

Analysing Menstrual Leave Policies for Working Women in India: A Call for Reform

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Summary

Menstruating women experience pain, which makes it difficult for them to perform their jobs in the occupational fields effectively. Based on the available sources, this article examines the need and implementation of menstrual paid leave or period leave policies for working women in India. As the proposed policy could have both benefits and drawbacks, it is imperative to establish well-defined guidelines to enhance health and well-being and to promote gender neutrality in the workplace. After implementing menstrual leave in many countries, policies relating to menstruation leave have become a topic of increased discussion in India. However, only few states like Bihar, Kerala and Odisha have implemented menstrual leave rules. More work needs to be done to guarantee that women may take this time off, and mandating menstrual leave needs a wider conversation. Field research and surveys are required to explore the views to introduce the menstrual leave policy in India.

Key words: Menarche, Menstrual leave policy, Working women

Menarche marks a significant phase for adolescent girls; for them it signals the transition into womanhood. According to the World Health Organisation, adolescents are individuals aged 10-19 years, regardless of gender (Kågesten & Reeuwijk, 2021; Dambhare et al, 2012). Women's health encompasses a broad range of issues that affect females at all stages of life as they mature. Menstrual health has been increasingly recognised as a vital component of reproductive health. Each woman's experience with menstrual cycles varies due to individual biological differences. Historically, menstruation has been a taboo. Various challenges related to menstrual health have been reported, including the availability of clean absorbent materials, availability of safe, clean, and private spaces for managing, changing, and disposing of materials, adequate menstrual and reproductive health education, proper diagnosis and treatment of menstrual disorders and socio-cultural norms that stigmatise menstruation and limit social support. Addressing menstrual-related issues is essential for advancing gender equality and supporting feminist movements, as it represents a crucial step toward achieving greater equality (Hennegan et al, 2021; Sasaki et al, 2021).

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Pre-menstrual syndrome and dysmenorrhea are common conditions that affect women just before menstruation, and they manifest a wide range of physical and psychological symptoms. The majority of the women encounter the general symptoms including mastalgia, headache, vomiting, mood swings, breast tenderness fatigue, joint pain, abdomen bloating, constipation, and/or diarrhoea (Gudipally & Sharma, 2022). "Menstrual leave is a workplace policy that provides menstruators with time off if they are experiencing menstrual-related symptoms or illness, and are therefore unable to attend work" (Jessica et al, 2019). Menstrual leave policy refers to a policy that allows women to take time off from work or school during their menstrual cycles (Hashimy, Sayed Qudrat, 2023).

Based on the Google search, this article aims to examine the need and implementation of menstrual paid leave or period leave policies for working women in India. The proposed policy could have both benefits and drawbacks. Appropriate guidelines are imperative to enhance health and well-being and to promote gender neutrality in the workplace.

Menstruation care requires special attention for working women: Menstruation is a monthly physiological event that occurs in every woman's life. Menstrual health is a comprehensive state of physical, mental, and social well-being. They enter a variety of occupations, and are engaged in practically every sector of the economy, including

banking and information technology. However, many women struggle to strike a life-work balance, and may feel increased mental stress. They should have access to accurate information and care including care, hygiene, and rest for their bodies (Gudipally & Sharma, 2022). During or at beginning of the menstruation cycle, women commonly experience nausea, back pain, stomach and uterine cramps, and headaches. Globally many developing countries are not allowed to work publicly, they were extended only to home-based work.

Common Health Problems Faced by Working Women

Reproductive issues: Seventy-five percent of women are of reproductive age. While a woman is pregnant, her exposure at work might impact her growing child. Low amounts of chemical and other substance exposure during work that may not be harmful to the mother yet it may be detrimental to her child (Kumar et al, 2019).

Ergonomics: Women usually have more work-related cases of musculoskeletal disorders (illnesses or injuries of the muscles, nerves, tendons, joints, cartilage, arms, legs, neck, or lower back) than men (Kumar et al, 2019).

Stress: Women have nearly double the rate of stress-related disease as males. According to a survey, stress is number one workplace concern of 60 percent working women. Balancing work and family life adds additional stress for them. In 2011, more than 70 per cent of mothers with children under the age of 18 were working. When family and professional obligations intersect, the ensuing stress can result in physical and mental symptoms.

