











# India

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>60.0</b>	<b>54.2</b>	<b>35.6</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For India, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Mumbai). The scores for India are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	50.0	100.0	50.0	25.0	100.0	50.0	25.0	50.0	75.0	75.0
Supportive frameworks score	75.0	66.7	33.3	50.0	100.0	66.7	0.0	66.7	33.3	50.0
Expert opinions score	25.0	75.0	25.0	25.0	31.3	12.5	25.0	25.0	75.0	37.5

In summary, the **WBL 2.0 legal frameworks score** for India (60.0 out of 100.0) is lower than the global average (64.2) and higher than the South Asia regional average (45.9). When it comes to constraints on freedom of movement and constraints related to marriage, India obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for India is on the indicator measuring laws affecting women's pay. To improve on the Pay indicator, India may wish to consider mandating equal remuneration for work of equal value, allowing women to work at night in the same way as men and allowing women to work in an industrial job in the same way as men.

The **WBL 2.0 supportive frameworks score** for India (54.2 out of 100.0) is higher than the global average (39.5) and higher than the South Asia regional average (31.1). When it comes to supportive frameworks related to marriage, India obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for India is on the indicator measuring supportive frameworks affecting childcare. To improve on the Childcare indicator, India may wish to consider establishing a publicly available registry or database of childcare providers, establishing a clearly outlined application procedure to

request financial support from the government for childcare services by parents, establishing a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers and publishing reports on quality of childcare services at least within every 3 years.

The **WBL 2.0 expert opinions score** for India (35.6 out of 100.0) is lower than the global average (65.7) and lower than the South Asia regional average (43.5). India does not attain a perfect score on any of the WBL 2.0 expert opinion indicators. There is room for improvement across all ten indicators. As an example, one of the lowest scores for India is on the indicator measuring expert opinions on women's work after having children.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Is there legislation on domestic violence?	No	No applicable provisions could be located
Is there legislation on femicide?	No	No applicable provisions could be located
Is there comprehensive legislation on sexual harassment?	Yes	The Sexual Harassment of Women at Workplace Act, Secs. 2(o), 3, 15 and 26; Indian Penal Code, Sec. 354D
Is there legislation on child marriage?	Yes	The Prohibition of Child Marriage Act, Secs. 2(a)(b), 3 and 9-14; Hindu Marriage Act, Sec. 5(III)
<b>Mobility</b>		
Can a woman travel internationally in the same way as a man?	Yes	Passport Act, Art. 5; Passports (Amendment) Rules 2016, Sec. 2
Can a woman choose where to live in the same way as a man?	Yes	No restrictions could be located
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do women and men have equal rights to confer citizenship to their spouses and their children?	Yes	Indian Citizenship Act, Art. 4(1)(b)
<b>Workplace</b>		
Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
Does the law prohibit discrimination in employment based on gender?	Yes	Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act 2017, Sec. 13
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
Can a woman work at night in the same way as a man?	No	Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act 2017, Sec. 13
Can a woman work in an industrial job in the same way as a man?	No	Factories Act, Secs. 27, 66 and 87; Mines Act 1952, Sec. 46
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
<b>Marriage</b>		
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	No restrictions could be located
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	No applicable provisions could be located
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Hindu Marriage Act 1955, Sec. 13(2)
Does a woman have the same rights to remarry as a man?	Yes	Hindu Marriage Act 1955, Sec. 15
<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	Yes	Maternity Benefit Act, Sec. 5(3)

Are leave benefits for mothers paid solely by the government?	Yes	Employees' State Insurance Act, Art. 46; Gazette notification/corrigendum dated 10th of September, 2020/29th of September, 2020
Is there paid leave available to fathers?	No	No applicable provisions could be located
Is dismissal of pregnant workers prohibited?	No	No applicable provisions could be located
<b>Childcare</b>		
Does the law establish provision of childcare services in center-based settings?	Yes	Maternity Benefit (Amendment) Act No. 6 of 2017, Art. 4; Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act of 2017, Sec. 23; The Code on Social Security 2020, Art. 67
Does the law establish any form of support to families for childcare services?	No	No applicable provisions could be located
Does the law establish any form of support to non-state childcare providers?	No	No applicable provisions could be located
Does the law establish quality standards for the provision of childcare services in center-based settings?	No	No applicable provisions could be located
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Indian Contract Act 1872, Sec. 11; Companies Act 2013, Secs. 3 and 7
Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
Does the law prescribe a gender quota on corporate boards?	Yes	Companies Act, Art. 149
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
<b>Assets</b>		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Hindu Marriage Act of 1955, Sec. 14 and 27; The Land Acquisition (Right to Fair Rehabilitation and Resettlement) Act, Art. 3
Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Maharashtra Hindu Succession Act, 1994, Sec. 29A; Hindu Succession (Amendment) Act 2005, Sec. 3
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Hindu Succession (Amendment) Act 2005, Sec. 5
Does the law provide for the valuation of nonmonetary contributions?	No	Hindu Marriage Act of 1955, Sec. 27
<b>Pension</b>		
Are the ages at which men and women can retire with full pension benefits equal?	Yes	Employee's Pension Scheme 1995, Sec. 12(7)
Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Employee's Pension Scheme 1995, Sec. 12(7)
Is the mandatory retirement age for men and women equal?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	No	No applicable provisions could be located

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	Yes	Ministry of Women and Child Development Beti Bachao Beti Padhao Scheme; One Stop Crisis Centre Scheme; DCP Police units; Nirbhaya Police Teams
Are there special procedures for cases of sexual harassment?	No	Insufficient evidence located
Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	Yes	Ministry of Women and Child Development



