



LABOUR

Menstrual Leave Becomes a Legal Entitlement in Karnataka Workplaces: No Certificate, No Carry-Over

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On 20 November 2025 the Labour Department of Karnataka issued Government Order No. LD 466 LET 2023, converting a consultative policy draft into a binding statutory entitlement. The order, grounded in the State's enabling powers under five separate labour enactments, grants every woman worker within the 18-to-52 age bracket one paid leave day per menstrual cycle, capped at twelve days in a calendar year. The mandate is immediate, pan-sectoral and, significantly, self-certification based removing the historical hurdle of medical proof.

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Genesis and consultative process

The journey began with Notification No. LD 466 LET 2023 dated 12 January 2024, by which the State constituted a multi-stakeholder committee comprising medical experts, trade-union representatives, industry associations, IT/BT and garment-sector employers, academicians and women's organisations. After extensive deliberations the committee recommended six annual paid menstrual leaves. To test public acceptability the department uploaded the draft on its dedicated portal karmikaspandana.gov.in on 18 October 2025. Seventy-five written responses were received; fifty-six favoured the proposal while nineteen opposed it. Of the supportive opinions twenty-six came from employers, seven from labour unions and nineteen from individual employees. A cabinet note dated 9 October 2025 crystallised the political sanction, paving the way for the present Government Order.

Statutory footprint and coverage

The order expressly invokes five Central and State labour statutes the Factories Act 1948, the Karnataka Shops & Commercial Establishments Act 1961, the Plantation Labour Act 1951, the Beedi & Cigar Workers (Conditions of Employment) Act 1966 and the Motor Transport Workers Act 1961. By referencing these enactments, the Government ensures that every registered establishment, be it a factory, plantation, motor-transport undertaking, garment unit, IT park or multi-national office, falls within the mandate. The benefit extends to all categories of women employees permanent, contractual or outsourced thereby plugging the vulnerability often faced by gig and third-party payroll workers.

Entitlement architecture

The leave is compensatory and wage-protected: an eligible employee is entitled to wages she would have earned had she worked that day. The monetary liability rests squarely on the employer and cannot be offset against existing earned or privilege leave. A statutory ceiling of twelve days per calendar year is prescribed; any unused menstrual leave automatically lapses at the close of the month and cannot be accumulated, encashed or carried forward.

Conditions precedent and procedural simplicity

To prevent administrative abuse the Government has opted for a light-touch compliance model. An employee need only intimate her intention to avail the leave; no medical certificate or documentary evidence is required. The leave must, however, be consumed within the same calendar month an anti-stockpiling safeguard that incentivises timely use while discouraging retrospective clustering.

Immediate effect and compliance window

The order is operative from the date of its publication, i.e., 20 November 2025. Establishments must incorporate the new leave category into their attendance and payroll systems accordingly. Non-compliance will attract penal consequences under the respective parent statutes, including prosecution and fine provisions contained in the Factories and Shops Acts.

Conclusion

Karnataka's 2025 menstrual leave regime marks a decisive shift from discretionary welfare to statutory right. By embedding the entitlement across five labour laws and eliminating medical-proof bottlenecks the State has balanced employee dignity with employer administrability. What remains is careful implementation: updating leave policies, recoding payroll software and sensitising line managers so that the promise of the statute translates into tangible workplace equity.

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