Cancer: Occupational exposure to hazardous chemicals may have a role in the development of some forms of cancer. The National Institute of Occupational Safety and Health is investigating whether occupational exposure has relationship with female malignancies (Kumar et al, 2019).

Violence: Although women have a substantially lower rate of job-related fatalities than males, homicide is the biggest cause of mortality among women in the workplace. It is responsible for 40 percent of all workplace deaths among female workers and second highest cause of occupational injury fatality for women.

Personal protective equipment: The inappropriate design and sizes of personal protection equipment and clothing may influence the health and safety of working women. In 2011, the Report of Health Care noted that many of over 14.8 million working

women may be at risk of illnesses and injuries caused by long hours, shift changes, physical tasks, violence, and possible exposure to infectious and blood-borne diseases and hazardous chemicals. 1.6 million women were working in transportation and warehousing. Women in transportation are prone to accidents, fall injuries, and respiratory ailments (Kågesten & Reeuwijk, 2021).

Menstrual Leave Policies

Menstruation is a perfectly natural biological process, not a disease or a disability. However, it can range from a slightly discomforting to a severely debilitating experience for women. Nearly 20 percent of women suffer from uncomfortable symptoms. These may include cramps, nausea, fever, and weakness during their periods. These are debilitating enough to hamper their daily activities. Some women experience reduced emotional control and decreased concentration (India Today, 2017).

A March 2023 report of WHO found that endometriosis (a disorder in which tissue that normally lines the uterus grows outside the uterus) affects roughly 190 million (10%) of reproductive-age women and girls globally (India Today, 2017). In India, 25-40 million women suffer from endometriosis (India Today, 2017; Ering, 2017; Angellica Aribam, 2023).

The concept of menstruation leave is not new but is not widely accepted. In the 1920s and 1930s, Soviet Russia exempted menstruating women from paid labour to protect their reproductive health, giving rise to the concept of a formal menstrual leave policy (Parliament, 2023). Following World War II, Japan allowed women to take time off during painful periods, and employers were required to provide such leave without compensating workers. Menstrual leave legislation in Japan has been in place for over 70 years, it is the only one in Asia. Spain, Japan, Indonesia, Philippines, Taiwan, South Korea, Vietnam, and Zambia are the countries to have implemented 'Menstrual Leaves'. Spain is the first European country to grant paid menstrual leave (3-5 days) to workers.

In 2016, the Chinese province passed a law allowing women suffering from severe menstrual discomfort to take one or two days off per month if a doctor so certifies (Darbhamulla, 2023; The Hindu, 2023). Notably, the article's review found that Hubei, Shanxi, and Ningxia provinces in China currently offer menstrual leave and that working women in Indonesia are provided two days of menstrual leave for every month. In 2001, South Korea offered one day of menstrual leave

per month for female workers (Emily Matchar, 2014). Further, Taiwan's Act on Gender Equality in Employment was amended in 2002 under which menstrual leave is sanctioned to female employees and it's their right to apply for menstrual leave (Chang et al, 2011).

The lower chamber of the Italian Parliament has debated a proposal to provide three days of paid menstruation leave per month for working women experiencing painful periods (Natation's U, 2023). Similarly, Spain has just enacted legislation allowing people with particularly painful periods to take paid "menstrual leave" from work, a European first. The bill is part of a larger package of sexual and reproductive rights legislation that allows 3-day "menstrual" leave of absence, with the option of extending it to five days for those experiencing debilitating periods, which can cause severe cramping, nausea, dizziness, and even vomiting. A doctor's note is required for the leave, and the cost will be covered by the public social security system. In 2016, Sweden made paid menstrual leave a legal requirement, but most other European nations including France and Spain, have not followed suit. Huet (2022). Women are an important part of American culture. The number of women in the civilian labour force is expected to increase by 9 percent between 2008 and 2018, with women aged 65 to 74 increasing by 89.8 percent. We must continue to consider the workplace in the context of women's overall health and address the unique safety and health issues that they face (Bureau of Labour Statistics Women at Work, 2011).

