

The background of the journal cover features a top-down view of a desk. On the left, a pair of black leather brogue shoes is partially visible. In the center, an open notebook with lined pages and a silver pen lies on a light-colored wooden surface. To the right, a black leather bag with a zipper and a black leather watch with a silver face are also on the desk. A large, semi-transparent white rectangular box is centered over the image, containing the journal's title and ISSN information.

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MENSTRUAL HEALTH AND LEGAL SILENCE

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Abstract:

Menstrual health is a crucial aspect of public health, human dignity, and gender equality; nonetheless, it remains underrepresented in legal and policy frameworks in numerous societies. This study examines the legal implications of menstrual health by analysing the impact of insufficient access to menstrual hygiene products, enduring societal stigma, and restricted institutional assistance on structural discrimination against menstruating individuals. It contends that menstrual health should be acknowledged as a vital component of human rights, encompassing the rights to health, education, equality, and dignity. However, the study finds serious implementation gaps, especially in low-resource environments where the efficacy of current legislation is compromised by a lack of infrastructure, awareness, and enforcement mechanisms. Additionally, the study takes a comparative approach, looking at various jurisdictions to identify effective practices and obstacles in promoting menstrual equity. The study highlights the need for a comprehensive, rights-based strategy that goes beyond symbolic acknowledgement to guarantee substantive equality by placing menstrual health within a larger human rights and legal framework. At that point, the study argues that menstrual health is a crucial legal justice problem as well as a subject of public health policy. To ensure that menstruating people may fully participate in social, educational, and economic life without prejudice, it is imperative to strengthen legislative rights and raise public awareness

Keywords: Menstrual Health, Public Awareness, Shame, Menstrual Poverty, Cultural Taboos, Sanitation, Legal Reforms, Equality, Dignity.

Introduction:

Every day across the globe, 800 million females between the ages of 14 and 49 menstruate. Menstruation is not just a monthly cycle for all females, but for many, it's a monthly inconvenience. According to the WHO, across the globe, out of 5 schools, only 2 schools (39%) provide menstrual education to females. Menstruation is a biological process, and it plays a crucial role in the lives of women and girls. Menstrual health is a public health issue and a goal of sustainable development, and it helps to realise gender equality and human rights.

For the past decades, efforts to normalise menstruation have expanded globally. The awareness camps are organised in schools, public health centres, etc., globally to raise public awareness, and it's an effort that aims to change or shift the historical narrative of a shameful and taboo subject into a normal one¹. This effort will also help in improving access to hygiene products, a comfortable work environment for women without any obstacles in the workplace.² At the global level, educational campaigns and awareness programs are being organised by one of the United Nations (UN) organs, the United Nations International Children's Emergency Fund (UNICEF), by working together with NGOs to educate both men and women to foster an enabling atmosphere in society.³ Policies are being implemented at the global level through the World Health Organisation (WHO) guidelines in schools to normalise this subject by providing access to sanitary kits and products to girls in schools and by installing machines for sanitary pads and napkins and access to clean water, dustbins, functional toilets, and privacy.⁴ In an initiative to show serious concern, the Indian government gives government-employed girls no-cost access to sanitary pads. schools and putting programmes like the 2011 Menstrual Hygiene Scheme into place to provide teenage females with sanitary napkins at an affordable price, Jan Aushadhi Suvidha Napkins, in which sanitary napkins were provided at Rs 1 at 16,000 Jan Aushadi Kendras across the country, etc. and through these schemes, a notable improvement in attendance has been noticed in schools. To normalise the menstrual topic in society, efforts have been made to advertise the ads of sanitary napkins on television and social media. Menstrual health is not just a matter of hygiene but a subject and matter of dignity, a fundamental right and human right of females. But we have to go a long way to end this shameful taboo in society. Despite policies related to menstrual health across the globe, we are lagging behind in proper legal reforms or strong legislation implementation. For decades, it has been noticed that there were no laws related to menstrual subjects, as laws were historically androcentric, revolving around men, and females' biological issues, and menstruation had been neglected. Women as integral participants in the formulation of legal reforms and policies to shun this taboo and shame in society, and to live their lives with respect, dignity, bodily autonomy, and freedom. Females across the globe want this subject to be discussed in a sensitive manner and as a matter of public health, not as a shame, insecurity and taboo. It is the duty of every country's government to address this issue or subject and enforce legal reforms

