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ahead of the curve

60 Days of The Labour Codes

November 21, 2025, marked one of the most landmark developments in the Indian labour law landscape, when the Ministry of Labour and Employment (“**MOLE**”), notified the enforcement of the Code on Wages, 2019 (“**Wage Code**”), the Industrial Relations Code, 2020 (“**IR Code**”), the Occupational Safety, Health and Working Conditions Code, 2020 (“**OSH Code**”), and the Code on Social Security, 2020 (“**SS Code**”), (collectively, the “**Labour Codes**” or “**Codes**”), which effectively repealed 29 central labour legislations.

This Alert tracks the key developments relating to the implementation of the Codes over the past 60 days, including the status of the rules under the Labour Codes at the Central and State level, as on January 20, 2026.



Prior to November 2025

- On March 1, 2021, final rules on the Central Advisory Board were published and notified, which essentially established the framework for constitution of the Central Advisory Board under Section 42 of the Wage Code, whose remit is to advise on minimum wages under the Wage Code.
- On May 3, 2023, the MOLE notified limited provisions of the SS Code, insofar as they relate to the setting up and operation of an employees' pension scheme. This notification also repealed corresponding provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (“**EPF Act**”) to the extent of the Employees' Pension Scheme, 1995 (“**Pension Scheme**”), subject to the Pension Scheme remaining in force for 1 year.
- The Central Government and majority State Governments published draft rules under the Codes, inviting comments:
 - Certain States, i.e., Arunachal Pradesh and Gujarat, published final rules that would come into effect upon implementation of the Codes;
 - Karnataka published final rules under the IR Code and Wage Code, that would come into effect on implementation of the Codes;
 - Uttar Pradesh published final rules under all four Codes, however the rules would come into effect on the date to be notified by the Government of Uttar Pradesh.
 - Mizoram published final rules under the Wage Code, IR Code and SS Code, that would come into effect on a date to be notified by the Government of Mizoram;
 - Most States (including Delhi, Maharashtra, Andhra Pradesh, Haryana, Telangana, etc.) published draft rules under all 4 Codes; and
 - Some States (Tamil Nadu and Lakshadweep) published draft rules under only some Codes, while West Bengal had not published any draft rules.



November 21, 2025

The 4 Labour Codes were notified and brought into effect by a notification of the MOLE (except to the extent already implemented under previous notifications), with the exception that the EPF Act to the extent of the Employees Provident Fund Scheme, 1952 ("EPF Scheme"), and the Employees' Deposit Linked Insurance Scheme, 1976, were not repealed.

Final rules under all 4 Codes previously published by the State Governments of Gujarat and Arunachal Pradesh came into effect. Final rules under the Wage Code and IR Code previously published by the State Government of Karnataka came into effect.



December 5-18, 2025

The Government of Bihar notified final rules under all 4 Codes

- the Wage Code and IR Code rules came into force on December 5, 2025;
- the SS Code rules came into force on December 10, 2025; and
- the OSH Code rules were published on December 18, 2025, and came into force on the date the OSH Code came into effect.(i.e., November 21, 2025).



December 8, 2025

The Central Government issued a notification clarifying that the Labour Courts, Industrial Tribunals, and National Industrial Tribunals constituted under the Industrial Disputes Act, 1947 (subsumed by the IR Code), will continue to adjudicate existing cases and new cases until the constitution of the Industrial Tribunals and National Industrial Tribunals under the IR Code (*this notification came on the back of a challenge to the IR Code before the Delhi and Madras High Courts*).



December 19, 2025

A corrigendum was issued by the MOLE, modifying the November 21 notification on enforcement of the SS Code, which effectively clarified the repeal of the EPF Act in its entirety, and notified the commencement of the 1-year period for continuation of all schemes thereunder.



December 30, 2025

The Central Government re-published the draft rules under the 4 Codes (collectively, "Central Rules"), inviting suggestions/ objections within 45 days from their publication, and within 30 days of publication in case of the Central Rules under the IR Code.

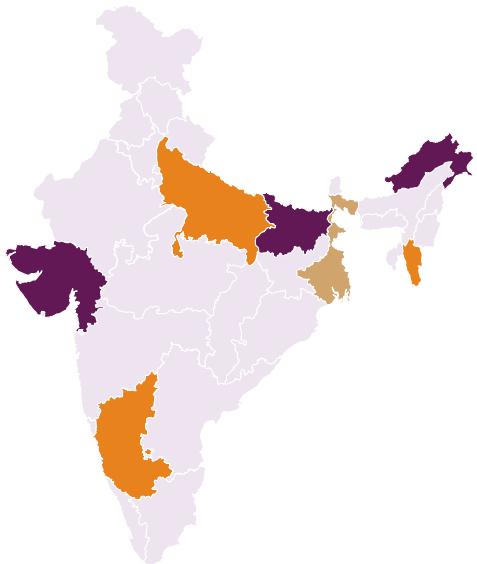


December 2025 - January 2026

Some states like Punjab, Madhya Pradesh, and Rajasthan have re-published draft rules under the Codes, inviting suggestions/ objections.

