

Finin2min

[Labour Publication Series](#)

Labour & Manpower Law Publication Series

Chapter II - Registration

OSHC Code, 2020 | Detailed statutory, Rule, compliance, remedy and evidence guide.

Review date: 2026-07-18 Authors: CA Nikhil Gupta & Kajri Singh Sections: 3-5 Central Rules mapped: 2 Local source-hashed Act text + linked Rules and implementation analysis

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OSHC Code, 2020 Registration four-step compliance flowchart
Finin2min decision flow — identify the law, complete the statutory process and preserve evidence.

Publication-source status: Every mapped section of the parent Code is embedded locally from the retained official India Code PDF and carries the source SHA-256. Linked 2026 Central Rules, forms, notifications and operational analysis remain subject to the official Gazette and subsequent amendments.

Chapter decision flow

Classify establishment & person → Fix event date → Apply section and Rule → Complete form/record → Retain evidence & remedy file

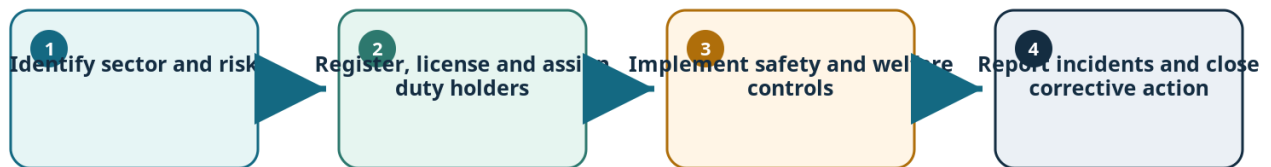
Finin2min Summary - Chapter in 2 Minutes

This chapter turns registration into an operational control file. It covers Registration of certain establishments, Appeal, Notice by employer of commencement and cessation of operation; the practical sequence is to classify coverage and event date, apply the provision and mapped Rule, complete the form/register, calculate the entitlement or exposure, and retain evidence for inspection, claim or appeal.

Chapter II - Registration

FININ2MIN LEGAL FLOW

OSHWC Code, 2020 — Registration



Law → trigger → procedure → evidence. Confirm the operative Central/State instrument on the event date.

Use this flow with the chapter provision map, implementation controls, evidence checklist, limitation/forum review and remedy framework. Confirm the operative Central and State instruments on the event date.

Chapter II - Registration

Finin2min implementation explanation

Maintain a controlled implementation file for Chapter II - Registration: coverage and event date, operative Central/State instrument, responsible owner, approval and authority, form/portal step, due date, calculation basis, supporting evidence, exception, escalation and closure proof. Reconcile payroll, HR, finance, contractor and legal records before sign-off.

Practical example

Classify the worker and establishment, identify the operative provision and notified instrument on the event date, compute the entitlement or exposure from source records, obtain approval, complete the filing/payment/action, and retain evidence. Do not use a portal value or payroll label as a substitute for the statutory test.

Calculation / control template

Control calculation: verified population or transaction base $\times$ applicable notified rate/amount $\times$ eligible period, adjusted for statutory inclusions, exclusions, ceilings, interest, compensation and prior payments. Reperform the calculation from retained source data.

Current-law control: verify the operative Central/State instrument, notification, form, portal and binding judgment on the event date. Numerical amounts in examples are illustrative unless expressly sourced.

Who is covered

Employers, occupiers, contractors, principal employers, workers and sector-specific establishments must identify the establishment type, worker category and appropriate Government.

Main obligations and rights

- Section 3: Registration of certain establishments
- Section 4: Appeal
- Section 5: Notice by employer of commencement and cessation of operation

Key thresholds and timelines

- Use only the threshold, rate and limitation period effective on the event date; verify the Central/State instrument before acting.

Forms, registers and evidence

- Notice
- Retain classification, calculation, approval, communication, acknowledgement and payment/filing proof.

Employer risk snapshot

Highest practical risks: operating without registration, using stale particulars or missing amendment/closure filings.

Employee/worker remedy snapshot

Core protection: the substantive protection in this chapter, access to the prescribed authority/forum and a documented remedy within limitation. Confirm the authority, limitation and appeal route stated in this chapter.

Old law / transition

Map the event date and savings position against: Factories Act, 1948; Plantations Labour Act, 1951; Mines Act, 1952; Working Journalists laws; Motor Transport Workers Act, 1961.

Five-point professional checklist

1. Freeze the event date, establishment, location and person/worker classification.

2. Identify the controlling section/paragraph, mapped Rule, notification and appropriate Government.
3. Reperform the calculation or decision test and document every exception or approval.
4. Complete the prescribed form/register/portal step and retain acknowledgement, payment and communication evidence.
5. Record the remedy, forum, limitation, appeal path and State variation before sign-off.