¹ <https://www.unfpa.org/menstrual-health>

² <https://www.worldbank.org/en/news/feature/2018/05/25/menstrual-hygiene-management>

³ <https://www.unicef.org/education/emergencies>

⁴ <https://pmc.ncbi.nlm.nih.gov/articles/PMC4875699/>

and policies not only on paper but in real life. ⁵Is this silence now broken in our society or at the global level?

Understanding Menstruation:

Menstruation is also called a period, and it is a normal monthly cycle where the uterine lining(endometrium) is shed, consisting of blood and tissue, generally released through the vagina every month between 21 and 35 days. Menstruation normally lasts for 3 to 7 days. Menstruation generally starts at the onset of puberty between the ages of 11 and 14 years, and it stops or ends at the age of 51 years, known as menopause. There are some common symptoms of the pre-menstrual cycle, such as headache, lower back pain, breast tenderness, bloating, mood swings and uterine pain due to pelvic contraction, acne, fatigue. Menstrual cycle for some females can be painful, and for some, not. It generally depends on person-to-person, depending on one's diet, lifestyle, health, environment, age, and contraceptive use.⁶ Menstrual blood flow can be managed by using proper sanitary kits, sanitary napkins, tampons, menstrual cups, period underwear, etc. Females must maintain proper hygiene during these days by using some hygiene products and keeping the vagina clean with water to avoid infections too. The colour of menstrual flow varies from dark brown or black to bright red, indicating the blood flow speed and oxidation. Menstruation plays an important role in the life of women as it is not only an indicator of a healthy reproductive system, but also the potential of women to get pregnant⁷. When a woman gets pregnant the menstruation stops till the time she delivers a child, and breastfeeding mothers experience no menstruation during the lactation period. ⁸In most of the societies, women's bodies are treated as objects or a source to give an offspring to the family.

“The Red Timeline: Menstruation Across Eras”

Menstruation isn't new in society; it's from the ancient era, or the age when this society and humans started to develop. In every society, its significance varies from social to cultural.

- Ancient Period:

1. In ancient India, it was seen as a period in which women were considered impure, and they were not allowed to perform any religious rituals or ceremonies, and were

⁵ <https://www.gavi.org/vaccineswork/global-leaders-are-transforming-conversation-womens-health-heres-how>

⁶ <https://www.verywellhealth.com/menstruation-8362045>

⁷ <https://www.britannica.com/science/menstrual-cycle>

⁸ <https://menstrualportal.com/menstrual-hygiene/>

restricted from ⁹entering some places, but there exist no such taboos of shame, stigma and sin.

2. In Egypt and Rome, it was believed to be a symbol of strength and sometimes menstrual blood was viewed as having medicinal properties.¹⁰
3. In Greece, menstruation was perceived as a way to shed excess impure blood from the body¹¹

- Medieval Period:

In the medieval period, menstruation was seen as a sin, unclean, shameful, taboo, superstition. According to one of the studies, it was found that the condition of women during menstruation was poor, as they were treated badly, and regarded as impure, a sin, a shame. In India, Women were not allowed to go to religious places, and they had to isolate themselves in one room or area; they were not allowed to go out of their homes due to societal cultural taboos.¹² Even women and girls were not allowed to enter their home kitchens or touch foods like curd, pickle, as they thought that it might become rotten. There were no hygiene products; women had only the means of cotton and linen cloth, which they could wash and reuse. There were spiritual, cultural, evil-related stigmas, and medical misconceptions in the society.¹³

- 19th And 20th Century:

