

**Clarification regarding Registration of
Establishments under OSH Code 2020 &
Maharashtra Shops and Establishments
(Regulation of Employment and
Conditions of Service) Act,2017**

**Government of Maharashtra
Industries, Energy, Labour & Mining Department
Government Circular No. OSH-2026/C.R.40/Labour-10
Room No.123,First Floor,Annexe Building
Mantralaya, Hutatma Rajguru Chowk,
Madam Cama Road, Mumbai - 400 032
Dated:- 30.4.2026**

Reference:- 1. Occupational Safety, Health and Working Conditions Code, 2020
2. Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act,2017

Circular-

It has been observed that certain establishments are seeking clarification on the requirement of registration under the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2017, subsequent to the enactment of the Occupational Safety, Health and Working Conditions Code, 2020 (OSH Code 2020).

2. The OSH Code 2020, being a central legislation, consolidates and rationalizes provisions relating to safety, health, and working conditions of workers employed in various establishments. It provides a uniform framework for registration, licensing, and compliance across establishments, thereby subsuming multiple state-level requirements.

3. In particular, Section 3 of the OSH Code 2020 lay down the requirement of registration of establishments engaging 10 or more employees with the registering officer under the Code. Once such registration is obtained after finalisation of the rules, the establishment is deemed to have complied with the statutory requirement of registration for purposes of labour welfare, safety, and working conditions.

4. Consequently, the requirement of separate registration under the Maharashtra Shops and Establishments Act, 2017 is not mandated, as the OSH Code 2020 already covers the same subject matter comprehensively. The principle of repugnancy under Article 254 of the Constitution of India further establishes that in case of conflict between central and state legislation on concurrent subjects, the central legislation shall prevail.

5. The establishments must continue to comply with other provisions of the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2017 to the extent they are not inconsistent with the OSH Code 2020. However, establishment employing less than ten

workers shall give an intimation of having commenced the business under section 7 of the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2017

6. All concerned officers are directed to take note of this clarification and ensure uniform implementation across the State.

This Government Circular of Maharashtra Government is available at the website www.maharashtra.gov.in Reference no. for this is 202604301305155210. This order has been signed digitally.

By Order and in the name of the Governor of Maharashtra,

(Ghanshyam Laxmi Narayan Pauskar)
Section officer to Government of Maharashtra

Copy to,

1. Secretary to the Hon. Governor of Maharashtra, Malabar Hill, Mumbai
2. Principal Secretary to the Hon. Chief Minister of Maharashtra, Mumbai
3. All Private Secretaries to the Ministers/State Ministers of Maharashtra, Mumbai
4. All Heads of the Committees of Maharashtra Legislature, Mumbai,
5. All MLAs/MLCs, Maharashtra Legislature, Mumbai
6. Chief Secretary, Government of Maharashtra, Mantralaya, Mumbai
7. All ACS/PS/Secretaries of Administrative Departments of Mantralaya, Mumbai
8. Secretary, Maharashtra Legislature, Mumbai
9. Labour Commissioner, Maharashtra State, Mumbai
10. All JS/DS/US/SO, Industries, Energy, Labour & Mining Department, Mantralaya, Mumbai
11. Select File-Labour-10 Desk