Finin2min takeaway: for registration, the defensible answer is not a policy label - it is the event-date law, the mapped procedure, the calculation and a complete evidence trail.

[Download one-page Finin2min cheat sheet](#)

Section-by-section provision map

Provision	Subject	Implementation focus
Section 3	Registration of certain establishments	Trigger, linked Rule/form, evidence, consequence and remedy
Section 4	Appeal	Trigger, linked Rule/form, evidence, consequence and remedy
Section 5	Notice by employer of commencement and cessation of operation	Trigger, linked Rule/form, evidence, consequence and remedy

Section 3: Registration of certain establishments

Current statutory text

3. Registration of certain establishments.— (1) Every employer of any establishment
- (a) which comes into existence after the commencement of this Code,
 - (b) to which this Code shall apply,

shall, within sixty days from the date of such applicability of this Code, file an application electronically to the registering officer appointed by the appropriate Government (or to as the registering officer) for the registration of such establishments.

Provided that the registering officer may entertain any such application if the

expiry of such period on payment of such late fees as may be prescribed by the Government.

(2) Every application under sub-section (1) shall be submitted to the registering officer in such manner, in such form, containing such particulars including the details of the establishment, the employment of inter-State migrant workers and shall be accompanied by such documents as may be prescribed by the appropriate Government.

(3) After the receipt of an application under sub-section (1), the registering officer shall register the establishment and issue a certificate of registration electronically to the employer within such time and subject to such conditions as may be prescribed by the appropriate Government.

Provided that if the registering officer fails to register an establishment or to entertain the application within the prescribed period, then, the establishment shall be deemed to have been registered under this Code immediately on the expiry of such period and an electronic certificate of registration shall be auto generated and the responsibility of such failure shall be on the registering officer.

(4) Any change in the ownership or management or in any particulars of the establishment which occurs after the registration of an establishment under this Code shall be intimated by the employer electronically to the registering officer within thirty days or such longer period as may be prescribed by the Central Government and thereafter the registering officer shall amend the certificate of registration electronically in such manner as may be prescribed by the Central Government.

(5) The employer of an establishment shall, within thirty days of the closure of the establishment,

(a) inform the registering officer of the closing of such establishment; and

(b) certify payment of all dues to the workers employed in such establishment.

The registering officer shall, on receiving such information and certificate from the employer, cancel the registration of establishments maintained by him and cancel the registration of such establishments within sixty days from the receipt of such information:

Provided that if the registering officer fails to cancel the registration of an establishment under this sub-section within such sixty days, then, the establishment shall be deemed to have been cancelled under this Code immediately on the expiry of such period of sixty days and the cancellation of registration certificate shall be deemed to be the responsibility of such failure shall be on the registering officer.

(6) If an employer of an establishment—

(a) has obtained the registration of his establishment by misrepresentation or suppression of any material fact, or

(b) has obtained the registration of his establishment so fraudulently that the registration has become useless or ineffective to run the establishment,

then, in case of clause (a) such misrepresentation or suppression of any material fact shall be the contravention of the provisions of this Code for prosecution of the employer under the provisions of this Code.

without affecting the registration and running of the establishment and in officer may, after giving an opportunity to the employer of the establishment registration by an order and such process for revocation shall be complete within sixty days from coming into his notice the facts specified in clause

(7) No employer of an establishment who—

(a) has not registered the establishment under this section; or

(b) has not preferred appeal under section 4 against the cancellation of certificate of the establishment under sub-section (5) or revocation of establishment under sub-section (6) or the appeal so preferred has been

shall employ any employee in the establishment.

(8) Notwithstanding anything contained in this Code, where any establishment applies, has already been registered under any—

(a) Central Labour law; or

(b) any other law which may be notified by the Central Government; or
establishment which is in existence at the time of the commencement of

shall be deemed to have been registered under the provisions of this Code, if the registration holder provides the details of registration to the concerned authority at the time and in such form as may be prescribed.

Finin2min clause-by-clause decode

1. This page does not replace the statutory text. It separates the operative legal transaction into controls so that each subsection, proviso, exception and delegated instrument can be checked against the official India Code source before use.
2. Test the establishment, activity, worker-count and sector thresholds that trigger registration or licensing.
3. Confirm whether the establishment, contractor or premises falls within the relevant threshold and jurisdiction.
4. Identify the competent registering or licensing officer and the Central/State jurisdiction before filing.
5. Use the prescribed electronic form and attach identity, address, constitution and work-order evidence.
6. Map the prescribed application, attachments, fee, security, validity, renewal and amendment events.
7. Track completeness, statutory processing period, deemed outcome where expressly provided, and portal acknowledgement.