In our modern society, where we talk about equality, freedom, dignity, and integrity, we still face the issue of menstruation being stigmatised and the menstrual health issue, where most of the females who live in conditions of poverty have no access to proper hygiene related to sanitary napkins, clean water, toilets, etc.¹⁴ The menstruation issue is a wide topic and a topic of debate, and its perception differs from society to society¹⁵. Do you know that in some parts of India, the arrival of periods is celebrated as it is the transition from childhood to womanhood. They celebrate it as a gift of motherhood, a new life of womanhood. The girl gets properly dressed, as per culture and rituals, which are performed by family members and the local tribe. The community gives blessings

⁹ <https://www.ijfmr.com/papers/2024/3/23283.pdf>

¹⁰ <https://journals.openedition.org/mondesanciens/4113>

¹¹ <https://doi.org/10.1016/j.bpobgyn.2016.09.015>

¹² https://link.springer.com/chapter/10.1057/978-1-137-48775-9_2

¹³ <https://talesofthemiddleages.com/how-women-managed-their-periods-through-history/>

¹⁴ <https://link.springer.com/article/10.1007/s40622-024-00409-9>

¹⁵ <https://nivarana.org/vital-signs/period-positivity-leaving-taboos-and-stigma-behind>

and good wishes to the girl. Even today, in most of the societies, menstruation is seen as a symbol of taboo, sin and shame. Women's menstruation is considered unclean and dirty.¹⁶

“Bleeding Through Barriers”

Even after so much development across countries, we still lack across this issue. We have developed scientific technology, studies on no gender gap, human rights, equality among all genders, so why do we lack here? The menstrual health products are packed in proper cover packets by the store vendor so that they cannot be made visible. The girls hide sanitary napkins in packets, newspapers, so that it could not be made visible at public places or at homes before males. Why are these hidden in packets? Why are these looked upon by society as a shame? These are the mandatory menstrual health products for women; they are a basic necessity for every menstruating woman.

We need a strong legal reform with its implementation at the ground level to end all kinds of discrimination and taboos. Menstruation is considered more of an issue of human rights, rather than health. Women and girls face problems almost everywhere in society related to this health issue, in schools, in colleges, and at workplaces. In rural areas, it has been noticed that girls cannot go to school due to fear of spotting, less access to clean washrooms, toilets, water, and due to the fear of stigma that persists in society.¹⁷

Due to poor infrastructure, period poverty in urban slums and in rural areas, more than half of the females are unable to maintain hygiene and menstrual health, which more often leads to Urinary tract infections (UTI). According to one of the studies, some school girls in Kenya are engaged in transactional sex to pay for their menstrual products. In workplaces, it has been seen that women face a lack of access to hygiene products, clean washrooms, stress to remain present and to perform tasks efficiently. They have stress and anxiety to manage their work, along with their clothing management¹⁸. One study revealed 62.3% of women struggled with menstrual disposal at the workplace, 71% reported a lack of menstrual management aids at work, and only 1 out of 5 women tells the true reason for their absence to their manager. We must Educate men and boys through awareness programs, educational policies to create a

¹⁶ <https://www.beltramihistory.org/post/sacred-and-shameful-ancient-attitudes-toward-menstruation>

¹⁷ <https://ijcrt.org/papers/IJCRT2306840.pdf>

¹⁸ <https://sociology.institute/urban-sociology/socio-economic-dynamics-indian-slums-profile/>

supportive environment for girls and women in schools, colleges, workplaces, etc.¹⁹

Menstruation experiences are not the same for every woman; they vary from person to person due to physiological, hormonal and psychological emotional issues. For some girls and women, it might be days of not being able to get out of bed, feeling like a handicap, suffering in pain and for some, it might be like normal days, no pain, no cramps.

Despite these factors and problems, there is no strong provision for menstrual leave across countries. It depends on the employer's choice to give menstrual leave, unlike sick leave. As in India, only a few organisations and educational institutions offer paid menstrual leave, as they believe menstruation is not a stigma but a natural part of women's journey.²⁰

We need strong reforms related to menstrual leave in our country, as well as across other countries. And this can only be made possible with legal reforms in the country²¹. Menstrual leave must be made mandatory at every workplace, institution, school, college, etc. for girls, women, and trans women, and policies must be formulated for access to menstrual products in schools, colleges, workplaces, and even in jails prison²².