Menstrual Leave Policy in India

In India, there is no universal legislative provision for menstrual leave. However, Bihar State introduced two days special menstrual leave per month to female employees up to the age of 45 years since 1992 (Mahapatra, 2023). Uttar Pradesh women teachers are demanding three days of 'Period Leave' or 'Menstrual Leave' every month, over and above other leaves. The Menstruation Benefits Bill 2017, proposed by an MP Ninong Ering was the first legislative effort for a 4-day leave of absence during menstruation for women (Rao, 2023). Kerala Assembly is also considering it. Odisha announced a one-day menstrual leave policy for working women on 15 August 2024, making it the third state in India to do so. The policy applies to both state government and private sector employees. The policy aims to support women's health, reduce the stigma around menstruation, and encourage open

discussions about menstrual health. The policy allows women to take leave on the first or second day of their menstrual cycle. The Department is working on detailed policy guidelines, which reflects a growing awareness of menstrual health, and also opens the conversation about the importance of similar measures across India (Times of India, 2024).

The Menstruation Benefits Bill, 2017

It was introduced by Shri Ninong Ering as a private member's bill to facilitate menstruating women. The menstruation benefits bill was rejected by the Arunachal Pradesh Legislative Assembly due to its unclear nature of working as an employee in any establishment registered under the appropriate Government Studying in or above Class VIII in any school recognized by the appropriate Government (Rao 2023; India Today, 2017).

Benefits: (a) Paid leave for 4 days for female employees; (b) Leave from school in case of female students; (c) Overtime allowance for female employees in case they opt for working during menstruation; 30 minutes of rest, twice a day for 4 days in case the female employee opts to work during her menstruation; (d) Facility of crèche either separately or along with common facilities, for an establishment with more than 50 employees, within the prescribed distances (Ering, 2017); (e) In 2017, Culture Machine, a Mumbai-based company, implemented a 'First-Day Period leave policy' (FOP), for female employees. However, India introduced the Menstruation Benefits Bill in 2018, which was not approved in 2022 (India Today, 2017). The Right of Women to Menstrual Leave and the Right to Free Access to Menstrual Health Products Bill, 2022 would have allowed women three days of paid leave and leave from work during their menstrual cycle at any government-registered establishment.

Companies Offering Menstrual Leave

In India many private sector companies have initiated to provide period leave to their women employees. Menstruation pain/ discomfort in working place may hinder the productivity of the companies directly or indirectly. Some such companies are shown in Table 1.

Why do We Need a Menstrual Leave Policy in India?

Women who experience discrimination at work from friends, or family members are more likely to experience depression during their periods, so menstrual leave legislation should be implemented to ensure better working conditions. There are no laws governing menstrual leave in India and

Table 1: Companies offering menstrual leave in India

SI No	Name of the company	Place	Menstrual leave policy
1	Ivipanam	Gujarat	12 days leave per annum
2	Zomato	Gurugram	10 days period leave per annum
3	Byju's	Kerala	12PELs–Period Leaves every year. In addition, one menstrual leave per month
4	Swiggy	Bangalore	Two days' leave every month
5	Mathrubhumi	Kerala	Work from home or take a full day's leave during menstruation
6	Magzter	Chennai	A day off every month
7	Industry ARC	Hyderabad	One day or two days of paid leave during menstruation
8	FlyMyFiz	Kolkata	One extra leave per month
9	Gozoop	Mumbai	One extra leave per month, to be availed, on the first day of menstruation.
10	Culture Machine	Mumbai	A day off on the first day of their period
11	Wet and Dry	New Delhi	Two days off a month for women employees
12	Horses stable News	Bengaluru	Two days paid leave and offers an allowance of Rs. 250 to help ease through the stress during that specific time and called it 'Nay to Yay'
13.	Campus 365	New Delhi	12 days of period leave in a year

also there is no centralised directions for 'paid menstruation leave' in India.