8. Keep the certificate or licence displayed and reconcile contractor, migrant-worker and location data to the approved particulars.
9. Update material changes within the prescribed period; registration or licence is not transferable unless law says otherwise.
10. Track refusal, suspension, revocation, appeal, limitation and the consequences of operating without valid authority.

Applicable Central Rules immediately below the provision

Central Rule 3: Rule 3 — Application for registration

Rule mapping is retained; read the official 2026 Gazette for the exact sub-rule text and forms.

Practical example

The establishment creates a trigger ticket when coverage changes, assigns the authorised signatory, uploads the prescribed attachments, captures the acknowledgement and retains a versioned copy of the form, payment and approval.

Controls and evidence

- Employer: assign owner, configure system and retain approval/payment proof.
- Employee/worker: retain contract, attendance, wage/benefit proof and communication.
- Professional: reconcile the Act, Rule, notification, form, limitation and State overlay.

Consequence, remedy and limitation

Identify the substantive default first, then separately map arrears or benefit, interest/damages, administrative penalty, prosecution, compounding, company/officer liability, forum, appeal and limitation. Do not infer a remedy from the heading alone.

Mapped Rules: Rule 3 | Official source: [section 3](#).

Section 4: Appeal

Current statutory text

4. Appeal. — (1) Any person aggrieved by an order made under section 3 may from the date on which the order is communicated to him, prefer an appeal

shall be a person notified in this behalf by the appropriate Government:

Provided that the appellate officer may entertain the appeal after the days, if he is satisfied that the appellant was prevented by sufficient cause

(2) On receipt of an appeal under sub-section (1), the appellate officer shall give the appellant an opportunity of being heard, dispose of the appeal within a period of three months from the date of such appeal.

Finin2min clause-by-clause decode

1. This page does not replace the statutory text. It separates the operative legal transaction into controls so that each subsection, proviso, exception and delegated instrument can be checked against the official India Code source before use.
2. Identify the covered establishment, worker category, appropriate Government and event date.
3. Identify the covered establishment, worker category, appropriate Government and sector-specific overlay.
4. Convert each statutory condition and proviso into an assigned action with a clear deadline.
5. Break the provision into trigger, actor, action, timing, evidence and consequence before configuring the process.
6. Map the enabling Rule, form, Schedule, authority and any sector-specific notification.
7. Read the corresponding Central Rule, prescribed form, Schedule and notified authority together.
8. Preserve the decision memo, worker communication, register, portal acknowledgement and payment or inspection evidence.
9. Create a named control owner and maker-checker evidence trail.
10. Record exceptions, non-compliance consequences, remedy, appeal forum and limitation period.

Applicable Central Rules immediately below the provision

Central Rule 3: Rule 3 — Application for registration

Rule mapping is retained; read the official 2026 Gazette for the exact sub-rule text and forms.

Practical example

A multi-location employer prepares a legal classification memo, identifies the appropriate Government, maps the operative provision and Rule, records the decision owner and retains the documents needed to prove compliance during inspection or litigation.

Controls and evidence

- Employer: assign owner, configure system and retain approval/payment proof.
- Employee/worker: retain contract, attendance, wage/benefit proof and communication.
- Professional: reconcile the Act, Rule, notification, form, limitation and State overlay.

Consequence, remedy and limitation

Identify the substantive default first, then separately map arrears or benefit, interest/damages, administrative penalty, prosecution, compounding, company/officer liability, forum, appeal and limitation. Do not infer a remedy from the heading alone.

Mapped Rules: Rule 3 | Official source: [section 4](#).

Section 5: Notice by employer of commencement and cessation of operation

Current statutory text

5. Notice by employer of commencement and cessation of operation.—(1) No establishment being factory or mine or relating to contract labour or building shall use such establishment to commence the operation of any industry, trade or occupation thereon without sending notice of such purpose in such form and and within such time as may be prescribed and shall also intimate the cessation of authority in such manner as may be prescribed by the appropriate Government.

(2) The notice or intimation under sub-section (1) shall be given electronically.

CHAPTER III

DUTIES OF EMPLOYER AND EMPLOYEES, ETC.

Finin2min clause-by-clause decode

1. This page does not replace the statutory text. It separates the operative legal transaction into controls so that each subsection, proviso, exception and delegated instrument can be checked against the official India Code source before use.
2. Identify the covered establishment, worker category, appropriate Government and event date.

