
INVISIBLE LABOUR, UNEQUAL BURDEN: GENDER DISCRIMINATION AND THE UNPAID HOUSEHOLD WORK OF WOMEN IN INDIA

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ABSTRACT

Women's unpaid household work constitutes a substantial yet largely invisible form of labour in India. Despite its essential contribution to the functioning of families and the wider economy, domestic work performed predominantly by women is generally excluded from conventional notions of productive employment because it does not generate a direct monetary wage. This invisibility reflects more than an economic limitation; it is closely connected with entrenched gender roles, patriarchal expectations and discrimination within the household. The persistent assumption that cooking, cleaning, caregiving and other domestic responsibilities are naturally women's duties contributes to the unequal distribution of labour and restricts women's economic independence, employment opportunities and social recognition. This paper critically examines the gendered nature of unpaid household work in India and analyses the reasons for its continued undervaluation. It further evaluates the economic significance of such labour through the perspectives of opportunity cost, time use and monetary valuation. The study examines the extent to which the Indian constitutional and legal framework, particularly the principles of equality, dignity and gender justice, recognises women's domestic contribution. Judicial developments concerning the economic value of homemakers are also analysed to identify the shift from viewing homemakers as economically inactive to recognising their contribution as valuable labour. The paper argues that meaningful gender justice requires not merely recognition or monetary valuation, but measures aimed at recognising, reducing and redistributing unpaid household work.

Keywords: Unpaid Household Labour; Gender Discrimination; Economic Valuation; Women's Rights; Constitutional Equality; Gender Justice.

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CHAPTER I: INTRODUCTION AND RESEARCH FRAMEWORK

1.1 Introduction

Household work is essential to the functioning of every family, yet it is often excluded from the conventional understanding of “work” because it does not ordinarily generate a direct wage. Cooking, cleaning, childcare, care of elderly family members, household management and other domestic responsibilities require considerable time and effort. In India, these responsibilities continue to be disproportionately performed by women. The Time Use Survey 2024 records a substantial gender disparity in participation in unpaid domestic services, demonstrating that unpaid household labour remains strongly gendered.² The absence of remuneration does not make such work economically meaningless. Household labour contributes to the well-being and functioning of the family and enables other members to participate in paid employment and other economic activities. Nevertheless, women performing such work are frequently perceived as economically dependent or inactive because their contribution is not reflected through a regular income.

The problem therefore extends beyond the question of monetary compensation. It concerns the social perception that domestic work is naturally a woman’s responsibility. Such expectations can restrict women’s economic autonomy, employment opportunities and participation in public life. The Supreme Court of India has increasingly acknowledged the economic contribution of homemakers and recognised that the absence of a conventional income does not mean an absence of economic value.³

This research examines unpaid household work as a question of **gender discrimination, economic recognition and constitutional justice**. It seeks to analyse why this labour remains disproportionately unpaid, how Indian law and courts have recognised it, and whether existing recognition is sufficient to address the underlying inequality.

1.2 Statement of the Research Problem

Despite increasing female participation in education and employment, women in India continue to undertake a disproportionate share of unpaid household and caregiving responsibilities. The

² Ministry of Statistics & Programme Implementation, Government of India, *Time Use Survey 2024* (2025).

³ *Kirti v. Oriental Insurance Co.*, (2021) 2 SCC 166.

persistence of this unequal distribution raises questions about the role of patriarchal expectations, gender stereotypes and discrimination within the household.

The problem is intensified by the absence of direct remuneration. A homemaker may perform work that would require paid workers if outsourced, yet the same contribution is frequently regarded as a personal or familial obligation when performed by a woman within her own household. This creates a gap between the **actual economic contribution of household labour and its social and legal recognition.**

Although the Supreme Court has acknowledged the economic value of homemakers' work, judicial valuation generally arises within particular legal contexts and does not automatically provide remuneration or alter the distribution of domestic responsibilities.⁴ The research therefore examines whether recognition of value is sufficient to address the broader gender inequality associated with unpaid household labour.

1.3 Literature Review

1.3.1 Supreme Court of India: *Kirti v. Oriental Insurance Co.*

The Supreme Court's decision in *Kirti v. Oriental Insurance Co. Ltd.* is central to the legal understanding of homemakers' unpaid labour in India. The Court rejected the assumption that a homemaker's contribution can be disregarded merely because she does not receive a formal salary. It discussed the numerous services performed by homemakers and recognised their economic significance while determining compensation.⁵ The judgment provides an important foundation for examining the transition from treating homemakers as economically inactive to recognising their contribution as valuable labour.

However, *Kirti* primarily addresses the valuation of homemakers' services in the context of motor accident compensation. It therefore leaves broader questions concerning regular remuneration, social security and the structural distribution of household labour open for further examination.

⁴ Id.

⁵ Id.

1.3.2 Supreme Court of India: *Rajnesh v. Neha*

In *Rajnesh v. Neha*, the Supreme Court examined maintenance and financial dependence within matrimonial relationships. The judgment recognised the economic realities faced by women who may have limited independent income and discussed the need for a realistic approach towards maintenance.⁶ Although the case is not exclusively concerned with unpaid household labour, it is relevant to the present study because economic dependence within marriage cannot be examined separately from the distribution of domestic responsibilities.

The decision helps situate unpaid household work within the broader question of women's economic security after marriage and the legal consequences of unequal economic positions between spouses.

1.3.3 Government of India: Time Use Survey

The **Time Use Survey 2019** provided one of India's most significant official attempts to measure how individuals allocate their time between paid activities, unpaid domestic services and caregiving.⁷ The subsequent **Time Use Survey 2024** provides updated evidence and records substantial differences between men and women in participation in unpaid domestic and caregiving activities.⁸

These surveys are particularly important because conventional employment statistics may fail to capture the scale of unpaid work. Time-use data makes it possible to examine domestic labour through the measurable dimensions of participation and time spent. However, statistical measurement alone does not resolve the question of why this labour remains disproportionately assigned to women or how it should be legally recognised.

1.3.4 National Statistical Office: Women and Men in India

The Government of India's **Women and Men in India** publications provide gender-disaggregated information concerning education, employment, economic participation and other indicators of gender inequality.⁹ Such official data is useful for understanding the broader

⁶ *Rajnesh v. Neha*, (2021) 2 SCC 324.

⁷ Ministry of Statistics & Programme Implementation, Government of India, *Time Use in India—2019* (2019).

⁸ Ministry of Statistics & Programme Implementation, Government of India, *Time Use Survey 2024* (2025).

⁹ Ministry of Statistics & Programme Implementation, Government of India, *Women and Men in India* (various eds.).

socio-economic context within which unpaid household work operates.

The literature and statistical material demonstrate that women's domestic responsibilities cannot be considered independently of their participation in paid employment and economic decision-making. The data therefore supports an analysis of unpaid household labour as part of a wider pattern of gender inequality.

1.3.5 Amartya Sen: Gender and Capability

Amartya Sen's scholarship on gender inequality and the distribution of resources provides an important theoretical basis for examining women's substantive freedom and agency. His capability-oriented approach moves beyond the question of whether individuals formally possess equal rights and considers whether they actually possess comparable opportunities to achieve valued outcomes.¹⁰

Applied to unpaid household labour, this perspective is significant because an unequal burden of domestic responsibilities may restrict women's practical opportunities even where formal legal equality exists. The approach therefore complements constitutional analysis by highlighting the difference between **formal equality and substantive equality**.