Physiological characteristics of women are a valid reason to grant period leaves. In India, menstruation is frequently associated with stigma and taboos. Many women hesitate discussing their menstrual periods with their family, in working places, and in public and also, they are trained to conceal them. When women experience discomfort or health difficulties linked to menstruation, it can be challenging for them to seek help or adjustments due to the culture of silence that fosters ignorance and misunderstanding. In some places secrecy and shame are associated with menstrual period. Menstruation is aligned with physical and emotional challenges including mood swings, exhaustion, migraines, bloating, menstrual cramps, and emotional distress during the period. Symptoms may be mild to severe which makes it difficult for them to go to work or school or conduct daily duties. The menstrual leave policies for women may provide flexibility, acknowledging their real health demands and managing these symptoms without financial penalty.

Studies indicate that women are more likely to enjoy increased productivity and general well-being when they receive support during their menstrual cycles. Employers can foster a more welcoming and encouraging work atmosphere by enabling women to take time off or modify their schedules as needed. If a menstruator can take the time off, they need to recover and manage their symptoms to can come back to work and be able to perform their job to the best of their abilities. This productivity would benefit the workplace overall because the quantity and quality of work

would increase (Jessica et al, 2019). This leave will normalise menstruation, reduce stigma and foster open discussion about menstrual health. Addressing menstrual leave shall eventually improve work performance, mitigate gender pay gap, and allow women to participate fully in the workforce without losing income. Menstrual leave acknowledges the distinct experiences of women and contributes to the dismantling of gender stereotypes and biases that perpetuate workplace inequality. Menstrual leave could provide women with the opportunity to openly discuss their menstrual cycles and seek treatment for any health-related health issues.

Legal Perspectives

Article 15(3) allows for special provisions for women, addressing claims of discrimination against men who can't avail of menstrual leave. Meanwhile, Article 42 requires the state to ensure "just and humane conditions of work" and "maternity relief." Menstrual leave is viewed as an extension of this responsibility, promoting a humane work environment for women during their menstruation periods.

Existing Govt Schemes in India to Promote Menstrual Hygiene Management

- Menstrual hygiene scheme launched by the Ministry of Health & Family Welfare
- Rashtriya Kishore Swasthya Karyakram
- SABLA Programme of the Ministry of Women and Child Development
- The National Guidelines on Menstrual Hygiene Management

- Scheme for Promotion of Menstrual Hygiene among adolescent girls in the age group of 10-19 years (supported by the National Health Mission)
- Swachh Bharat Mission and Swachh Bharat: Swachh Vidyalaya (SB:SV)
- Guidelines for Gender Issues in Sanitation, 2017

In the debate about the menstrual leave, there is fear of bias in hiring. It would prejudice employers against hiring women and lead to their alienation at work. The biased hiring may lead to a decline in the labour force participation of women. Also, most women are capable of functioning at full capacity even during their periods. So, for the handful of women who do suffer unbearable symptoms, the existing sick leave option is adequate. Further, menstrual leave policies might discriminate against men. However, the counter arguments are largely a reflection of continuing age-old gender biases.

Implementation issues

There could be difficulties in implementing and managing menstrual leave policies, including determining eligibility and verifying claims. There is also potential for misuse or abuse of the leave policy. Small businesses may find it challenging to absorb the costs and logistics of implementing menstrual leave.

It has been suggested that menstrual cycle is not a “handicap” and shouldn’t be the basis for a policy requiring “paid leave”. It is inappropriate for us to bring up topics that deny women equal opportunities simply because somebody who does not menstruate has a particular viewpoint towards menstruation (Vrinda Tulsian, 2023). There are many dilemmas, discussions, questions, arguments, debates, and questions about the menstrual leave policy that need to be addressed. The question is whether such a policy would potentially benefit or have potential drawbacks for the menstruator’s well-being. In spite of the progressive benefits of menstrual leave policies, it may actually increase discrimination and negative attitudes toward menstruators.

The Way Forward

The Menstrual Leave Bill takes gender equity discourse forward in a constructive and balanced manner. Gender equality is not only a basic human right, it is vital for a peaceful, prosperous, and sustainable world (SDG 5). There has been progress over the last decades, but the world is not on track to achieve gender equality by 2030. Menstrual leave policies must be introduced alongside measures to increase participation of women in workforce. Sadly, the percentage of female workforce has declined

from 36 in 2005-06 to 24 in 2015-16 (Mint, 2018).