“Global Policy on Menstruation”

There are some key international bodies at the global level that address menstrual health and call for action to include some goals in their policies.

✓ **World Health Organisation (WHO):**

The World Health Organisation (WHO) is the organ of the United Nations (UN), which used to conduct surveys on sexual and reproductive rights, abortion, gender and health, breastfeeding, maternal, adolescent health and newborn child survey, but it never addressed the issue of menstrual health before 2022²³. And finally, in March 2023, at the UN Water Summit, the WHO set five goals in relation to menstruation and adolescent age.

Goals:

¹⁹ https://www.researchgate.net/publication/366973653_Menstruation_The_Socio-cultural_Perspective_in_the_Indian_Society

²⁰ <https://doi.org/10.36713/epra23147>

²¹ <https://bit.ly/3XsqEoS>

²² <https://doi.org/10.3390/women5040039>

²³ <https://www.who.int/>

1. Educate Girls about Menstruation.
 2. Set up rules that see menstruation as healthy and positive.
 3. Access to sanitation, privacy and menstrual products.
 4. Improve access to capable and caring health workers.²⁴
- ✓ United Nations International Children's Emergency Fund (UNICEF): One of the UN's organisations is the International Children's Emergency Fund (UNICEF). In 2021, UNICEF and WHO launched the WASH programme, which examined water supply, sanitation, and hygiene. Menstrual health is discussed in part of the report for the first period of 2021. Similar WASH needs were laid out, and novel indicators to monitor menstrual health were recommended. This in-depth study identified the need to deal with societal taboos and stigmas and encompassed several elements.²⁵
 - ✓ UN Women and the Commission on the Status of Women (CSW):
There is a slight reference to menstruation in the UN Women Documentation. The UN Strategic Plan for 2022-2025 gave references to SRHR and women's health. In the 2023 report, one reference is given to “menstrual health and hygiene”.
 - ✓ United Nations Educational, Social and Cultural Organisation (UNESCO):
UNESCO didn't mention menstruation frequently, despite its relation to education and gender inequality. UNESCO states that “sanitation and hygiene support” is essential to ensure women's and girls' dignity, and further, it will empower them through education. More recently, UNESCO has partnered with P&G Whisper India on the project called “Spotlight Red”, which includes National Surveys across the country, teaching learning modules and report analysis on MHHM under the initiative #KeepGirlsInSchool.²⁶
 - ✓ World Bank:
The World Bank states that almost 500 million people lack access to sanitation and menstrual products under Menstrual Hygiene Management (MHM). To manage menstrual hygiene, girls and Women need access to water, sanitation and hygiene (WASH) facilities, menstrual products, a supportive environment free from stigma and taboos, and information on good practices. In 2012, the MHM report issued that menstruation is a wide issue and there is a need to address this issue in the context of social, economic and health impacts.

While an emerging space, menstruation is largely still discussed in a fairly piecemeal

²⁴ <https://www.undp.org/events/un-2023-water-conference>

²⁵ <https://www.unicef.org/>

²⁶ <https://doi.org/10.1080/17441692.2024.2448272>

and uneven manner in global health policy. Although the main UN organs are now devoting growing attention to it, this is quite a recent trend and silences and serious questions regarding oversight persist. Moreover, divergent interpretations of menstruation persist throughout global health policy. Menstruation remains predominantly framed as an issue for teen girls, and one that undermines their ability to continue education, while gender-inclusivity is not prioritised.

“Dignity in Law: Menstrual Health Legislation across Countries”

Legislation plays an essential role in the formulation and enforcement of legal policies at the ground level. Some Countries across the world have strong legal reforms, and their implementation is excellent at the ground level, while others have slow progress at the ground level. Menstrual health as an integral part of human rights and hygiene is only attainable by legislation or legal reforms, which are the only options to have an enforceable under law impact. Among the few nations that offer menstruation leave are Zambia, Korea, Japan, Taiwan, and Indonesia. Spain became the first country in Europe to authorise paid menstrual leave in February of this year, while the Bank of Ireland in Ireland made history last year by implementing a paid menopausal policy. Despite these developments, opinions on how to pass legislation that acknowledges the physical necessities of women stay polarised.