1.3.6 Indian Feminist Legal Scholarship

Indian feminist scholarship has repeatedly drawn attention to the relationship between law, family structures and women's unequal social position. Scholars such as **Flavia Agnes** have examined the legal regulation of marriage, maintenance, property and family relationships and demonstrated how apparently private family arrangements can have significant consequences for women's economic security.¹¹

This body of scholarship is particularly relevant because unpaid household work operates within the private sphere of the family, where gender inequality may remain less visible than discrimination in formal employment. The literature establishes the need to examine household labour not merely as a personal family arrangement but as an issue connected with women's

¹⁰ Amartya Sen, *Development as Freedom* (Oxford Univ. Press 1999).

¹¹ Flavia Agnes, *Law and Gender Inequality: The Politics of Women's Rights in India* (Oxford Univ. Press 1999).

rights, economic dependence and substantive equality.

1.4 Research Gap

Existing Indian literature and judicial developments establish that women's unpaid household work has considerable social and economic significance. Government time-use data demonstrates the unequal distribution of domestic responsibilities, while Supreme Court decisions have increasingly recognised the economic contribution of homemakers.

However, there remains a gap between **recognition of the value of household labour and examination of the gender structures that make such labour disproportionately unpaid**. Judicial decisions have primarily addressed valuation within particular legal contexts, while statistical studies primarily measure the distribution of time.

This study seeks to bridge these approaches by examining unpaid household work simultaneously through the lenses of **gender discrimination, economic value, constitutional equality and legal recognition**. It further distinguishes between recognition, monetary valuation and actual remuneration, arguing that these concepts should not be treated as synonymous.

1.5 Research Questions

1. Why does unpaid household work continue to be disproportionately performed by women in India?
2. How do patriarchy, gender stereotypes and social expectations contribute to the unequal distribution of household labour between women and men?
3. Why does women's unpaid household work remain economically invisible despite its contribution to family welfare and economic functioning?
4. What is the economic value of women's unpaid household and caregiving labour?
5. To what extent does the Indian constitutional framework provide a basis for recognising women's unpaid household labour?
6. To what extent has the Supreme Court's recognition of homemakers' economic

contribution challenged the traditional understanding of domestic work as primarily a woman's responsibility?

7. Is judicial recognition and monetary valuation sufficient to address the gender inequality associated with unpaid household work?
8. What legal and policy measures can contribute towards recognising, reducing and redistributing unpaid household labour in India?

1.6 Hypothesis

H1: The unequal distribution of unpaid household work in India is substantially influenced by socially constructed gender roles and patriarchal expectations.

H2: The absence of monetary remuneration does not negate the economic value of women's household labour; rather, its unpaid nature contributes to its economic invisibility.

H3: Existing constitutional and judicial recognition has improved the visibility of women's domestic contribution but remains insufficient to eliminate the structural gender inequality associated with unpaid household labour.

H4: Meaningful gender justice requires recognition of household labour together with measures for its reduction and more equitable redistribution between women and men.

1.7 Objectives of the Study

1. To examine the gendered distribution of unpaid household and caregiving work in India.
2. To identify the social and structural factors contributing to women's disproportionate domestic burden.
3. To examine the economic value of women's unpaid household labour.
4. To analyse the constitutional and legal recognition of women's domestic contribution.
5. To examine the approach of Indian courts towards the valuation of homemakers' work.

6. To identify gaps in the existing legal framework and suggest appropriate reforms.

1.8 Research Methodology

The study adopts a **doctrinal and qualitative research methodology**. Primary legal sources include the Constitution of India, relevant legislation and judgments of the Supreme Court and High Courts. Secondary sources include books, journal articles, government reports, statistical publications and institutional studies.

An interdisciplinary approach is adopted by incorporating perspectives from feminist legal theory, economics and sociology. Government time-use data is used to establish the gendered distribution of unpaid domestic and caregiving work. Judicial decisions are critically examined to determine whether legal recognition of homemakers' economic contribution addresses the broader problem of gender inequality.

1.9 Sources of Data

The research relies primarily on secondary sources, including:

- Constitution of India;
- Relevant Indian statutes;
- Supreme Court and High Court judgments;
- *Time Use Survey*, 2019;
- *Time Use Survey*, 2024;
- *Women and Men in India reports*;
- Government reports and publications;
- Books and scholarly works;
- Peer-reviewed journal articles;
- Reports of national and international organisations;

- Relevant online legal databases and official government sources.

1.10 Limitations of the Study

The study is primarily doctrinal and does not involve an independent field survey. The economic value of household labour is also difficult to determine through a single method because domestic and caregiving activities differ in nature and intensity.

The research focuses principally on the **gendered burden of unpaid household work** experienced by women in India and does not attempt to provide an exhaustive empirical study of every form of unpaid labour. Monetary valuation is also treated cautiously because assigning a financial value to household work cannot, by itself, resolve questions of gender norms, dignity, autonomy or unequal distribution.

1.11 Scheme of Presentation

Chapter I – Introduction and Research Framework

This chapter establishes the foundation of the research by introducing unpaid household labour as a gendered legal and socio-economic issue. It presents the research problem, existing literature, research gap, research questions, hypotheses, objectives and methodology. It also identifies the principal sources and limitations of the study.

Chapter II – Gender, Patriarchy and the Unequal Burden of Household Work

This chapter examines why household labour continues to be disproportionately associated with women. It analyses patriarchy, gender socialisation, traditional gender roles, marriage and motherhood, the distinction between productive and reproductive labour, and the double burden faced by women who participate in paid employment. It establishes the connection between unpaid domestic work and gender discrimination.

Chapter III – Unpaid but Valuable: The Economic Value of Women's Household Labour

This chapter examines the economic significance of household work and explains why unpaid labour should not be equated with economically unproductive work. It analyses time-use evidence, opportunity costs, women's economic dependence and different approaches to monetary valuation. The chapter critically examines the tension between the economic value

of household labour and the absence of direct remuneration.

Chapter IV – Constitutional and Legal Recognition of Women’s Unpaid Household Work in India

This chapter analyses the constitutional principles of equality, non-discrimination, dignity and socio-economic justice in relation to unpaid domestic labour. It examines relevant statutory provisions concerning maintenance, matrimonial rights and compensation and evaluates the extent to which Indian law currently recognises the contribution of homemakers.

Chapter V – Judicial Recognition, Gender Justice and the Way Forward

This chapter critically examines the development of judicial recognition of homemakers’ economic contribution, particularly through Supreme Court jurisprudence. It considers whether monetary valuation adequately addresses the underlying gender inequality and also examines relevant international standards and possible legal and policy reforms concerning social security, matrimonial property, care infrastructure and redistribution of domestic responsibilities.

Chapter VI – Findings, Recommendations and Conclusion

This chapter presents the key findings on the gendered distribution, unpaid nature and economic invisibility of women’s household labour. It identifies gaps in the existing legal and judicial framework and proposes measures for recognition, reduction and redistribution of unpaid domestic work. The chapter concludes by examining how greater recognition of household labour can advance substantive gender equality.