3. Identify the covered establishment, worker category, appropriate Government and sector-specific overlay.
4. Convert each statutory condition and proviso into an assigned action with a clear deadline.
5. Break the provision into trigger, actor, action, timing, evidence and consequence before configuring the process.
6. Map the enabling Rule, form, Schedule, authority and any sector-specific notification.
7. Read the corresponding Central Rule, prescribed form, Schedule and notified authority together.
8. Preserve the decision memo, worker communication, register, portal acknowledgement and payment or inspection evidence.
9. Create a named control owner and maker-checker evidence trail.
10. Record exceptions, non-compliance consequences, remedy, appeal forum and limitation period.

Applicable Central Rules immediately below the provision

Central Rule 4: Rule 4 — Notice of commencement and cessation of operation

Rule mapping is retained; read the official 2026 Gazette for the exact sub-rule text and forms.

Practical example

A multi-location employer prepares a legal classification memo, identifies the appropriate Government, maps the operative provision and Rule, records the decision owner and retains the documents needed to prove compliance during inspection or litigation.

Controls and evidence

- Employer: assign owner, configure system and retain approval/payment proof.
- Employee/worker: retain contract, attendance, wage/benefit proof and communication.
- Professional: reconcile the Act, Rule, notification, form, limitation and State overlay.

Consequence, remedy and limitation

Identify the substantive default first, then separately map arrears or benefit, interest/damages, administrative penalty, prosecution, compounding, company/

officer liability, forum, appeal and limitation. Do not infer a remedy from the heading alone.

Mapped Rules: Rule 4 | Official source: [section 5](#).

Rules, forms, registers, portals and due dates

Rule Subject	Text/control status
3 Rule 3 — Application for registration	Source-controlled mapping
4 Rule 4 — Notice of commencement and cessation of operation	Source-controlled mapping

Forms and registers must be confirmed from the appended 2026 Central Rules and the live portal applicable to the appropriate Government. A form is not treated as current merely because an earlier law used the same number.

Notifications and effective-date history

Control	Required action
Enactment	Record Act number, assent and Gazette publication. Use the provision-specific commencement notification; the four
Commencement	Codes became broadly operative from 21 November 2025 subject to earlier partial commencement and corrigenda.
Central Rules	Read the applicable 2026 Central Rules from their Gazette date and verify subsequent amendments.
State instrument	Check final State Rules, authority notifications, forms and rates where the State is appropriate Government.

Old-law/new-Code concordance

Predecessor law	Transition control
Factories Act, 1948	Classify the event date, accrued right, saved Rule/ notification and pending proceeding before moving to the Code.
Plantations Labour Act, 1951	Classify the event date, accrued right, saved Rule/ notification and pending proceeding before moving to the Code.
Mines Act, 1952	Classify the event date, accrued right, saved Rule/ notification and pending proceeding before moving to the Code.

Predecessor law

Working Journalists laws

Motor Transport Workers Act, 1961

Beedi and Cigar Workers Act, 1966

Contract Labour Act, 1970

Inter-State Migrant Workmen Act, 1979

Cine-Workers Act, 1981

Dock Workers Act, 1986

BOCW Act, 1996

Transition control

Classify the event date, accrued right, saved Rule/ notification and pending proceeding before moving to the Code.

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Practical calculations and control file

Calculation sequence

1. Freeze the employee/worker population and event date.
2. Apply the statutory wage/benefit base and notified threshold.
3. Reconcile attendance, service, payroll and contractor records.
4. Calculate principal amount, interest/damages and any statutory compensation separately.
5. Obtain legal/payroll approval and retain the versioned worksheet.

Three-owner sign-off

- **Employer/HR:** facts, classification, communication and workflow.
- **Employee/worker:** notice, records, nomination/claim and acknowledgement.

- **Professional:** source, formula, forum, limitation and evidence reconciliation.

Binding and highly relevant case-law principles

Older cases are included for principles only. Their continued application must be tested against the current Code wording, repeal-and-savings clause and later judgments.

Decision	Principle and present-use caution
Consumer Education and Research Centre v. Union of India	Worker health and safety are connected with dignity and life; statutory standards should be treated as minimum controls.
J.K. Industries Ltd. v. Chief Inspector of Factories	Responsibility attaches to the statutory person in control; internal delegation does not erase legal accountability.
Vellore Citizens Welfare Forum v. Union of India	Preventive and precautionary controls are relevant where industrial risk affects workers and surrounding communities.
Gammon India Ltd. v. Union of India	Construction-worker welfare and cess legislation is beneficial and must be applied consistently with the charging and machinery provisions.