✓ Japan:

Businesses in Japan are progressively updating their menstrual leave policies, which provide time off for menstruating employees. This comes after years of discussions on gender equality and seeks to improve work-life balance while eradicating the stigma attached to menstruation. Information regarding the start of this trend, the businesses that have embraced these modifications, and the effects on worker productivity and corporate culture is currently becoming available. Since 1947, menstruation leave has been legally guaranteed in Japan. Despite this, a lot of women have been reluctant to take it because they worry about being stigmatized or burdened. The United States lacks a national menstruation leave policy, unlike Japan²⁷.

✓ South Korea:

Since 1953, women in South Korea (henceforth Korea) have been permitted to take one

²⁷ <https://japan-now-news.com/post/68a81598c195>

day off each month for menstruation. Conversely, women in professions where men predominate are under pressure to avoid taking these days off. Korean women are also reluctant to have children because doing so would require wide absences and breaks from their jobs. CNN reports that in 2017, Korean women used an average of 19.7% of their menstrual leave, down from 23.6% in 2013. This study indicates that menstruation leave is sometimes viewed as a taboo topic that shouldn't be discussed at work. For instance, Korean women have publicly addressed the challenges they face even though they have the legal right to request menstrual leave²⁸.

✓ Indonesia:

After completing 12 consecutive months of employment, workers who have worked continuously for at least a year are entitled to a minimum of 12 working days of paid yearly leave. If both the employer and the employee agree, this leave can be scheduled and is fully compensated.

Depending on business policy, unused leave may be carried over to the following year, although it usually expires after a specific amount of time. To guarantee seamless leave planning, employers must set up explicit approval processes and notice requirements.

✓ Spain:

In terms of employment and health policy, Spain has made history by being the first nation in Europe to implement paid menstruation leave. With a doctor's consent, women with severe menstrual problems may take up to five days off each month under the new policy.

The regulation is being marketed as a significant step in acknowledging the impact that severe menstrual pain and associated symptoms can have on day-to-day activities and employment. Advocates claim that the action provides women with crippling menstrual disorders with useful support and addresses a long-ignored health concern.²⁹

✓ Zambia:

A law known as "Mother's Day" was introduced in Zambia in 2015 that allows women to take one day off each month due to menstruation. Women can stay at home under

²⁸ <https://asiasociety.org/korea/kotex-issue-no4-menstrual-maternity-and-menopause-leave-work-life-balance-women-south-korea-and>

²⁹ <https://theleader.info/2026/03/19/spain-introduces-paid-menstrual-leave-in-a-european-first/>

this policy without a doctor's note and without being penalised. Under the nation's Employment Code Act, an employer may be subject to legal action if they deny this right.

Many businesses understand the importance of this policy in fostering workplace equity and recognising the actual physical effects of menstruation, even though some are still wary. It's a positive development for African reproductive rights.³⁰

✓ Scotland:

Scotland is the first nation in the world to legally safeguard the right of anyone in need to obtain free period products. Local governments and educational institutions are legally obligated under the Period Products (Free Provision) (Scotland) Act 2021 (the Act) to offer free period products when needed. A variety of things must be made available, and they must be accessible in a way that upholds people's dignity.

The Period Goods in Schools (Scotland) Regulations 2020 were introduced on June 18, 2020, building on the voluntary provision that has been in place in educational and community settings since 2018. On October 19, 2020, the Regulations became operative. All MSPs overwhelmingly backed the Period Products (Free Provision) (Scotland) Bill, which was passed by the Scottish Parliament in November 2020. January 2021 saw the Bill's assent. The Period Products (Free Provision) (Scotland) Act 2021 (the Act) became operative on August 15, 2022. When period products are needed, the Act guarantees free, reasonably accessible access to them. The Period Products in Schools (Scotland) Regulations 2020 were superseded by the Act³¹.

India's Menstrual Leave Policy 2026 Legal Status:

The majority of individuals search for this part, and the solution necessitates considerable intricacy. As of 2026, there is no national law requiring menstruation leave in India. The surrounding circumstances have altered significantly, yet the fundamental truth has remained the same.

