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NATIONAL RURAL EMPLOYMENT GUARANTEE ACT, 2004

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NATIONAL RURAL EMPLOYMENT GUARANTEE ACT, 2004

An Act to safeguard the right to work by providing guaranteed employment at the statutory minimum wage to at least one adult per household who volunteers to do casual manual labour in rural areas.

WHEREAS making effective provision for safeguarding the right to work is a duty of the State under article 41 of the Constitution of India;

AND WHEREAS safeguarding the right to work is also essential for the realisation of other constitutional rights such as the right to life, the right to food and the right to education;

AND WHEREAS providing guaranteed employment in rural areas would be a major step towards the realisation of the right to work;

AND WHEREAS a programme of guaranteed employment could also contribute to other important objectives such as infrastructural development, social equity, environmental protection, and the empowerment of women;

AND WHEREAS a decentralised approach to the provision of guaranteed employment would help to promote people's participation in development planning and local governance;

AND WHEREAS it is also necessary to make certain supplemental, incidental and consequential provisions. It is here enacted in the Fifty-fourth Year of the Republic of India as follows:

1. Short title, extent and commencement.

(1) This Act may be called the National Rural Employment Guarantee Act, 2004.

(2) It extends to all rural areas of India, including Fifth and Sixth Schedule areas, except the State of Jammu and Kashmir.

(3) It shall come into force in a State on such date as the Central Government may by notification in the Official Gazette, appoint in this behalf, for such State, and different dates may be appointed for different States or for different areas of a State. Provided that it shall come into force in all rural areas of India within five years of enactment of this Act, with gradual extension to the whole of India during the initial period of five years, starting from districts with high levels of poverty.

2. Definitions.

In this Act, unless the context otherwise requires:

- (a) “adult” means a person who has attained the age of eighteen years;
- (b) “household” means a nuclear family, or a family of persons normally residing together and sharing meals or holding a common ration card;
- (c) “Central Council” means the Central Employment Guarantee Council constituted under section 4;
- (d) “State Council” means the State Employment Guarantee Council constituted under section 5;
- (e) “Programme” means the Employment Guarantee Programme prepared and published under section 7 and for the time being in force;
- (f) “applicant” means a person who has applied for employment under the Employment Guarantee Programme under section 8;
- (g) “project” means any work taken up under the Programme for the purpose of providing employment to the applicants;
- (h) “rural areas” includes B and C class municipalities;
- (i) “implementing agency” includes any Department of the Central Government or State Government, the Zila Parishad, the Panchayat Samiti, the Gram Panchayat, or any other local authority or Government Undertaking which is entrusted with the task of implementing any work taken up under the Programme;
- (j) “Programme Officer” means the officer appointed under section 6 to supervise the implementation of the Programme in a particular Block.
- (k) “productive works” means any works which, in the opinion of the State Council, will directly or indirectly contribute to the increase of production, the creation of durable assets, the preservation of the environment, or the improvement of the quality of life;
- (l) “casual manual labour” means a casual job essentially involving physical labour but possibly including basic skills that are required for productive works;
- (m) "National Fund" means the National Employment Guarantee Fund established under section 14;
- (n) “State Fund” means the State Employment Guarantee Fund established under section 15;

(n) “prescribed” means prescribed by Rules made under this Act.

3. Guarantee of employment to all households in rural areas.

(1) Every household in the rural areas of India shall have a right to at least 100 days of guaranteed employment every year for at least one adult member, for doing casual manual labour at the statutory minimum wage, and to receive the wages thereof within 7 days of the week during which work has been done, in accordance with the provisions of this Act and the Programme made thereunder.

(2) It shall be open to the Central Government to raise the household entitlement of 100 days of work per year beyond 100 days, or extend it to every adult (or to urban areas), in some or all areas of India, through suitable provisions made in the Rules.

(3) It shall be open to the State Governments to raise the household entitlement of 100 days of work per year beyond 100 days, or extend it to every adult (or to urban areas), in some or all areas of the State, through suitable provisions made in the Rules; provided that the additional financial requirements shall be borne by the State Government.

(4) Where state legislation exists dealing with employment guarantee for casual manual work, a person will have the right to seek employment under the state law or under this Act, as he or she chooses.