CHAPTER II: GENDER, PATRIARCHY AND THE UNEQUAL BURDEN OF HOUSEHOLD WORK

2.1 Gendered Division of Household Labour

Household labour includes activities such as cooking, cleaning, washing, shopping, household management, childcare and care of elderly or dependent family members. Although these activities are necessary for the functioning of a household, they are generally not treated in the same manner as paid employment. The gender dimension becomes particularly visible when

the distribution of this labour is examined.

India's Time Use Survey 2024 provides recent evidence of this disparity. Among persons aged 15–59 years, 92.9% of women participated in unpaid domestic services for household members, compared with 30.4% of men. Women participating in such activities spent an average of 305 minutes per day, while men spent approximately 86 minutes.¹² The difference demonstrates that domestic work is not simply a matter of individual household preference; it reflects a broader gendered pattern.

The distinction between paid and unpaid work can also obscure women's contribution. When cooking or cleaning is performed for wages, it is recognised as employment. When substantially similar work is performed by a woman within her own household, it is commonly treated as a family responsibility. This difference in recognition contributes to the invisibility of women's labour.

The National Statistical Office's earlier *Time Use Survey 2019* similarly demonstrated the substantial gender gap in participation in unpaid domestic services and caregiving activities.¹³ The persistence of this disparity across successive surveys indicates that the unequal distribution of domestic work remains a structural concern.

2.2 Patriarchy and the Construction of Domestic Roles

The unequal distribution of household work is closely connected with patriarchal social structures. Patriarchy does not operate only through formal rules; it can also operate through expectations regarding what women and men are supposed to do within families.

The traditional division of labour has often associated men with income generation and women with household management and caregiving. Such a division can make women's domestic contribution appear natural rather than socially constructed. Once domestic responsibilities become associated with femininity, women may be expected to perform them even when they also undertake paid employment.

Indian feminist scholarship has examined the manner in which family structures and legal institutions can reproduce women's economic dependence. Flavia Agnes, for example, has

¹² Ministry of Statistics & Programme Implementation, Government of India, *Time Use Survey 2024 (2025)*.

¹³ Ministry of Statistics & Programme Implementation, Government of India, *Time Use in India—2019 (2019)*.

examined the relationship between family law, marriage and women's economic position and has highlighted the importance of understanding women's rights within the broader social structure of the family.¹⁴

The issue is therefore not merely whether individual women choose to perform household work. The more significant question is whether those choices are made within a social environment where women are expected to assume domestic responsibility because of their gender.

2.3 Gender Socialisation and Stereotypes

Gender roles are frequently developed through socialisation. Children may encounter different expectations concerning domestic responsibilities, independence and caregiving from an early age. When girls are more frequently expected to assist with household work while boys are relieved from similar responsibilities, domestic labour becomes associated with female identity.

These expectations can continue into adulthood. Marriage may reinforce the assumption that the wife is primarily responsible for cooking, cleaning, childcare and household management. Such expectations can become so normalised that unequal distribution of household labour may not even be perceived as discrimination.

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) recognises the importance of addressing social and cultural patterns based on stereotyped roles of men and women. Article 5(a) calls upon States to modify social and cultural patterns that are based on stereotyped ideas concerning the roles of men and women.¹⁵ This principle is relevant to unpaid household work because gender stereotypes can directly influence who is expected to perform domestic and caregiving activities.

The Indian constitutional commitment to equality also requires attention to substantive rather than merely formal equality. Article 15(3) permits the State to adopt special provisions for women and children, reflecting the Constitution's recognition that addressing historical

¹⁴ Flavia Agnes, *Law and Gender Inequality: The Politics of Women's Rights in India* (Oxford Univ. Press 1999).

¹⁵ Convention on the Elimination of All Forms of Discrimination Against Women art. 5(a), Dec. 18, 1979, 1249 U.N.T.S. 13.

disadvantage may require measures beyond formal equality.¹⁶

2.4 Why Do Women Continue to Perform More Household Work?

The continuing gender gap in household labour results from several interconnected factors.

First, social conditioning can lead women to assume domestic responsibilities from an early age. **Second, traditional expectations surrounding marriage and motherhood** may reinforce the idea that women should prioritise family responsibilities. **Third, economic inequality** can influence household decisions concerning whose paid employment is prioritised. **Fourth, the unequal availability of caregiving support** can place greater responsibility on women when children, elderly persons or other dependents require care.

The economic structure of the household can further reinforce this pattern. Where one partner earns significantly more, the household may rationalise the other partner's increased domestic contribution on the basis that the income-generating work is economically more important. This reasoning, however, ignores the fact that domestic labour itself supports the functioning of the household and facilitates the paid work of other members.

The Supreme Court recognised this interdependence in *Kirti v. Oriental Insurance Co.*, where it discussed the numerous services performed by homemakers and rejected the assumption that the absence of a conventional income means an absence of economic contribution.¹⁷

2.5 Marriage, Motherhood and Domestic Responsibility

Marriage frequently changes the distribution of household responsibilities. In many Indian families, the wife becomes the person primarily responsible for cooking, cleaning, childcare and other domestic activities. The birth of children can increase this disparity further.

Motherhood involves more than direct physical care. It may include arranging children's education, healthcare, meals, transportation and everyday needs. Women may also undertake the less visible responsibility of planning and monitoring these activities.

The **National Family Health Survey** and other national datasets have repeatedly demonstrated

¹⁶ INDIA CONST. arts. 14, 15(3).

¹⁷ *Kirti v. Oriental Insurance Co.*, (2021) 2 SCC 166.

gender differences in women's participation in household decision-making, employment and related socio-economic indicators.¹⁸ Such differences are relevant because control over household decisions and economic resources can influence a woman's capacity to negotiate an equal division of domestic responsibilities.

The legal implications of economic dependence within marriage were also considered by the Supreme Court in *Rajnesh v. Neha*. While the judgment primarily concerned maintenance, the Court recognised the need to adopt a realistic approach towards the economic position of spouses rather than relying solely on formal income figures.¹⁹

This is important for unpaid household labour because a woman's absence from paid employment does not necessarily indicate an absence of contribution. Her economic position may instead be the consequence of the distribution of domestic responsibilities within the family.

2.6 Gender Discrimination Within the Household

Gender discrimination is not confined to workplaces or public institutions. It can also manifest through the unequal allocation of responsibilities within families.

When women are expected to perform domestic work primarily because they are women, the responsibility becomes gender-specific rather than household-specific. The resulting inequality may not always take the form of an explicit prohibition or rule. Instead, it can operate through expectations, social pressure and accepted family practices.

The Supreme Court's broader constitutional jurisprudence has emphasised that equality under Article 14 cannot be reduced to identical treatment in every situation. Substantive equality requires attention to actual disadvantage and social context.²⁰ This approach is relevant when examining unpaid household work because formally allowing women to participate in employment does not necessarily produce equality if women continue to carry a disproportionate domestic burden.

¹⁸ Ministry of Health & Family Welfare, Government of India, *National Family Health Survey (NFHS-5)*, 2019–21 (2021).

¹⁹ *Rajnesh v. Neha*, (2021) 2 SCC 324.

²⁰ See, e.g., *Anuj Garg v. Hotel Ass'n of India*, (2008) 3 SCC 1.