Menstrual Benefits Bill, 2017, was one of the first official attempts at legislation offering

³⁰ <https://africannewsagency.com/social-media-ignites-new-conversations-around-zambias-menstrual-leave-policy/>

³¹ <https://www.mygov.scot/free-period-products#:~:text=Visit%20your%20local%20council%27s%20website%20PickupMyPeriod%20app%20You,ou t%20where%20you%20can%20access%20free%20period%20products.>

women who menstruate compensated time off. Menstrual rights were intended to be addressed within a broader reproductive health framework in the Women's Sexual, Reproductive and Menstrual Rights Bill, 2018.

In addition to providing three days of paid menstruation leave to women and transgender women, the Right of Women to Menstruation Leave, and Free Access to Menstrual Health Products Bill, 2022, also extended benefits to students and framed it as an extension of Article 21. According to a 2025 peer-reviewed PMC paper, this bill is one of the most significant legislative measures to date. This legislation was not passed into law.

✓ The Supreme Court's View (March 2026)

The Supreme Court of India rendered its decision in the case of Shailendra Mani Tripathi vs. Secretary, Ministry of Women and Child Development and Others on March 13, 2026, marking the most recent and important legal development. According to Odisha Plus, a bench consisting of Chief Justice Surya Kant and Justice Joymalya Bagchi decided against requiring paid menstrual leave for all employers. The court warned that by fostering employer bias in hiring decisions, such a regulation may turn into a "double-edged sword" for female professionals.

But under Article 21, the Supreme Court also acknowledged menstrual health as a fundamental aspect of bodily autonomy and dignity.³² Most importantly, the bench called the voluntary initiatives of private enterprises and governments like Bihar, Kerala, and Odisha "excellent." Menstrual health and hygiene were legally recognised as a fundamental right under Article 21 of the Indian Constitution in an earlier 2026 verdict in Dr Jaya Thakur v. Government of India and Others, which took an even firmer constitutional stance. Together, these decisions show that the Supreme Court is establishing the constitutional foundation for upcoming legislative action, even while it is hesitant to judicially compel menstruation leave.

Any future state or federal legislation about menstruation leave would have a strong constitutional foundation:

- ✓ Menstrual health and physical autonomy are now recognised under Article 21, which ensures the Right to Life and Personal Dignity.

³² <https://thelegalteaspiller.blogspot.com/2026/03/mandatory-menstrual-leave-in-india.html>

- ✓ The state is required by Article 42 to provide fair and humane working conditions as well as maternity relief, which legal academics have expanded to include menstrual treatment.³³
- ✓ The State is expressly authorised by Article 15(3) to establish special arrangements for women and children, giving the legislature the power to pass laws that do not apply to people of all genders.

Despite the lack of a national statute, numerous Indian states have advanced on their own.

Based on reliable sources, each state has implemented the following:

1. **Bihar**: The Pioneer. Since 1992, Bihar has been the first state in India to enact menstrual leave laws. In Bihar, female government workers have been entitled to two days of paid special vacation per month for menstruation since 1992. Bihar's policy, which is limited to government employees and does not apply to the commercial sector, has been in place for thirty years, demonstrating that regulations may be implemented administratively even in a state with few resources.
2. **Kerala**: Students First (2023) In 2023, Kerala adopted a fresh strategy, emphasising educational establishments over places of employment. In addition to up to 60 days of maternity leave for students over the age of 18, the state's Higher Education Department stated that female students enrolled in all state-run universities and institutions would be eligible for menstruation leave. This strategy recognises that menstrual health has an impact on both academic success and career productivity, and it specifically prioritises the education of young women.
3. **Karnataka**: The State Policy That Is Most Complete (2025) The Karnataka Cabinet passed the most extensive menstruation leave policy in all of India on October 9, 2025. According to the Karnataka regulation, which is detailed by Doing Sociology and covered by DLA Piper's Global Employment Monitor, women employees are entitled to one paid menstrual leave day per month, or twelve paid days annually. Importantly, it includes government buildings, clothing factories, IT companies, multinational corporations (MNCs), and private industrial facilities. Women between the ages of 18 and 52 who work in factories, stores, businesses, plantations, beedi units, and

³³ <https://www.advocatehoj.com/library/judgments/announcement.php>

commercial motor transportation projects³⁴. The Karnataka High Court first granted an interim stay in December 2025 before recalling the policy, and two writ suits contesting its constitutionality were filed. The case is still under judicial review as of early 2026.