4. Central Council and its functions.

(1) In order to have a periodical review and supervision of the implementation of the Act at the national level, a Central Employment Guarantee Council shall be constituted by the Central Government. The Central Government shall appoint the Chairperson, Member Secretary, and other members of the Central Council.

(2) The Central Council shall have requisite numbers of members from various central ministries/Planning Commission/State Governments and also from workers’ organisations and disadvantaged communities. At least one third of the members shall be women, and one third shall be from Scheduled Castes and Scheduled Tribes. Adequate representation of other minorities shall also be ensured.

(3) The Central Council shall perform the following functions: (i) establishment of central evaluation and monitoring systems; (ii) advising the Central Government on all matters concerning the implementation of the Act; (iii) reviewing the monitoring and redressal mechanisms from time to time and recommending improvements if appropriate; (iv) promoting the widest possible dissemination of information about the Act and the Programme; (v) monitoring the implementation of the Act and preparing annual reports to be submitted to Parliament; (vi) any other responsibilities that may be specified in the Rules.

(4) The Central Council shall be competent to undertake an evaluation of the Programme and for this purpose to collect or cause to be collected statistics pertaining to the rural economy and the implementation of the Programme.

5. State Council and its functions.

(1) For the purposes of regular monitoring and review of the implementation of this Act at the state level, each State Government shall constitute a State Council to be called the State Employment Guarantee Council. At least one third of the members shall be women, and one third shall be from Scheduled Castes and Scheduled Tribes. Provision shall also be made for adequate representation of workers' organisations, disadvantaged communities, and members of elected local bodies.

(2) The responsibilities of the State Council shall include: (i) advising the State Government on all matters concerning the Programme and its implementation in the relevant State; (ii) reviewing the monitoring and redressal mechanisms from time to time and recommending improvements if appropriate; (iii) promoting the widest possible dissemination of information about the Act and the Programme; (iv) monitoring the implementation of the Act and the Programme and preparing annual reports to be submitted to the State Assembly; (v) any other responsibilities that may be specified in the Rules.

(3) The State Council shall be competent to undertake an evaluation of the Programme and for this purpose to collect or cause to be collected statistics pertaining to the rural economy and the implementation of the Programme in the state.

6. Officers responsible for implementation of the Programme.

(1) The Collector of the District (or the Chief Executive Officer, as the case may be) shall be responsible for the implementation of the Programme in the District. For this purpose all other officers of the State Government and local authorities within the district shall be ultimately responsible to the Collector/CEO. The Collector/CEO himself shall be accountable to the Zila Parishad.

(2) In every Block, the State Government shall appoint a Programme Officer, who shall be responsible for the implementation of the Programme in that area. The Programme Officer shall be answerable to the Panchayat Samiti and the District Collector/CEO.

(3) Any of the powers and duties of the Programme Officer may be delegated to the Gram Panchayat or a specified local authority, through such procedures as may be prescribed in the Rules.

(4) In order to anticipate the demand for casual work a labour budget for the District shall be prepared, so that it may be possible to plan the works to be taken up under the scheme.

7. Essential features of the Programme.

(1) For the purpose of giving effect to the employment guarantee mentioned in section 3, each State Government shall prepare, within six months of the commencement of this Act, an Employment Guarantee Programme for providing employment to all adults residing in the

rural areas who volunteer to do casual manual work, subject to the conditions laid down by or under this Act or in the Programme.

(2) The Rules of the Programme shall be published in the Official Gazette, and a summary thereof shall also be publicised through regional and local newspapers and other means.

(3) The essential features of the Programme shall include the following:

(i) Only productive works shall be taken up under the Programme. The State Council shall prepare a list of permissible works as well as a list of “preferred works”. The identification of preferred works shall be based on the economic, social and environmental benefits of different types of works, their contribution to social equity, and their ability to create permanent assets.

(ii) The works taken up under the Programme shall be in rural areas. It shall, however, be lawful for the State Government to direct that certain categories of works may be taken up in areas other than rural areas, as advised by the State Council.

(iii) The Programme may also provide, as far as possible, for the training and upgradation of the skills of unskilled labourers.

(iv) In no circumstances shall labourers be paid less than the statutory minimum wage of agricultural labourers applicable in the State.