State-law variation alerts

- Confirm whether the Central or State Government is the appropriate Government.
- Central Rules do not automatically displace valid State Rules, rates, registers, authorities or portal procedures.
- Minimum-wage rates, holidays, working-hours permissions, licences and local welfare obligations require State-specific verification.
- Record Gazette number, effective date and supersession status in the location compliance register.

Practical transaction application

Apply the chapter to site acquisition, factory/establishment registration, contractor mobilisation, licence conditions, migrant-worker deployment, construction, hazardous process, working hours, welfare, accident response and shutdown planning.

Authority, consent and execution controls

Identify the employer, occupier, manager, principal employer, contractor, safety officer, medical officer and authorised signatory. Verify licences, appointments, delegations and government approvals before mobilisation; contract allocation does not extinguish statutory responsibility.

Stamp duty and registration alerts

Licences and statutory registrations are distinct from stamping/registration of leases, construction contracts, contractor agreements, security instruments and land documents. Check State stamp and registration law for the underlying transaction while separately completing labour-law approvals.

Evidence and document-retention checklist

Retain the operative law/rule version, classification note, approvals, signed instruments, statutory forms, portal acknowledgements, registers, calculations, bank proof, correspondence, inspection records, service proof, decision and appeal file. Apply the longer of the statutory retention rule, litigation hold, tax/audit need and contractual requirement; restrict access to personal and sensitive data.

Performance, delivery and payment controls

Use pre-mobilisation gates for registration, licence, competency, medical fitness, training, PPE, welfare and emergency readiness. Link contractor invoices to attendance, wage payment, contribution proof, safety records and incident closure.

Breach, loss, mitigation and remedy framework

On detecting a breach, stop continuing exposure, preserve evidence, quantify employee and government dues, identify affected persons, make lawful corrective payment/filing, notify the authorised decision-maker, assess self-disclosure or compounding where available, and reserve contractual recovery against responsible vendors without delaying statutory remediation.

Limitation and forum controls

Route inspection, licence, prohibition, penalty and appeal matters to the prescribed authority and court. Preserve inspection records, sampling chain,

accident evidence, notices and appeal clocks; contractual dispute forums do not displace regulatory action.

Arbitration and mediation interface

Arbitration or mediation may resolve employer-contractor allocation and indemnity disputes, but cannot bind inspectors, waive safety duties, suppress accident reporting or replace statutory prosecution/appeal channels.

Company, partnership, GST and tax overlays

For a company, align board/delegation and officer-in-default controls; for an LLP or partnership, identify the designated partner/partner and authorised employer representative. Labour dues can affect transaction price, indemnities, director/partner exposure and insolvency claims. Salary/TDS, perquisite, contractor TDS, GST on outsourced services and accounting provisions must be reconciled without treating tax treatment as proof of labour-law classification.

Finin2min Q&A

Which law and version should be applied?

Use the current text of OSHWC Code, 2020, the commencement notification, the applicable Central or State Rules and any later instrument effective on the event date.

How is the appropriate Government identified?

Classify ownership/control, sector, establishment and contractor relationship before selecting the Central or State authority.

Can a company policy override the statutory protection?

No. A policy may improve a benefit or control, but it cannot contract out of a mandatory statutory floor.

What evidence should be retained?

Retain the classification memo, source instrument, form/portal record, calculation, approval, employee communication, acknowledgement and payment or authority proof.

Do the Central Rules apply to every establishment?

No. They govern the Central sphere. State Rules and State notifications must be checked where the State is the appropriate Government.

How should a historical event be tested?

Apply the law and subordinate instrument effective on the event date, then use the repeal-and-savings provision for pending rights and proceedings.

What happens when portal practice conflicts with the statute?

Record the conflict, follow the higher legal instrument, seek authority clarification where necessary and preserve screenshots and correspondence.

Can criminal and monetary consequences arise together?

They may. Separate wages/benefits, interest, damages, civil penalty, prosecution, compounding and director/officer liability.

Is a contractor arrangement enough to shift liability?

No. Principal-employer and contractor liabilities depend on the specific provision and facts; the contract should allocate evidence and recovery without diluting worker rights.

What is the first professional review step?

Freeze the event date and facts, identify the applicable provision, then map Rules, forms, notification status, authority, limitation and evidence.

What is the operational focus of section 3 - Registration of certain establishments?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 4 - Appeal?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 5 - Notice by employer of commencement and cessation of operation?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is review control 14 for this chapter?

Confirm source currency, State variation, internal ownership, documentary proof and the next statutory deadline before closing the compliance ticket.

What is review control 15 for this chapter?

Confirm source currency, State variation, internal ownership, documentary proof and the next statutory deadline before closing the compliance ticket.

[← Previous: Preliminary](#)[Next: Employer and employee duties →](#)

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