The **National Commission for Women** has also highlighted women's economic and social vulnerabilities arising from unequal family and social structures in its reports and policy interventions.²¹ Such material supports the understanding that gender inequality within families has consequences beyond the private sphere.

2.7 Productive Labour and Reproductive Labour

A major conceptual problem surrounding unpaid household work is the distinction between **productive** and **reproductive** labour.

Paid employment is generally treated as productive because it creates market income. Domestic activities, by contrast, are frequently described as reproductive labour because they maintain the household and reproduce the conditions necessary for other economic activity.

This distinction can be misleading. A person who prepares food, cleans the house, cares for children and maintains household functioning performs services that would otherwise have to be purchased from the market. The fact that the service is performed without payment does not eliminate the labour involved.

Indian constitutional provisions concerning equal pay, livelihood and social justice provide a broader normative basis for questioning the complete invisibility of such labour. Article 39(a) directs the State towards securing adequate means of livelihood for men and women equally, while Article 39(d) addresses equal pay for equal work.²² Although these provisions do not create a direct salary entitlement for homemakers, they reflect the constitutional commitment to women's economic equality.

2.8 Double Burden of Women in Paid Employment

Women who participate in paid employment do not necessarily experience a corresponding reduction in household responsibilities. Instead, many continue to perform a substantial share of domestic work after completing their paid employment.

This creates the **double burden** of paid and unpaid work. The problem is significant because working hours outside the home are generally measurable and compensated, whereas domestic

²¹ National Commission for Women, *Annual Report* (relevant ed.).

²² INDIA CONST. art. 39(a), (d).

work performed before or after paid employment remains largely invisible.

The Time Use Survey provides empirical support for this continuing disparity. Even where both men and women participate in paid activities, women generally spend substantially more time on unpaid domestic and caregiving activities.²³

The double burden can affect women's professional choices. Responsibility for domestic work may discourage women from accepting employment requiring long hours, relocation, travel or career interruptions. Thus, unequal household responsibilities can indirectly reproduce inequality within the formal labour market.

The issue is consequently not simply whether women have the right to work. It is whether women have an equal practical opportunity to participate in employment when they continue to carry a disproportionate share of unpaid household labour.

2.9 Unpaid Care and Emotional Labour

Domestic labour extends beyond visible physical tasks. Caregiving includes looking after children, elderly persons and individuals requiring assistance, as well as providing emotional support to family members.

These responsibilities are difficult to measure because they may occur continuously rather than at a clearly defined time. A woman may be responsible for remembering medical appointments, organising children's schedules, monitoring school requirements or responding to family members' emotional needs even when she is not performing a visible physical task.

The Time Use Survey 2024 separately measures unpaid caregiving activities and demonstrates a gender disparity in participation and time spent on such work.²⁴ This is important because traditional calculations of household labour may underestimate the extent of women's contribution if they focus only on physical chores.

The gendered expectation that women should be primary caregivers can further reinforce the perception that care is an expression of affection rather than labour. Treating care solely as a matter of personal duty can make its economic and social contribution difficult to recognise.

²³ Ministry of Statistics & Programme Implementation, Government of India, *Time Use Survey 2024* (2025).

²⁴ *Id.*

2.10 Socio-Economic and Rural-Urban Dimensions

The burden of unpaid household work is not experienced uniformly by all women. Economic status, employment, family structure, location and access to household services can influence both the quantity and nature of domestic labour.

Women from economically weaker households may have limited access to paid domestic assistance and therefore perform a greater range of household tasks themselves. Rural women may simultaneously perform domestic work and participate in agricultural or other economic activities, creating difficulties in classifying their labour as either “household work” or “economic work.”

The **Periodic Labour Force Survey** and government time-use data demonstrate the importance of examining women's unpaid and paid activities together rather than treating them as entirely separate categories.²⁵

Class and gender may therefore interact. Economic privilege can reduce the amount of physical domestic work performed by some women through access to paid services, but responsibility for household management and caregiving may continue to remain gendered.

2.11 Consequences of the Unequal Household Burden

The unequal distribution of domestic labour can influence several dimensions of women's lives.

Economic consequences - Women who spend substantial amounts of time on unpaid work may have fewer opportunities for paid employment and independent income. Prolonged absence from the labour market can also affect future earning capacity and financial security.

Educational consequences - Domestic responsibilities may reduce the time available for higher education, professional training and skill development. This can influence women's long-term employment prospects.

Professional consequences - Women may face career interruptions, reduced working hours or limitations on accepting demanding professional positions because of caregiving responsibilities. **Autonomy and decision-making** - Economic dependence can influence a

²⁵ Ministry of Statistics & Programme Implementation, Government of India, *Periodic Labour Force Survey* (PLFS) (relevant ed.).

woman's bargaining power within the household. The relationship between unpaid labour, income and decision-making therefore has implications for substantive equality.

The Supreme Court's recognition in *Kirti* that homemakers make an economic contribution is significant in this context. The Court observed that the work performed by homemakers has economic value even when it does not produce a conventional salary.²⁶

2.12 Household Work as a Shared Responsibility

The unequal distribution of domestic work can be challenged by moving away from the idea that men merely “help” women at home. If household work is necessary for the functioning of the family, responsibility for it should not automatically depend upon gender.

Equal sharing does not necessarily mean that every task must be divided into precisely identical proportions. Rather, it means that domestic responsibility should be negotiated according to circumstances rather than predetermined by the assumption that women are naturally responsible for the home.

This understanding is consistent with the broader constitutional objective of substantive gender equality. The Supreme Court has repeatedly emphasised that stereotypes cannot be used as a basis for treating women as inferior or assigning them predetermined social roles.²⁷

In this context, judicial recognition that spouses are partners rather than that the wife is merely responsible for serving the husband has important symbolic significance. However, judicial statements alone cannot change household practices. Social attitudes, economic structures, childcare arrangements and public policy must also contribute to a more equal distribution of domestic labour.

CHAPTER III: UNPAID BUT VALUABLE: THE ECONOMIC VALUE OF WOMEN'S HOUSEHOLD LABOUR

3.1 Household Labour as Economic Work

The absence of a salary does not mean the absence of economic value. Household activities such as preparing food, cleaning, washing clothes, managing household requirements, caring

²⁶ *Kirti*, (2021) 2 SCC 166.

²⁷ See *Anuj Garg*, (2008) 3 SCC 1; *Charu Khurana v. Union of India*, (2015) 1 SCC 192.

for children and looking after dependent family members require time, physical effort and organisational skills. Yet, because these activities are generally performed without a direct market transaction, they are often excluded from conventional understandings of economic work.

The distinction between paid and unpaid work creates an important paradox. A person employed as a cook, cleaner, childcare provider or caregiver is recognised as providing a service for which payment is due. When substantially similar services are performed by a woman within her own household, the same labour may be treated as a personal obligation rather than an economic contribution. The absence of a wage therefore affects the *recognition* of the work, not necessarily its *value*.