Status of rules under the Codes

All 4 Central Rules have been re-published on December 30, 2025, inviting suggestions and objections. Amongst the states, the implementation and publication of rules under the Codes are at varying stages, with limited states having implemented final rules under all 4 Codes, a few States having implemented final rules under some Codes, and majority States only having published draft rules.



Gujarat, Arunachal Pradesh, Bihar	Final rules under all 4 Codes published
Karnataka, Mizoram, and UP	Final rules under some Codes published (other rules in draft form) or final rules under all Codes published and yet to be implemented
Majority states, including Delhi, Haryana, Maharashtra, Telangana, Tamil Nadu, and Andhra Pradesh	Draft rules under some or all 4 Codes published
West Bengal	No draft rules published

A detailed table noting the status of the rules issued at the Central and State level under each of the Codes is attached with this Alert.

Beyond the Code and Rules

Certain clarifications, circulars and FAQ documents have been issued by the MOLE, and key authorities like the Employees' Provident Fund Organisation ("EPFO") and the Employees' State Insurance Corporation ("ESIC"):

- As on January 20, 2026, information related to the Labour Codes is available on the MOLE's [website](#), with materials on each of the Codes and certain FAQs.
- The ESIC has issued certain circulars in December 2025, clarifying that the new definition of 'wages' under the Labour Codes will have to be considered when computing contributions towards the Employees' State Insurance ("ESI"), that employees previously ineligible for benefits may be covered post the change in definition of 'wages', and bringing attention to the expanded definition of 'dependants' for the purpose of extension of benefits (available [here](#), [here](#) and [here](#)).

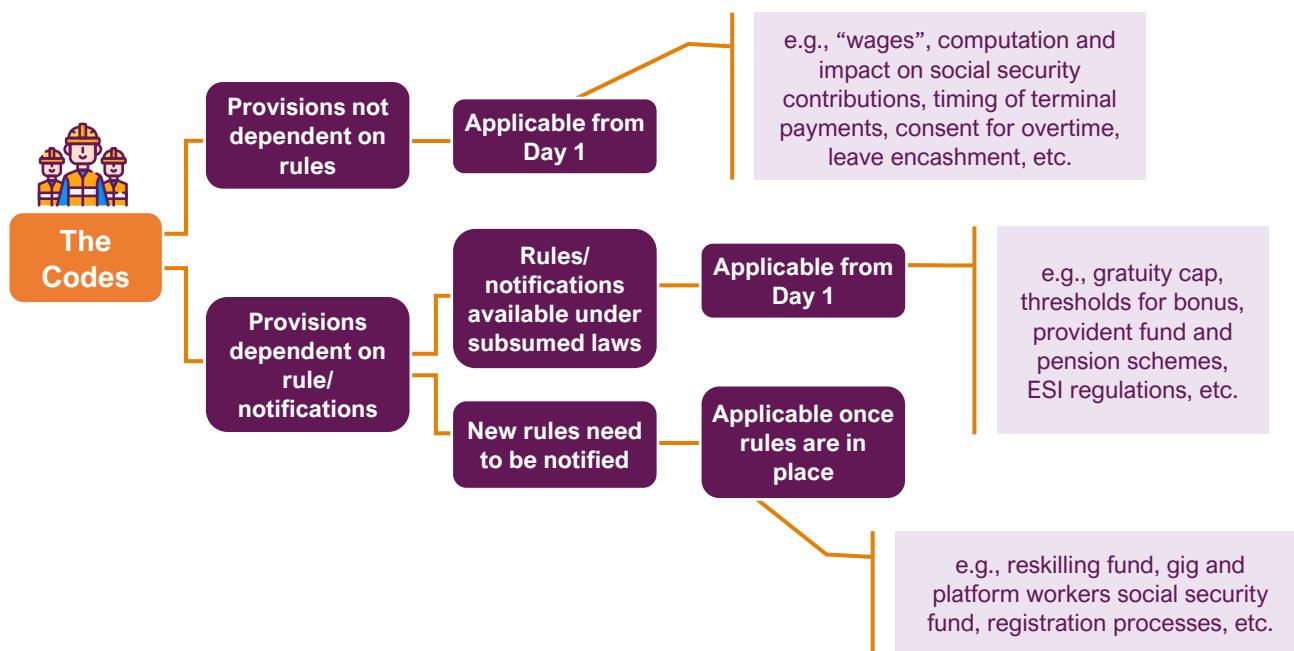
However, certain clarifications, circulars, and FAQs issued by authorities since November 21, 2025, are no longer available on their official websites. Notably, FAQs on 'Compliance and Recovery' under the SS Code published by the MOLE and EPFO in December 2025, is no longer available on the official websites.

Additional clarity from relevant authorities, the Central Government, and State Governments is expected in the coming months on the implementation of the Labour Codes.

What is the compliance framework today?