Other factors: Separate toilets for men and women with facilities for disposal of sanitary napkins should be ensured. Promoting menstrual health literacy; ensure that employers, employees, and medical professionals have access to proper information about menstrual health and effective treatment options; provide workers, especially those who menstruate, with the ability to take breaks and access clean toilet facilities and incentivising menstrual leave policies. Government could incentivise menstrual leave by providing tax exemptions to companies offering it; consideration could also be given to government aid covering leave costs through Direct Benefit Transfer (DBT).

Workplaces should provide free emergency period products, pain medication, and support for employees to access quality medical advice and treatment for severe menstrual symptoms. *Flexible Working Conditions:* Allow for flexible work arrangements and at her comfort and flexibility such as the ability to work from home or take shorter breaks, rather than requiring full-day leave; improving global minimum labour standards regarding work hours, wages, health and safety, and equal opportunities, which would eliminate the need for separate menstrual leave policies.

Conclusion

Menstruation is a perfectly natural biological process and an inevitable biological phenomenon, not a disease or a disability for all women. The need for a menstrual leave policy in India extends beyond mere statistical evidence. It is rooted in the cultural, health-related, and ethical considerations surrounding menstruation, as well as the broader goals of promoting gender equality and creating inclusive work environments. However, just a few states like Bihar, Kerala and Odisha have implemented menstrual leave rules for university students/ women, and they have not yet been extensively adopted by India. Ultimately, despite significant progress being made in India’s menstrual leave legislation, more work needs to be done to guarantee that women may take this time off, and mandating menstrual leave needs a wider conversation. Further field research and surveys are required to explore the views to propose the menstrual leave policy in India.

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कैसे पाएं पीरियड के दर्द से निजात

पीरियड्स (मासिक धर्म) के दौरान महिलाओं की पीड़ा स्वाभाविक है, हर कोई इस दौर से गुजरता है। कारण – विशिष्ट शारीरिक प्रक्रियाओं में गर्भाशय अपनी उपरी परत निकालने के लिए सिकुड़ता है, इस प्रक्रिया में दर्द उत्पन्न होता है। पेट की ऐंठन असमान्य रूप से ज्यादा हो तो आराम के लिए उपाय आवश्यक आवश्यक हैं।

मासिक चक्र (मेंस्ट्रुअल साइकिल) के दौरान दर्द के साथसाथ बेचौनी होने लगती है, शुरुआती दिनों में हल्का पेट दर्द होता है। कुछ महिलाओं को यह दर्द असहनीय होता है और उनके रूटीन कार्य बाधित होते हैं।

प्राइमरी डिस्मेनोर्हिया प्रायः उन किशोर लड़कियों द्वारा अनुभव किया जाता है जिनका पीरियड हालिया शुरू हुआ है। पीरियड में हार्मोन निर्माण के दौरान गर्भाशय संकुचित होता है, इससे गर्भाशय की परत को बाहर निकालने में सुविधा मिलती है। पे टमें इसी खिंचाव या दर्द (मेंस्ट्रुअल क्रैम्प) के साथ पैरों या पीठ दर्द भी हो जाता है; उम्र बढ़ने पर यह दर्द कम होने लगता है। यह दर्द प्रायः पीरियड के शुरुआती एक-दो दिन ठहरता है। सेकेंडरी डिस्मेनोर्हिया प्रायः अंदरूनी विकृति या संक्रमण के कारण होता है। यह दर्द मासिक धर्म की पूरी अवधि तक जारी रह सकता है। पीरियड्स के दौरान दर्द बिल्कुल न हो या अचानक दर्द उठने लगे तो चिकित्सक से परामर्श लेना चाहिए।

दर्द निवारण उपाय: पीरियड्स के दौरान आराम करें, आरामदायक स्थिति में झपकी लें लें। गर्म पेन रिलीफ पैड या गर्म पानी के बैग का प्रयोग भी कर सकते हैं। पीठ और पेट के निचले हिस्से की हल्की मालिश, हल्के व्यायामों से पेल्विक क्षेत्र में रक्त के प्रवाह से आराम मिलता है। कैफीन, धूम्रपान और शराब का सेवन जितना कम होगा उतना लाभ होगा।