Employers Policies:

Actual Case Studies:

In many respects, the Indian private sector has advanced this matter more quickly than the government. The following businesses have put in place named, verifiable menstrual leave policies. All of the information below is taken from business statements and published reports:

1. Gozooop: The First Mover in Indian Corporate History (2017). Gozooop, a digital marketing agency situated in Mumbai, is recognised for becoming the first private company in India to establish an official menstruation leave policy back in 2017. The policy allows female employees to work from home one paid day per month on the first day of their period, according to NPR's global follow-up on period leave regulations
2. Zomato: In August 2020, Deepinder Goyal, the CEO of Zomato, sent out an internal email announcing menstruation leave, which went viral. All women and transgender employees at Zomato were given 10 days of paid period leave annually, according to reports from Al Jazeera and several Indian publications.
3. Khaitan and Co.: One of the most well-known full-service legal firms in India, Khaitan and Co., has started offering its associates and staff paid menstruation leave. This is noteworthy because law offices are often demanding settings with long hours and strict availability requirements, according to BCP Associates. According to a 2026 cross-sectional study published in the African Journal of Reproductive Health, more than 52.9% of working women said that menstrual symptoms made it difficult for them to perform their professions. In many situations, saying "I need a day off because of my period" still elicits discomfort, doubt, or subtle censure. A formal menstrual leave policy changes the organisation's tone. It communicates that workers won't be penalised for a biological truth, that this topic is no longer taboo, and that it is a legitimate operational issue.

³⁴ .: //uknowva.com/blogs/menstrual-leave-policy#: ~:text=Tags%20%3A,menstrual%20Leave%20policy

The complete legal and judicial scenario is as follows:

The Indian Parliament has made multiple attempts to enact laws dealing with menstrual leave. One of the earliest formal attempts at legislation was the Menstrual Benefits Bill of 2017, providing paid time off to women who are menstruating. In an effort to address menstrual rights in the larger structure of reproductive health, the Women's Sexual, Reproductive and Menstrual Rights Bill of 2018 was formulated.

In addition to empowering women and transgender women to access three days of paid menstruation vacation, the Right of Women to Menstruation Vacation and Free Access to Menstrual Health Products Bill, 2022, enhanced benefits to students and portrayed it as an extension of Article 21. According to a peer-reviewed PMC research from 2025, this unpassed bill is one of the most remarkable legislative efforts to date.³⁵

Conclusion:

This paper aims to provide the menstrual health importance, issues and legal significance. In conclusion, menstrual health is an important part of public health, gender justice, and legal rights. This study's results show that not having enough access to menstrual hygiene products, clean bathrooms, and education continues to reinforce systemic inequalities, especially for people who are already on the margins. These problems not only hurt people's physical and mental health, but they also make it harder for them to get an education, work, and improve their overall social and economic situation.

From a legal point of view, recognising menstrual health as an important part of the right to health, dignity, and equality is a big change in policy. However, even though some places have made progress in the law, there are still problems with implementation, enforcement, and inclusion. Legal frameworks need to go beyond just recognising menstrual health management as a right. They need to include enforceable obligations to ensure it is easy to access, affordable, and free of discrimination.

This study shows how important it is to take a multidimensional approach that includes legal reform, policy intervention, and raising public awareness. To achieve menstrual equity, it is

³⁵ <https://www.juscorpus.com/menstruation-leave-laws-in-india-progressive-or-regressive-prejudice/>

important to strengthen legislative measures and put in place effective ways to carry them out. In the end, promoting menstrual health within a rights framework is essential for inclusive development and the protection of basic human rights.

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