(v) When wages are directly linked with the quantity of work, the wages shall be paid according to the schedule of rates, which shall be fixed by the State Government for different types of work every year, subject to the approval of the State Council. The schedule of rates for unskilled labourers shall be so fixed that a person working diligently for 7 hours would normally earn a wage equal to the statutory minimum wage of agricultural labourers applicable in the State at that time.

(vi) It shall be open to the Programme Officer and Gram Panchayat to direct any person who applies for employment under the Programme to do work of any type permissible under the Programme.

(vii) Contractors shall not be used for the execution of projects taken up by Gram Panchayats under the Programme.

(viii) Contractors shall not be used for the execution of projects taken up by Programme Officers under the Programme, except for specific types of work to be specified in the Programme Rules and with case-wise permission from the concerned monitoring agencies. When contractors are used, wages shall be paid directly by the government to the labourers, and in all other respects the Contract Labour, Regulation and Abolition Act will apply.

8. Conditions for guaranteed employment.

(1) Every adult person who

(i) resides in any rural area;

(ii) is willing to do casual manual work at the statutory minimum wage;

may submit his/her name and address to the Gram Panchayat and apply for registration. It shall be the duty of the Gram Panchayat to register him/her and issue him/her a job card with date and photograph. The registration shall be for such period as may be laid down in the Programme, but in any case not less than five years, and may be renewed from time to time. Different persons belonging to the same household shall share the same job card.

(2) Every registered person shall be entitled to employment at the statutory minimum wage, in accordance with the Programme for the time being in force, for as many days as the applicant requests, up to 100 days per household in a given financial year.

(3) It shall be the responsibility of the State Government to provide employment in accordance with the provision of the Programme to every such person within 15 days of receipt of an application.

(4) Applications must be for at least 14 days of continuous work. There shall be no limit on the number of days of employment for which a person applies, or on the number of days of employment actually provided to him or her.

(5) Applications may be submitted in writing either to the Gram Panchayat or to the Programme Officer, through such procedures as may be prescribed in the Programme Rules. The Gram Panchayat and Programme Officer, as the case may be, shall be bound to accept valid applications and to issue a dated receipt to the applicant. Group applications may also be submitted as prescribed in the Programme Rules.

(6) Applicants who are provided with work shall be so notified in writing, by means of a letter sent to the address given in the job card and of a public notice displayed at the Gram Panchayat Bhawan, through such procedures as may be specified in the Rules.

(7) As far as possible, employment shall be provided within a radius of 5 kilometres of the village where the applicant resides at the time of applying. In cases where employment is provided outside such radius, it must be provided within the Block, and transport allowances and daily living allowances shall be paid in accordance with the Programme Rules.

(8) If the applicant is not provided with employment in the manner mentioned in sub-section 8(3) within 15 days of applying, he or she shall be entitled to a daily unemployment allowance, unless the applicant or his/her household has already received 100 days of employment during the current financial year.

(9) The unemployment allowance shall be paid at such rate as may be fixed by the State Government from time to time with the approval of the State Council, but not less than one third of the prevailing statutory minimum wage of agricultural labourers in the State.

(10) Provision shall be made in the Programme Rules for advance applications, that is, applications submitted in advance of the date from which employment is sought. In such

cases, applicants shall be entitled to the unemployment allowance if work is not provided to them within 15 days of the date from which employment is sought.

(11) Multiple applications may be submitted over time by the same person, as per procedures laid down by the Programme rules, provided that the corresponding periods for which employment is sought do not overlap.

(12) The Gram Panchayat shall prepare and maintain such registers and issue such identity cards or pass-books to the applicants as may be prescribed by the Programme Rules, including a job card with a record of applications made, employment provided, and related details.

(13) If the Gram Panchayat is satisfied, after due verification, that a person has registered by making false declarations of name, age or residence, it may recommend this person's name for deletion to the Programme Officer. The Programme Officer may, after giving reasonable opportunity to the person concerned of being heard, delete his/her name from the register.