India's Time Use Survey 2024 provides useful evidence of the scale of this contribution. Among persons aged six years and above, 81.5% of women participated in unpaid domestic services for household members, compared with 27.1% of men. Female participants spent an average of 291 minutes per day on such activities, compared with 88 minutes for male participants.²⁸ The gender difference is particularly striking in food preparation and meal management, where participating women spent substantially more time than participating men.²⁹

The data demonstrates that unpaid domestic labour consumes a significant amount of women's time. Consequently, its economic significance should not be assessed merely by asking whether the worker receives a wage. It should also be assessed by considering **the services provided, the time invested and the economic activities that these services make possible.**

3.2 Unpaid Work Does Not Mean Unproductive Work

One of the central problems in recognising household labour is the tendency to equate “unpaid” with “unproductive.” These concepts are not synonymous.

A woman who prepares meals for her family produces a service. A woman who cares for a child enables the child's development while also allowing other members of the household to undertake employment or other activities. A person managing household affairs performs

²⁸ Ministry of Statistics & Programme Implementation, Government of India, *Time Use Survey 2024* (2025).

²⁹ *Id.*

organisational work that would otherwise have to be undertaken by another person.

The National Statistical Office's Time Use Survey specifically identifies activities such as food preparation, cleaning and maintenance of the dwelling, care and maintenance of textiles and footwear, household management, shopping and caregiving as distinct forms of unpaid work.³⁰ Their inclusion within an official time-use framework itself demonstrates that unpaid activities can be systematically identified and measured.

The problem lies in the difference between **measurement and economic recognition**. A survey can record the time spent performing household work, but conventional economic indicators do not necessarily assign that time a monetary value. As a result, a significant portion of women's contribution remains outside the conventional wage-based understanding of economic productivity.

3.3 The Opportunity Cost of Women's Unpaid Labour

The economic value of unpaid household work can also be understood through its opportunity cost. Time spent on domestic responsibilities is time that cannot simultaneously be used for paid employment, education, professional training, leisure or other activities.

For women, this opportunity cost can be particularly significant because they already undertake a disproportionate share of unpaid household labour. The Government's *Women and Men in India publication*, drawing upon Time Use Survey data, has recognised that the substantial amount of time women devote to unpaid domestic services may restrict their participation in paid employment.³¹

The consequence is not simply a loss of present income. Reduced participation in paid employment can affect a woman's future earning capacity, professional experience, retirement security and financial independence. A woman who leaves employment to undertake full-time caregiving may therefore experience economic consequences that continue long after the immediate caregiving responsibility has reduced.

The opportunity cost perspective makes the economic value of household work more visible.

³⁰ Id.

³¹ Ministry of Statistics & Programme Implementation, Government of India, *Women and Men in India 2023* (2024).

It asks not only “**What would this work cost if purchased?**” but also “**What opportunities does the person performing this work give up in order to provide it?**”

3.4 Contribution to the Household Economy

Household labour contributes to the economic functioning of a family in several ways. It directly provides services that would otherwise involve expenditure, while also supporting the paid employment and productivity of other family members.

For example, when one member prepares meals, manages household tasks and provides childcare, another member may be able to devote greater time to paid employment. The unpaid worker is therefore contributing to the conditions under which income-generating work can take place.

This interdependence challenges the traditional assumption that the person earning a salary is the only economically productive member of a household. Income generation and household maintenance are interconnected activities. The absence of a direct wage should therefore not be treated as evidence that the latter has no economic significance.

The Supreme Court recognised this relationship in *Kirti v. Oriental Insurance Co. Ltd.*, where it acknowledged the wide range of services performed by homemakers and rejected the idea that their contribution could be ignored merely because they did not receive a conventional income.³²

3.5 Time as an Economic Resource

Time is a limited resource. Every hour spent performing unpaid domestic work represents an allocation of time that could potentially have been used elsewhere.

The Time Use Survey 2024 provides an important method for making this otherwise invisible allocation visible. It records the activities undertaken by individuals within a 24-hour reference period and measures the time spent on different categories of work.³³

The survey found that female participants aged 15–59 years who engaged in unpaid domestic

³² *Kirti v. Oriental Insurance Co.*, (2021) 2 SCC 166.

³³ Ministry of Statistics & Programme Implementation, Government of India, *Time Use Survey 2024* (2025).

services spent approximately 305 minutes per day on those activities in 2024, compared with approximately 86 minutes for male participants.³⁴ Women in the same age group also had a considerably higher participation rate in unpaid caregiving activities.³⁵

These figures are important because they demonstrate that the issue is not merely whether women perform domestic work but **how much of their available time is absorbed by it**. When large amounts of time are allocated to unpaid activities, the consequences for employment and economic independence become significant.

3.6 Monetary Valuation of Household Labour

One way of making unpaid household labour visible is to assign a monetary value to it. Monetary valuation does not necessarily mean that household relationships should be reduced to financial transactions. Rather, it can be used to demonstrate the economic worth of services that otherwise remain unrecorded.

Two broad approaches are commonly discussed.

1. Replacement Cost Method

Under the replacement cost approach, the value of household work is estimated according to what it would cost to hire someone to perform comparable services in the market. Cooking, cleaning, childcare and other domestic services can therefore be assigned values based on the wages of persons performing similar work.

The advantage of this approach is that it provides a relatively tangible estimate. It asks what the household would have to spend if the services provided by the homemaker were obtained from outside workers.

However, replacement cost has limitations. Domestic work involves multiple activities that may not correspond neatly to a single occupation. Moreover, the emotional, organisational and relational dimensions of caregiving cannot always be captured through market wages.

³⁴ Id.

³⁵ Id.

2. Opportunity Cost Method

The opportunity cost method values unpaid work according to the income that the person performing it could potentially have earned through paid employment.

This approach is particularly relevant to women's economic autonomy because it highlights the relationship between unpaid household responsibilities and women's participation in the labour market.

However, the method can produce unequal valuations based on existing labour-market inequalities. If women earn less than men because of gender discrimination, using women's potential market wages may itself undervalue their domestic contribution.

Consequently, neither method provides a complete answer. Monetary valuation can demonstrate economic worth, but it cannot capture the entire social value of household labour.

3.7 The Problem of Excluding Unpaid Labour from Conventional Economic Measurement

Conventional economic systems have historically given greater visibility to activities involving market transactions. This creates a structural problem for unpaid household work because much of it occurs outside the market.

The exclusion does not mean that the work has no economic consequences. Rather, it means that the value is transferred within the household without a corresponding monetary transaction.

This issue has also received international recognition. **Sustainable Development Goal 5.4** specifically calls for the recognition and valuation of unpaid care and domestic work through the provision of public services, infrastructure, social protection policies and the promotion of shared responsibility within households.³⁶

The recognition of unpaid work as a policy concern therefore extends beyond the question of individual household arrangements. It is connected with economic measurement, public policy

³⁶ G.A. Res. 70/1, Transforming Our World: The 2030 Agenda for Sustainable Development, Goal 5.4 (Sept. 25, 2015).

and gender equality.

3.8 Economic Dependence and the Absence of Personal Income

The unpaid nature of household labour can contribute to women's economic dependence, particularly where women have no independent source of income.

A woman may contribute substantially to household welfare while having little control over financial resources. This creates a distinction between **contribution to household wealth and control over household income**.