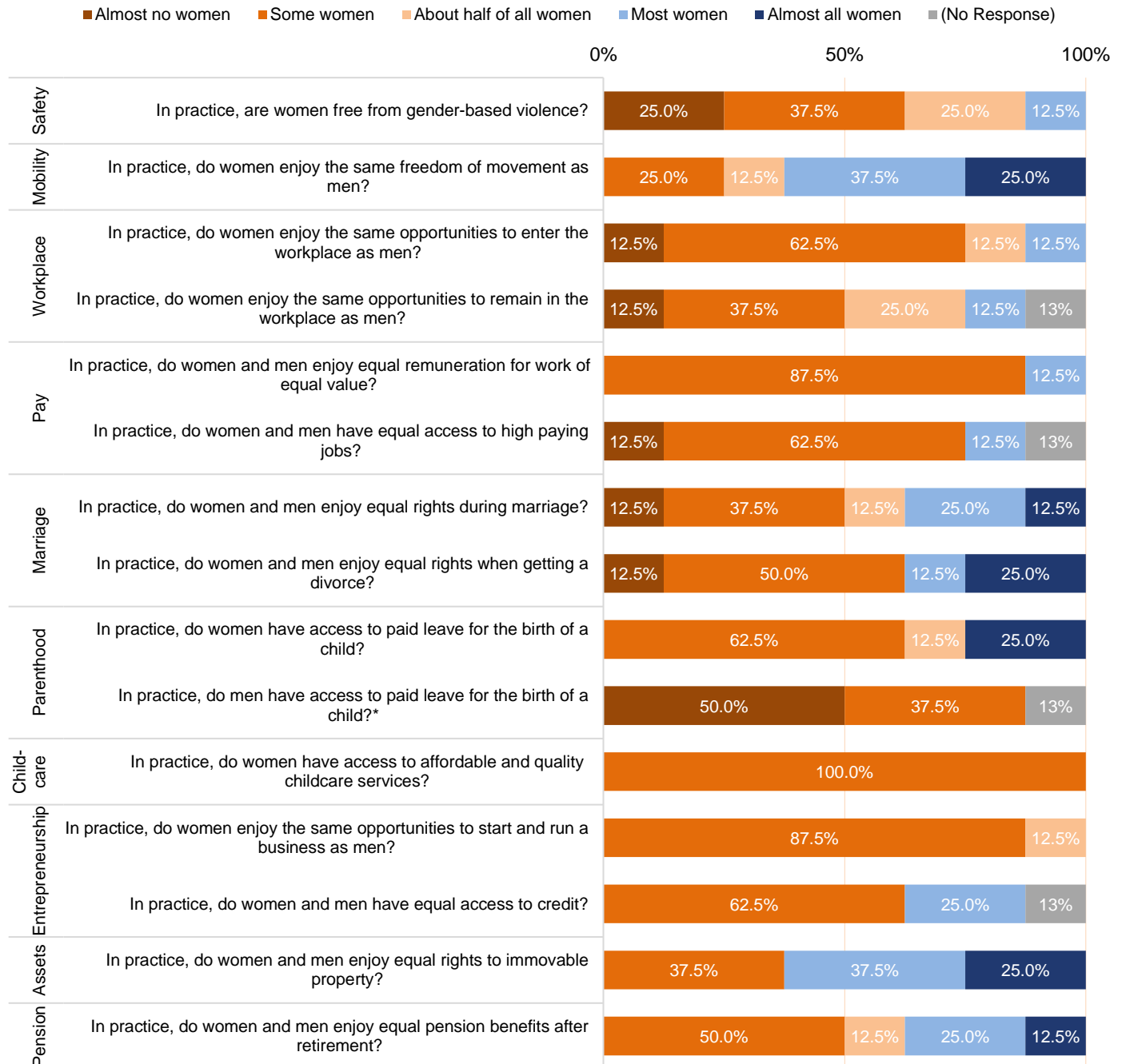
Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	Yes	Budget 2023-2024
<b>Mobility</b>		
Are passport application processes the same for women and men?	Yes	Passport Application Form
Are the application processes for official identity documents the same for women and men?	Yes	ID application procedures
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	No	Insufficient evidence located
<b>Workplace</b>		
Has the government published guidelines on non-discrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Is there a specialized body that receives complaints about gender discrimination in employment?	Yes	National Commission for Women Act, Art. 10
<b>Pay</b>		
Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	No	Insufficient evidence located
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	Yes	Ministry of Statistics and Programme Implementation: Women and Men in India, 2018
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	Yes	Fast Track Courts
Are there specialized family courts?	Yes	The Family Courts Act, Art. 3; Family Courts
Is legal aid available for family law disputes?	Yes	Legal Services Authority of India
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Employees' State Insurance Regulations, Art. 88
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Has sex-disaggregated data on unpaid care work been published?	Yes	National Statistics Office: Time Use Survey (TUS) 2019
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers?	No	Insufficient evidence located
Has the government published any reports on quality of childcare services within the last 3 years?	No	Insufficient evidence located
<b>Entrepreneurship</b>		
Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	No	Insufficient evidence located
Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	Yes	Schemes by Central Government Departments; Mantri Mudra Yojana; Schemes by Central Government Departments; The National Skill Development Policy
Is there a current national government plan or strategy with a focus on women's access to financial services?	Yes	National Strategy for Financial Inclusion (2019-2024)
<b>Assets</b>		
Are there mechanisms or incentives to encourage women to register immovable property?	Yes	Transfer of Property Act, Art. 44; Tax benefits and stamp duty concession



Are there awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Is anonymized sex-disaggregated data on property ownership published on a regular basis?	No	Insufficient evidence located
<b>Pension</b>		
Are there incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	EPFi Grievance Management System

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## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.