regulation of ARTs Bill signalling the importance of moralistic ethical conversations around a woman's body and choice--rather than engaging with the technology that facilitates the arrangement.
3. There is no engagement with the Rajya Sabha Parliamentary Report no. 102 that provides a decisively alternate reading and discussion from that given in the surrogacy bill.
4. A cursory reading of Pande, Rudrappa, Deomampo and Majumdar would provide a contextual engagement with the Bill, which is currently missing.

**Reviewer 2**

1. A Parliamentary Standing Committee has examined the Bill and suggested several modifications, including making commercial surrogacy more widely available. The author may be asked to revise the manuscript to include comments on the Standing Committee Report. Otherwise, this piece will be outdated.
2. Some textual infelicities need to be reworked.

a. "as doctors focused selectively on providing skill-based solutions rather than social implications or consequences".

b. "It was important for the issues to be appropriately labeled and not clouded by diminution"

c. "The emotional quest for parenthood must not be allowed to cloud out"

d. 'The Indian Council for Medical Research (ICMR) was first off the blocks"

1. There are extremely powerful forces of the reproductive tourism industry, the medical professional bodies, institutions such as the FICCI and CII that lobbied against the Bill. Yet that the government chose to ignore these powerful lobbies while drafting the Bill calls for comment. Could it be the same hypernationalism, the need to "protect our women" that drove the ban in Thailand drove the proposed Bill? The author may or may not speculate on this matter. Clearly, the proposed legislation as it stands will not have a smooth way in parliament in view of the Standing Committee report.