The Supreme Court's decision in *Rajnesh v. Neha* is relevant in this context. While dealing primarily with maintenance, the Court recognised the importance of assessing the actual economic circumstances of spouses rather than relying only on formal income figures.³⁷

Similarly, in *Kirti*, the Court recognised that a homemaker's lack of formal income cannot be treated as proof that she makes no economic contribution.³⁸

These decisions demonstrate an important judicial shift: **economic contribution cannot always be measured through personal earnings alone**.

3.9 Unpaid Household Labour and Women's Employment

The economic consequences of unpaid domestic work become particularly visible when women's participation in paid employment is considered.

The Time Use Survey 2024 recorded a substantial gender gap not only in unpaid domestic work but also in participation in employment-related activities.³⁹ The relationship between the two forms of work is important because time devoted to unpaid responsibilities may reduce the time available for paid employment.

Women may respond to heavy domestic responsibilities by:

- entering part-time or flexible employment;

³⁷ *Rajnesh v. Neha*, (2021) 2 SCC 324.

³⁸ *Kirti*, (2021) 2 SCC 166.

³⁹ Ministry of Statistics & Programme Implementation, Government of India, *Time Use Survey 2024* (2025).
Ministry of Stats and Programme Implementation

- accepting jobs closer to home;
- reducing working hours;
- taking career breaks;
- declining professional opportunities; or
- leaving paid employment altogether.

These decisions may appear voluntary when viewed individually, but the underlying distribution of household responsibilities can significantly shape the choices available to women.

Thus, the economic cost of unpaid household work may extend beyond the value of the work itself. It can also include **lost income, lost career progression and reduced future economic security**.

3.10 The Double Economic Contribution of Women

Women who participate in paid employment while continuing to undertake a substantial share of household work effectively contribute to two spheres of the economy.

Their paid employment generates direct income, while their unpaid household labour provides services and supports the functioning of the family. Yet only the first contribution is ordinarily recorded through wages.

This creates a visibility gap. The same woman may be recognised as an employee during working hours but become economically “inactive” when she returns home and performs several hours of unpaid work.

The 2024 Time Use Survey illustrates this disparity through its separate measurement of employment-related activities and unpaid domestic services.⁴⁰ The distinction is useful for statistical purposes, but it also reveals the limitations of viewing economic contribution exclusively through paid employment.

⁴⁰ Id.

3.11 The Monetary Value of Homemakers' Work in Judicial Reasoning

Indian judicial decisions provide an important legal response to the economic invisibility of household labour.

In *Kirti v. Oriental Insurance Co. Ltd.*, the Supreme Court considered the contribution of homemakers while determining compensation and recognised that household services have an economic value even though they are not directly remunerated.⁴¹ The Court's reasoning is significant because it acknowledges that household services can be valued in monetary terms for legal purposes.

The judgment also recognises that the services performed by homemakers extend beyond easily visible domestic chores. Household management, childcare and other forms of family support collectively constitute an important contribution.

Earlier decisions had also addressed the value of a homemaker's services in compensation cases. In *Arun Kumar Agrawal v. National Insurance Co. Ltd.*, the Supreme Court recognised the economic significance of a homemaker's contribution while considering compensation following the death of a homemaker.⁴²

The development of this jurisprudence represents a movement away from the assumption that “no salary” means “no economic value.” Nevertheless, judicial valuation in compensation proceedings should not be confused with the creation of a general statutory right to wages for homemakers.

3.12 Recognition, Valuation and Remuneration: Three Different Concepts

A crucial distinction must be made between **recognition, valuation and remuneration**.

Recognition means accepting that household labour constitutes meaningful work and contribution.

Valuation means assigning an economic or monetary worth to that contribution.

⁴¹ *Kirti*, (2021) 2 SCC 166.

⁴² *Arun Kumar Agrawal v. National Insurance Co. Ltd.*, (2010) 9 SCC 218.

Remuneration means actually providing payment for the work performed.

These three concepts are related but not identical. A court may recognise that a homemaker contributes economically and may assign a monetary value to that contribution for calculating compensation. This does not mean that the homemaker receives a regular salary for domestic work.

This distinction is particularly important to the present research. Monetary valuation is valuable because it makes invisible labour visible, but valuation alone cannot solve the underlying gender inequality. A woman may receive legal recognition of the economic value of her work while still being expected to perform the majority of domestic responsibilities without remuneration.

Therefore, the objective should not be limited to **putting a price on women's labour**. It should also involve examining why that labour is unequally distributed and how responsibility for it can be shared more fairly.

3.13 Can Household Work Be Fully Valued in Monetary Terms?

Although monetary valuation is useful, household labour cannot be completely represented through a financial figure.

First, caregiving involves emotional and relational dimensions that are difficult to replicate through market pricing. Second, household management often involves several activities simultaneously. Third, the market itself may undervalue traditionally feminised occupations such as domestic work and caregiving. Using existing market wages as a benchmark may therefore reproduce existing gender inequalities.

There is also a conceptual concern. If household work is valued only because an equivalent service can be purchased in the market, its value remains dependent on market standards. Yet the significance of caring for one's family cannot be reduced entirely to the price of an equivalent service.

The more appropriate approach is therefore to use monetary valuation as **one instrument of recognition**, rather than as the sole measure of women's contribution.

3.14 Towards a Broader Understanding of Economic Value

The economic value of unpaid household labour should be understood through several interconnected dimensions:

Direct service value – the value of domestic and caregiving services provided within the household.

Time value – the amount of time invested in unpaid activities.

Opportunity cost – income and opportunities potentially sacrificed because of domestic responsibilities.

Supportive economic value – the contribution made to enabling other household members to engage in paid work.

Long-term value – the contribution of childcare and caregiving to the development and well-being of family members.

This broader approach prevents the analysis from reducing household labour to a simple wage calculation.

The evidence from *India's Time Use Survey*, together with judicial recognition in cases such as *Kirti*, supports the conclusion that women's unpaid household labour is neither economically meaningless nor merely incidental. It represents a substantial contribution that remains insufficiently visible within wage-centred measures of economic activity.⁴³

CHAPTER IV: CONSTITUTIONAL AND LEGAL RECOGNITION OF WOMEN'S UNPAID HOUSEHOLD WORK IN INDIA

4.1 Constitutional Framework

The Constitution of India does not expressly provide wages for unpaid household work. However, its guarantees of equality, dignity and social justice provide a strong foundation for

⁴³ Ministry of Statistics & Programme Implementation, Government of India, *Time Use Survey 2024* (2025); *Kirti*, (2021) 2 SCC 166.

recognising women's domestic contribution.

Article 14 guarantees equality before law, while Article 15(1) prohibits discrimination on the ground of sex. Article 15(3) permits the State to adopt special measures for women.⁴⁴ These provisions are significant because the unequal distribution of household responsibilities is closely connected with gender-based social expectations.

Article 21, through the judicial interpretation of the right to life, includes the right to live with dignity.⁴⁵ Economic dependence and the absence of recognition for women's contribution within the household can affect their dignity and autonomy. The constitutional framework therefore supports an understanding of women not merely as dependents within the family but as contributors to its economic and social functioning.

The Directive Principles also provide relevant constitutional guidance. Articles 39(a) and 39(d) emphasise equal livelihood opportunities and equal pay for equal work, while Articles 41 and 42 reflect the constitutional commitment to work, social assistance and humane working conditions.⁴⁶ Although these provisions do not create a direct right to payment for household work, they reinforce the broader objective of women's economic equality.

