

**To,  
All Member Industries of DCCIA Pune.**

**Subject: Government of Maharashtra Clarification regarding Registration of Establishments under the OSH Code, 2020 and the Maharashtra Shops & Establishments Act, 2017**

Dear Members,

The Government of Maharashtra, through the Industries, Energy, Labour and Mining Department, has issued Government Circular No. OSH-2026/C.R.40/Labour-10 dated April 30, 2026, (copy attached) providing an important clarification on the requirement of establishment registration under the Occupational Safety, Health and Working Conditions Code, 2020 ("OSH Code") vis-à-vis the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2017 ("Maharashtra Shops Act"). The clarification is significant as it addresses the practical ambiguity faced by establishments in Maharashtra regarding duplicate or parallel registrations under both the central and state labour law frameworks.

The circular proceeds on the principle that, where a central legislation and a state legislation operate in the same field and there is an inconsistency between them, the central law will prevail to the extent of such inconsistency in accordance with Article 254 of the Constitution of India. On this basis, the OSH Code is intended to provide a consolidated and uniform framework for matters relating to occupational safety, health and working conditions, including establishment registration. Accordingly, once the applicable rules and implementation mechanism under the OSH Code are brought into effect, establishments covered by the OSH Code will be required to comply with the registration requirement prescribed under Section 3 of the OSH Code.

For establishments employing ten or more workers, registration under Section 3 of the OSH Code will constitute the principal registration requirement for the purposes of labour welfare, safety and working conditions. In such cases, a separate registration under the Maharashtra Shops Act will not be required merely for establishment registration, provided the establishment is otherwise covered by the OSH Code and the relevant rules are operational. This clarification is expected to reduce duplication of compliance and support a single-window approach for covered establishments.

For establishments employing fewer than ten workers, the position continues to be governed by the Maharashtra Shops Act to the extent applicable. Such establishments, being outside the threshold for mandatory OSH Code registration, are required to submit an online intimation of commencement of business to the state authorities in accordance with Section 7 of the Maharashtra Shops Act.

Therefore, smaller establishments should continue to ensure timely filing of the prescribed intimation and maintain records evidencing compliance.

It is important to note that the clarification is limited to the aspect of registration and does not dispense with other substantive obligations under the Maharashtra Shops Act.

Establishments must continue to comply with all non-conflicting provisions relating to employment conditions, working hours, leave, welfare measures, records, notices and other operational requirements, to the extent such provisions remain applicable and are not inconsistent with the OSH Code.

With regards,

**FOR DECCAN CHAMBER OF COMMERCE, INDUSTRIES & AGRICULTURE PUNE**

**HP SRIVASTAVA**

**CHAIRMAN**

**MOB NO. +91 9822022480**

**LAND LINE NO. 8956918542**

**EMAIL ID - [harisrivastava1959@gmail.com](mailto:harisrivastava1959@gmail.com)**

**Website: [www.dcciapune.org](http://www.dcciapune.org)**

