

L. A. BILL No. LXXXIX OF 2025.

A BILL

further to amend the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2017.

5 **WHEREAS** both Houses of the State Legislature were not in session ;

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2017, for the

Mah. LXI of 2017. 10 purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) (Amendment) Ordinance, 2025 on the 1st October 2025 ;

 Mah. Ord. VIII of 2025.

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Seventy-sixth Year of the Republic of India as follows :—

Short title and commencement. **1.** (1) This Act may be called the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) (Amendment) Act, 2025. 5

(2) It shall be deemed to have come into force on the 1st October 2025.

Amendment of section 1 of Mah. LXI of 2017. **2.** In section 1 of the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2017 (hereinafter referred to as "the principal Act"), in sub-section (3),— Mah. LXI of 2017.

(1) in clause (a), for the word "ten" the word "twenty" shall be 10 substituted;

(2) in clause (b), for the word "ten" the word "twenty" shall be substituted.

Amendment of section 6 of Mah. LXI of 2017. **3.** In section 6 of the principal Act, in sub-section (1), for the word "ten" the word "twenty" shall be substituted. 15

4. In section 7 of the principal Act,—

(1) in sub-section (1),—

(a) for the word "ten" the word "twenty" shall be substituted;

(b) in the first proviso, for the word "ten" the word "twenty" shall be substituted;

(2) in sub-section (2), for the word "ten" the word "twenty" shall be substituted;

(3) in the marginal note, for the word "ten" the word "twenty" shall be substituted.

Amendment of section 12 of Mah. LXI of 2017. **5.** In section 12 of the principal Act,— 25

(1) for the word "nine" the word "ten" shall be substituted;

(2) for the word "five" the word "six" shall be substituted;

(3) the existing proviso shall be deleted.

Substitution of section 14 of Mah. LXI of 2017. **6.** For section 14 of the principal Act, the following section shall be substituted, namely :— 30

"14. The spread-over of a worker in the establishment shall not exceed twelve hours in any day.”.

Amendment of section 15 of Mah. LXI of 2017. **7.** In section 15 of the principal Act, for the words "one hundred and twenty-five hours" the words "one hundred and forty-four hours" shall be substituted. 35

Repeal of Mah. Ord. VIII of 2025 and saving. **8.** (1) The Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) (Amendment) Ordinance, 2025, is hereby repealed. Mah. Ord. VIII of 2025.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or, as the case may be, issued under the corresponding provisions of the principal Act, as amended by this Act. 40

STATEMENT OF OBJECTS AND REASONS

The State of Maharashtra is India's most economically dynamic State which accommodates enormous industrial and service sectors employing large number of workers. It is an endeavour of the State to reduce compliance burden for small businesses for promoting economic growth while ensuring continued protection for workers under various labour laws. The regulatory reforms in operational flexibility and reduction in compliance burden will eventually lead to economic growth of the State.

2. To align with the reform of regulations and procedures related to Ease of Doing Business and Ease of Living, it was considered necessary to reduce the compliance burden on smaller establishments. It was also considered necessary to provide operational flexibility of working hours without changing the fixed limit of weekly forty-eight hours of work. For the above purposes, the Government considered it expedient to amend the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2017 (Mah. LXI of 2017), suitably.

3. The salient features of the amendments are as follows, namely :—

(a) to increase threshold limit of 10 or more employees to 20 or more employees in any establishment for registration and other regulatory provisions of the said Act in order to reduce compliance burden for smaller businesses, encourage job creation and eliminate the fear of non-compliance. Establishments with less than 20 workers will no longer need a registration certificate from the Facilitator but they will only need to provide an intimation of their business. However, the other statutory protections to their workers remain the same;

(b) to increase the daily hours of work from the existing nine hours upto ten hours, inclusive of rest intervals, subject to a maximum of forty-eight hours in any week. This measure aims to create greater economic activity, enhance employment opportunities and give establishments the flexibility to handle emergencies, peak demand or staff shortages without disruption;

(c) to extend the spread-over of working hours from the existing ten and a half hours to twelve hours in a day to accommodate the increased daily working hours and to provide greater scheduling in establishment;

(d) to increase the maximum continuous working hours without a rest interval from five to six hours, to provide flexibility and smoother adjustments to the daily maximum hours of work;

(e) to increase overtime period within quarter from 125 hours to 144 hours so that establishments will be allowed to engage workers in overtime for an increased period per quarter to address exceptional work pressure. This change will increase workers' earning potential and formalize overtime practices, ensuring that all additional hours are properly recorded and compensated, which will help in preventing exploitation of workers. However the overtime working will not be mandatory for the workers.