4.2 Judicial Recognition of Homemakers' Economic Contribution

Indian courts have gradually moved away from the assumption that a homemaker without a salary makes no economic contribution.

In *Lata Wadhwa v. State of Bihar*, the Supreme Court recognised the economic significance of services performed by homemakers while determining compensation.⁴⁷

The principle was further developed in *Arun Kumar Agrawal v. National Insurance Co. Ltd.*, where the Court recognised that household services performed by women constitute an economic contribution even though they are not directly remunerated.⁴⁸ The judgment challenged the assumption that work becomes economically valuable only when it generates a

⁴⁴ INDIA CONST. arts. 14, 15(1), 15(3).

⁴⁵ *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248.

⁴⁶ INDIA CONST. arts. 39(a), 39(d), 41, 42.

⁴⁷ *Lata Wadhwa v. State of Bihar*, (2001) 8 SCC 197.

⁴⁸ *Arun Kumar Agrawal v. Nat'l Ins. Co. Ltd.*, (2010) 9 SCC 218.

market income.

The most significant development came in *Kirti v. Oriental Insurance Co. Ltd.*. The Supreme Court recognised the numerous services performed by homemakers and held that their contribution could not be disregarded merely because they did not receive a conventional salary.⁴⁹ The Court's approach acknowledged that household work has measurable economic value and can be considered while determining compensation.

These decisions represent an important judicial shift from “**no income**” to “**economic contribution.**”

4.3 Maintenance and Economic Security

Indian family law does not generally treat household work as employment for which a spouse receives wages. However, maintenance laws recognise the economic vulnerability that may arise when one spouse has limited or no independent income.

In *Rajnish v. Neha*, the Supreme Court emphasised the importance of realistically assessing the financial circumstances of spouses while determining maintenance.⁵⁰ Maintenance is not remuneration for household work, but it can provide financial protection to a spouse who has limited economic independence.

Similarly, **Sections 24 and 25** of the **Hindu Marriage Act, 1955** provide for maintenance during matrimonial proceedings and permanent alimony.⁵¹ These provisions demonstrate that Indian matrimonial law recognises economic inequality between spouses, although they do not expressly assign monetary value to domestic labour.

4.4 Protection Against Economic Vulnerability

The Protection of Women from Domestic Violence Act, 2005 provides another relevant legal framework. It recognises different forms of abuse within domestic relationships and provides remedies to protect women from domestic and economic vulnerability.⁵²

⁴⁹ *Kirti v. Oriental Ins. Co. Ltd.*, (2021) 2 SCC 166.

⁵⁰ *Rajnish v. Neha*, (2021) 2 SCC 324.

⁵¹ Hindu Marriage Act, No. 25 of 1956, §§ 24–25, India Code.

⁵² Protection of Women from Domestic Violence Act, No. 43 of 2005, India Code.

The legislation does not establish a general right to payment for household work. Nevertheless, it acknowledges that women's position within the household can involve economic dependence and vulnerability. This is particularly relevant for women who do not have independent earnings and whose contribution is primarily through unpaid domestic and caregiving work.

4.5 Recognition Under Motor Accident Compensation Law

The strongest judicial recognition of the economic value of unpaid household work has developed under motor accident compensation law.

Section 168 of the Motor Vehicles Act, 1988 requires the Claims Tribunal to determine compensation that is “just.”⁵³ The Supreme Court has used this framework to recognise the economic contribution of homemakers.

In *Kirti*, the Court permitted the use of notional income to calculate the economic value of a homemaker's services.⁵⁴ This approach is important because it acknowledges that a woman's contribution does not disappear merely because it does not result in a monthly salary.

However, such valuation is generally undertaken for the limited purpose of determining compensation. It does not create a general legal entitlement to wages for homemakers.

4.6 Existing Legal Gap

Indian constitutional and judicial developments have significantly improved the recognition of women's unpaid household labour. Nevertheless, the recognition remains fragmented.

The Constitution provides principles of equality and dignity, while courts have recognised the economic value of homemakers in specific circumstances. Family laws provide mechanisms such as maintenance, and the Motor Vehicles Act allows courts to consider the value of household services while determining compensation.

However, India does not presently have a comprehensive legal framework that expressly recognises **unpaid household work as an economically valuable form of labour in its own**

⁵³ Motor Vehicles Act, No. 59 of 1988, § 168, India Code.

⁵⁴ *Kirti*, (2021) 2 SCC 166.

right.

This creates a distinction between **recognition, valuation and remuneration**. Indian law has increasingly accepted recognition and, in specific contexts, valuation. It does not, however, generally provide remuneration for domestic work.

The challenge therefore is not simply to assign a monetary figure to women's household labour but also to address the gender inequality that makes women disproportionately responsible for performing it. Legal recognition must ultimately be accompanied by measures that promote **shared domestic responsibility, economic security and substantive gender equality**.

CHAPTER V: JUDICIAL RECOGNITION, GENDER JUSTICE AND THE WAY FORWARD

5.1 Judicial Recognition of Unpaid Household Labour

Indian courts have increasingly recognised that the absence of a salary does not mean the absence of economic contribution. This development is particularly visible in cases concerning compensation for the death of homemakers.

In *Lata Wadhwa v. State of Bihar*, the Supreme Court recognised the economic value of services performed by homemakers while determining compensation.⁵⁵ The Court's approach challenged the assumption that household services have no measurable economic worth.

The issue was considered more extensively in *Arun Kumar Agrawal v. National Insurance Co. Ltd.*, where the Supreme Court recognised that homemakers perform numerous services, including household management, childcare and other family responsibilities.⁵⁶ The Court observed that such services cannot simply be treated as having no economic value because they are performed without wages.

The most significant development came in *Kirti v. Oriental Insurance Co. Ltd.* The Court recognised that fixing notional income for homemakers serves an important purpose: it acknowledges their labour, services and sacrifices and reflects their contribution to the

⁵⁵ *Lata Wadhwa v. State of Bihar*, (2001) 8 SCC 197.

⁵⁶ *Arun Kumar Agrawal v. Nat'l Ins. Co. Ltd.*, (2010) 9 SCC 218.

economic condition of the family.³

5.2 From “Non-Earning” to “Economically Valuable”

The judicial approach demonstrates a gradual shift from describing homemakers as “non-earning” persons towards recognising them as contributors whose work possesses economic value.

In *Kirti*, the Supreme Court specifically noted the gendered nature of household work and recognised that women undertake a disproportionately large share of unpaid domestic activities.⁵⁷ The Court also accepted that there can be different methods of estimating the notional income of a homemaker depending upon the circumstances of each case.

This reasoning is important because it separates **income** from **economic contribution**. A woman may not receive a monthly salary, but the services she provides may still have an identifiable economic value.

However, judicial valuation primarily operates in the context of compensation claims. It does not create a general statutory right to wages for homemakers.

5.3 Gender Justice and Substantive Equality

The issue of unpaid household work is ultimately a question of gender justice. When women are expected to undertake a disproportionate share of domestic responsibilities, the consequences extend beyond the household. Excessive unpaid work can restrict women's access to paid employment, education, professional advancement and independent income.

