

# Exemptions from statutory registrations under S&E Acts following OSH Code implementation in Maharashtra and Haryana

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## Introduction

In a notable development, the Government of Maharashtra and Haryana have exempted establishments from registration related requirements under the respective shops and establishments legislations (S&E Acts) after the enactment of the Occupational Safety, Health and Working Conditions Code, 2020 (OSH Code). The same has been notified through a circular dated 30 April 2026 by the Government of Maharashtra (Circular) and through a gazette notification dated 4 May 2026 by the Government of Haryana, together (Amendments).

To provide brief context, the OSH Code is a central legislation and one amongst the 4 labour codes, which consolidates and rationalises provisions regarding workplace safety, health, and working conditions of workers employed in establishments. It provides for registration and other compliances across establishments.

In this update, we discuss the key changes as brought about by the Amendments from an Indian employment law perspective.

## Applicability

As per the Haryana Shops and Commercial Establishments Act, 1958 (Haryana S&E Act), establishments employing 20 or more workers, and under the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2017 (Maharashtra S&E Act), establishments employing 10 or more workers, are required to obtain registration in the prescribed manner.

Similarly, under the OSH Code, establishments employing 10 or more workers are required to obtain registration in the prescribed form and manner. Once the registration is obtained, the establishment is deemed to have complied with the statutory requirement of registration for purposes of ensuring welfare, safety, and working conditions of the workers.

## Exemption

In order to avoid multiplicity of registration and compliance process, the requirement of procuring separate registration for establishments in the state, under the Maharashtra S&E Act is no longer mandated by the Government of Maharashtra. Similarly, the Government of Haryana has exempted any "establishment" under the Haryana S&E Act from the provisions of registration and intimation of business commencement under Section 13 and Section 13A, respectively of the Haryana S&E Act, as the case may be.

## Other conditions in Maharashtra

As per the Circular, establishments employing less than 10 workers are still required to give an intimation of having commenced the business under Section 7 of the Maharashtra S&E Act.

## Other compliances

The Amendments provide that establishments must continue to comply with other provisions of the Maharashtra S&E Act and Haryana S&E Act, respectively, to the extent that they are not inconsistent with the OSH Code.

## Comments

The Amendments reflect a governmental push towards rationalisation of labour law compliance and reduction of overlapping registration obligations. This development aligns with the objective of implementing labour codes i.e., simplification of India's fragmented labour law framework. The exemptions granted under the Amendments do not imply a complete replacement of S&E Acts of Maharashtra and Haryana, rather they promote their harmonious implementation with the OSH Code. The Amendments expressly clarify that the substantive obligations under S&E Acts would continue to apply insofar as they are not inconsistent with the OSH Code. Accordingly, the Amendments reduces registration-related duplication while ensuring compliance with other statutory requirements including working hours, leave, welfare measures and maintenance of records under applicable S&E Acts.

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