4. As both Houses of the State Legislature were not in session and the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2017, for the purposes aforesaid, the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) (Amendment) Ordinance, 2025 (Mah. Ord. VIII of 2025), was promulgated by the Governor of Maharashtra on the 1st October 2025.

5. The Bill is intended to replace the said Ordinance by an Act of the State Legislature.

Mumbai,

Dated the 4th November, 2025.

AKASH FUNDKAR,

Minister for Labour.

**ANNEXURE TO THE L.A. BILL No. LXXXIX OF 2025- THE MAHARASHTRA
SHOPS AND ESTABLISHMENT (REGULATION OF EMPLOYMENT AND
CONDITIONS OF SERVICE) (AMENDMENT) BILL, 2025.**

(Extracts from the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service Act, 2017)

(MAH. LXI of 2017)

1. (1) and (2) * * * * Short title, extent, Application and Commencement.

(3) (a) The provisions of this Act, except section 7, shall apply to the establishments employing ten or more workers.

(b) The provisions of sections 7 and 36A shall apply to the establishments employing less than ten workers.

(4) * * * * *

2 to 5. * * * * *

6. (1) Within a period of sixty days from the date of commencement of this Act or the date on which establishment commences its business, the employer of every establishment employing ten or more workers shall submit application online in a prescribed form for registration to the Facilitator of the local area concerned, together with such fees and such self declaration and self-certified documents as may be prescribed, containing Registration of establishments.

- (a) the name of the employer and the manager, if any;
- (b) the postal address of the establishment;
- (c) the name, if any, of the establishment;
- (d) the actual nature of the business of the establishment; and
- (e) such other particulars as may be prescribed:

Provided that, nothing contained hereinabove shall apply to the establishments already having valid registration or renewal under the Maharashtra Shops and Establishments Act (LXXIX of 1948), until expiry of their registration or renewal.

(2) to (5) * * * *

7. (1) Within a period of sixty days from the date of the commencement employing less this Act or the date on which establishment commences its business, the employer of every establishment employing less than ten workers shall give an intimation of having commenced the business to the Facilitator in whose jurisdiction the establishment is located by submitting online application, in a prescribed form, together with such self-declaration and selfcertified documents, as may be prescribed containing details such as name of the employer and manager, name of establishment, nature of business, number of workers and such other details as may be prescribed. The Facilitator shall issue to the employer of such establishment a receipt of intimation in such form and manner as may be prescribed. The details of the intimation receipt shall be recorded online in a register maintained in such form as may be prescribed: Intimation of establishment employing less than ten workers.

Provided that, if at any point of time the number of workers engaged in the establishment become ten or more, then all provisions of this Act shall apply to such establishment and the employer of such establishment shall have to obtain registration as per the provisions of section 6:

Provided further that, nothing contained in this sub-section shall apply to the establishments already having valid registration or renewal under the Maharashtra Shops and Establishments Act (LXXIX of 1948), until expiry of their registration or renewal.

(2) The employer of such establishment employing less than ten workers shall notify to the Facilitator within thirty days from the date of the closing of the business that the establishment has been closed for business in such form and manner as may be prescribed. The Facilitator on receiving the information shall remove the entry of such establishment from the register kept for that purpose.

(3) * * * *

8 to 11. * * * *

Daily and Weekly hours of work in establishment and interval for rest.

12. Subject to the other provisions of the Act, no adult worker shall be of work in required or allowed to work in any establishment for more than nine hours in any day and forty-eight hours in any week. No adult worker shall be asked to work continuously for more than five hours unless he has been given a break of not less than half an hour:

Provided that, the working hours or weekly holiday may be relaxed in case of work of urgent nature with the previous permission of the Facilitator.

13. * * * *

Spread-over in establishment.

14. The spread-over of a worker in establishment shall not exceed ten and half hours in any day, and in case a worker entrusted with intermittent nature of work or urgent work, the spread over shall not exceed twelve hours.

Wages for overtime.

15. Where a worker in any establishment is required to work beyond nine hours a day or forty-eight hours a week, he shall be entitled, in respect of the overtime work, wages at the rate of twice his ordinary rate of wages. The total number of overtime hours shall not exceed one hundred and twenty-five hours in a period of three months.

16 to 39. * * * *

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

(L.A. BILL No. LXXXIX OF 2025.)

**[A Bill Further to amend the
Maharashtra Shops and Establishments
(Regulation of Employment and
Conditions of Service) Act, 2017.]**

**[SHRI AKASH FUNDKAR,
Minister for Labour.]**

**JITENDRA BHOLE,
Secretary-1,
Maharashtra Legislative Assembly.**