The constitutional principle of equality therefore requires more than treating men and women identically. It requires attention to social conditions that produce unequal outcomes. The Supreme Court's gender-equality jurisprudence has repeatedly rejected stereotypes that assign predetermined roles to women.⁵⁸

Recognition of household labour can contribute to this broader objective by challenging the

⁵⁷ *Kirti v. Oriental Ins. Co. Ltd.*, (2021) 2 SCC 166.

⁵⁸ *Anuj Garg v. Hotel Ass'n of India*, (2008) 3 SCC 1; *Charu Khurana v. Union of India*, (2015) 1 SCC 192.

assumption that domestic work is simply a woman's natural duty.

5.4 The “Wife as Partner, Not Servant” Approach

An important aspect of gender justice is changing the perception of marriage itself. A wife should not be viewed as someone whose primary responsibility is to serve the husband and manage the household.

The Supreme Court's recognition of homemakers' contribution supports a broader understanding of marriage as a relationship involving shared responsibilities. Domestic work should therefore be viewed as a responsibility of the household rather than an automatic obligation of the wife.

This principle is especially important where both spouses engage in paid employment. Participation in paid work should not result in women carrying a second, largely invisible workload at home.

5.5 Limitations of Existing Judicial Recognition

Despite significant progress, judicial recognition has certain limitations.

First, recognition is largely **context-specific**, particularly in motor accident compensation cases. Second, assigning notional income does not mean that a homemaker actually receives wages for her daily domestic work. Third, judicial decisions cannot by themselves alter deeply rooted social expectations regarding women's responsibilities.

Therefore, legal recognition must be accompanied by broader social and policy measures. Otherwise, the law may recognise the value of women's labour only after a woman has suffered a serious loss rather than during the years in which she actually performs that labour.

5.6 The Way Forward

A meaningful response to unpaid household labour should focus on **recognition, reduction and redistribution**.

1. **Recognition:** Government policies and official statistics should continue measuring unpaid domestic and caregiving work so that its scale becomes visible.

2. **Reduction:** Public investment in childcare, elderly care, sanitation, water supply, transport and other essential services can reduce the amount of unpaid work required within households.
3. **Redistribution:** Domestic responsibilities should be more equally shared between men and women. Public awareness and gender-sensitive education can help challenge the belief that cooking, cleaning and caregiving are inherently women's responsibilities.
4. **Economic security:** Women engaged primarily in unpaid household work should have greater access to social-security mechanisms, financial literacy and independent economic resources.
5. **Legal development:** Courts and legislatures should continue developing methods for recognising the economic contribution of unpaid domestic labour while ensuring that monetary valuation does not become a substitute for genuine equality within the household.

5.7 Towards Recognition Beyond Monetary Value

The objective should not be limited to placing a price on women's household labour. Monetary valuation is important because it challenges the idea that unpaid work has no economic worth, but household labour also has social, emotional and caregiving dimensions that cannot be completely expressed in monetary terms.

The deeper objective is to change the understanding of domestic work from an **invisible private obligation to a recognised form of labour and contribution**. Judicial developments such as *Arun Kumar Agrawal* and *Kirti* have already begun this transformation.

For gender justice to become meaningful, however, recognition must be accompanied by a more equal distribution of household responsibilities. The law can provide the foundation, but social attitudes and family practices must also change.

CHAPTER VI: FINDINGS, RECOMMENDATIONS AND CONCLUSION

6.1 Major Findings

The study finds that women continue to perform a disproportionately large share of unpaid

household and caregiving work in India. Despite its importance to family welfare and economic functioning, such labour remains largely invisible because it does not generate a direct monetary income. The Time Use Survey 2024 provides empirical support for this gender disparity.⁵⁹

The research further finds that the unequal distribution of domestic work is closely connected with **patriarchal norms, gender stereotypes, marriage and traditional expectations of women as primary caregivers**. Consequently, women's unpaid labour affects not only their economic recognition but also their opportunities for paid employment, education and professional advancement.

A significant finding is that Indian law has begun recognising the economic value of homemakers, but this recognition remains limited and fragmented. In *Arun Kumar Agrawal v. National Insurance Co. Ltd.*, the Supreme Court rejected the assumption that household work has no economic value merely because it is unpaid.⁶⁰ Similarly, *Kirti v. Oriental Insurance Co. Ltd.* recognised the labour, services and sacrifices of homemakers while determining compensation.⁶¹

However, judicial valuation of household work does not amount to a general legal right to remuneration. The existing framework therefore recognises **value without establishing payment**. This distinction represents one of the principal gaps identified by the study.

6.2 Recommendations

1. **recognition of unpaid work:** Government policies and statistical exercises should continue systematically measuring unpaid domestic and caregiving work. Time-use data should be incorporated more effectively into gender and labour policies.
2. **redistribution of household responsibilities:** Domestic work should be treated as a shared responsibility rather than an automatic duty of women. Public awareness and gender-sensitive education should challenge the belief that cooking, cleaning and

⁵⁹ Ministry of Statistics & Programme Implementation, Government of India, *Time Use Survey 2024* (2025).

⁶⁰ *Arun Kumar Agrawal v. Nat'l Ins. Co. Ltd.*, (2010) 9 SCC 218. The Supreme Court specifically addressed the gender bias involved in treating homemakers as economically non-productive.

⁶¹ *Kirti v. Oriental Ins. Co. Ltd.*, (2021) 2 SCC 166. The Court recognised that assigning notional income to homemakers acknowledges the value of their labour and services.

caregiving are inherently women's responsibilities.

3. **strengthening care infrastructure:** Affordable childcare, elderly-care services, public transport, water and sanitation facilities can reduce the amount of unpaid work falling disproportionately upon women.
4. **economic security:** Women who remain outside paid employment because of household and caregiving responsibilities should have greater access to social-security measures, financial literacy and independent economic resources.
5. **stronger legal recognition:** The approach adopted by the Supreme Court in cases such as *Arun Kumar Agrawal* and *Kirti* should inform future legislative and policy discussions concerning the economic recognition of unpaid household labour.⁶²
6. **recognition should not be limited to monetary valuation.** Putting a monetary figure on domestic work is useful, but genuine gender justice requires changing the unequal distribution of that work itself.

6.3 Conclusion

Women's household labour is unpaid, but it is neither unproductive nor without value. It sustains families, supports caregiving and enables other forms of economic activity. The central problem is therefore not merely the absence of payment but the **invisibility and unequal distribution of the work**.

Indian constitutional principles and Supreme Court jurisprudence have created an important foundation for recognising homemakers' economic contribution. Yet, the existing framework remains incomplete because recognition is largely confined to specific legal contexts such as compensation.

The way forward requires a shift from viewing household work as a private obligation of women towards understanding it as a **shared social and economic responsibility**. Recognition, reduction and redistribution of unpaid work can contribute significantly to

⁶² *Lata Wadhwa v. State of Bihar*, (2001) 8 SCC 197; *Arun Kumar Agrawal*, (2010) 9 SCC 218; *Kirti*, (2021) 2 SCC 166. The Supreme Court's later jurisprudence continues to rely on these decisions in assessing the economic contribution of homemakers

substantive gender equality and ensure that women's contribution within the household is no longer treated as invisible labour.

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