Although there is a common misconception in the market that the Codes are not in force until all the rules under all 4 Codes are finalized and implemented at the Central and State level, it is pertinent to note that the 4 Labour Codes are in force and have come into effect. Admittedly, there are provisions that are dependent on new rules for their full implementation, however, there are a number of provisions of the Codes that are not dependant on rules at all or are in effect on the basis of the old rules under the subsumed legislations which have become applicable from November 21, 2025 (Day 1). (See our [blog](#) for a more detailed analysis on the Compliance Matrix under the Labour Codes.)

Broadly, compliance provisions can be divided into 3 buckets:



- The first bucket of provisions, which are not dependent on notification of rules under the Codes, are fully in force and employers are expected to comply with these from November 21, 2025. This includes items like, the definition of “wages” and consequent computation of payouts and benefits (e.g., gratuity, leave encashment, overtime, notice pay, etc.), timeline for payment of full and final payments, consent for overtime work and women working at night, annual leave encashment, prior intimation of closure for factories with 300 or more workers, etc.

In States like Arunachal Pradesh, Gujarat and Bihar, and Karnataka (to the extent of the Wage Code and IR Code), all provisions of the Codes fall within this bucket 1.

- The second bucket of provisions are those which are dependent on new rules under the Codes, but can be effectively implemented where there are rules or notifications issued by the Central/ State Governments under the subsumed laws, to the extent these are not contrary to provisions of the Codes. These items too, are currently applicable and employers are expected to comply with them from November 21, 2025. This includes items like, the statutory ceiling for gratuity payments of INR 20,00,000, threshold of INR 21,000 for applicability of the statutory bonus provisions, mandatory welfare facilities for factories under the rules under the Factories Act, 1948, provisions on provident fund, pension and employees deposit-linked insurance flowing from the schemes (in force for a period of 1 year from November 21, 2025), regulations governing ESI, etc.
- The third bucket of provisions are those which are solely dependent on new rules under the Codes, and cannot be effectively implemented without them. These will come into force only once the relevant final rules are published and notified. This includes items like, setting up of the worker reskilling fund to accept contributions from employers, forms and manner of applying for registrations under the Codes, forms for maintaining/ submitting registers and returns, spreadover and overtime limits under the OSH Code, etc.

Recent reports indicate that final rules are expected to be in force by April 1, 2026.

Other laws that are unaffected by the Codes continue to remain in full force in effect, such as, local shops and establishments legislations (which will need to be read harmoniously with the OSH Code provisions on leaves, working hours, etc.), laws on prevention of sexual harassment, and equal employment opportunity laws such as the Transgender Persons (Protection of Rights) Act, 2019 and the Rights of Persons with Disabilities Act, 2016.



There is no doubt a certain degree of ambiguity and uncertainty in the minds of employers and employees as they navigate the current changes in the labour law regime. Legislative and regulatory guidance from the government and authorities is expected in the coming months on compliances and to aid the understanding of the nuances and intricacies of the new Codes.

This is a crucial time to evaluate and reassess HR practices, and efficiently plan for the transition to the new regime. If not done already, organisations will have to swiftly move towards compliance with the Codes, particularly on currently applicable provisions that significantly impact operations and costs – such as the revised definition of wages and the consequent changes in employee payouts.

It will also be interesting to track emerging jurisprudence on how Courts interpret and apply provisions of the Codes. As the regulatory and implementation landscape continues to evolve, all developments at the Central and State level will need to be carefully tracked until the framework crystallizes.

Our other publications on the Labour Codes are available [here](#).

Status of Rules under the Labour Codes

S. No	State/Union Territory	Wage Code	SS Code	IR Code	OSH Code
1.	Central	Final Rules on Central Advisory board have been published and have been in effect from March 01, 2021.	Draft Rules published	Draft Rules published	Draft Rules published
		Draft Rules on other provisions published.			
2.	Bihar				
3.	Arunachal Pradesh	Final Rules published and effective	Final Rules published and effective	Final Rules published and effective	Final Rules published and effective
4.	Gujarat				
5.	Mizoram	Final Rules published and will come into force on the date notified by the Mizoram Government.	Final Rules published and will come into force on the date notified by the Mizoram Government.	Final Rules published and will come into force on the date notified by the Mizoram Government.	Draft Rules published
6.	Uttar Pradesh	Final Rules published and will come into force on the date notified by the Uttar Pradesh Government.	Final Rules published and will come into force on the date notified by the Uttar Pradesh Government.	Final Rules published and will come into force on the date notified by the Uttar Pradesh Government.	Final Rules published and will come into force on the date notified by the Uttar Pradesh Government.
7.	Karnataka	Final Rules published and effective	Draft Rules published	Final Rules published and effective	Draft Rules published
8.	Lakshadweep	Rules not published	Draft Rules published	Draft Rules published	Draft Rules published
9.	Tamil Nadu	Draft Rules published	Rules not published	Draft Rules published	Draft Rules published
10.	West Bengal	Rules not published	Rules not published	Rules not published	Rules not published
11.	All Other States/UTs	Draft Rules published	Draft Rules published	Draft Rules published	Draft Rules published

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