9. Entitlements of labourers employed under the Programme.

(1) If any personal injury is caused to any person employed under the Programme by accident arising out of and in the course of his employment, he shall be entitled, free of charge, to such medical treatment as is admissible under the Programme. Where hospitalisation is necessary, the State Government shall arrange for such hospitalisation including accommodation, treatment, medicines, and a daily allowance not less than half of the statutory minimum wage of agricultural labourers. In case of death or disability of such a person, an ex-gratia payment shall be made to his legal heirs in the manner laid down in the Workmen Compensation Act.

(2) The following facilities shall be available at the worksites: (i) safe drinking water; (ii) shade for small children and periods of rest; (iii) a first-aid box with adequate material for emergency treatment of minor injuries, strokes, body aches and other health hazards connected with the work being performed.

(3) In cases where at least twenty women are employed on a worksite, a provision shall be made for one of them to be deputed to look after any children under the age of six who may be brought to the worksite, if the need arises. The person deputed for child-minding shall be paid the statutory minimum wage of agricultural labourers in the State.

(4) In case of any delay in the payment of wages, that is, in the event where wages are paid later than 7 days beyond the week during which work has been done, labourers shall be entitled to the payment of compensation as per the Payment of Wages Act.

(5) Wages may be paid in cash or in kind or both, taking into account the guidelines and recommendations of the State Council on this matter.

(6) A proportion of the wages, not exceeding 5 per cent, may be deducted as a contribution to welfare schemes organized for the benefit of labourers employed under the Programme, such as health insurance, accident insurance, survivor benefits, maternity benefits and social security schemes. The relevant procedures, including stringent provisions for transparent and

accountable use of these funds for the benefit of labourers employed, and possible provisions for matching grants from State Governments, shall be spelt out in the Rules and reviewed from time to time by the State Council. No deduction from wages shall be made until such time as the relevant social security schemes are functional.

(7) If personal injury is caused by accident to a child accompanying any person who is employed under the Programme, the person shall be entitled, fee of charge, to such medical treatment for the child as the State Government may, by general or special order, determine, and in case of death or disablement, to ex-gratia payment as specified in the Rules.

(8) In no circumstances shall there be any discrimination on the basis of gender in the provision of employment or the payment of wages, as per the provisions of the Equal Remuneration Act 1976.

(9) Facilities may be provided for the employment of persons unable to do any casual manual work on account of physical or mental disabilities in activities that are compatible with their abilities. Such disabilities shall be recorded at the time of registration.

10. Unemployment allowance.

(1) The liability of the State Government to pay unemployment allowance under sub-section 8(8) shall commence after the expiry of 15 days from the date of application (or 15 days from the date from which employment is sought, in the case of advance applications). It shall cease as soon as (i) the applicant is directed by the Gram Panchayat or Programme Officer to report for work, (ii) the period for which employment is sought comes to an end, (iii) the applicant's household has received 100 days of work within the financial year, or (iv) the applicant's household has earned as much from the unemployment allowance as it would have earned from 100 days of work, within the financial year.

(2) Any applicant who is provided with employment and does not report for work within 15 days of being notified under sub-section 8(6), or who is absent from work for more than one week without a valid application for exemption, shall stand debarred from applying for work or receiving unemployment allowance for a period of fifteen days.

(3) The unemployment allowance to be paid to an eligible applicant under sub-section 8(8) shall be sanctioned by the Programme Officer or such local authority as may be empowered by the State Government for this purpose. The State Government may prescribe such procedure as it deems fit for the payment of unemployment allowances, provided that the allowance is paid not later than 7 days beyond the week for which it is due.

(4) In all cases where unemployment allowance is actually paid, or due to be paid, the Programme Officer shall be bound to provide a written explanation spelling out why it has not been possible to provide employment to the applicant. A similar explanation shall be provided by the District Collector (or Chief Executive Officer, as the case may be) in his or her annual report to the State Council. In such cases, appropriate action shall be taken by the State Government as per the Rules.

11. Functions of the Programme Officer and Gram Panchayat.

(1) The Programme Officer shall be responsible for matching the demand for employment with employment opportunities arising from projects in the area within his jurisdiction. These projects may include works taken up by the Gram Panchayat as well works taken up by other implementing agencies.

(2) The responsibilities of the Programme Officer under the Programme further include: (i) monitoring of projects taken up by the Gram Panchayats and other implementing agencies within the Block; (ii) sanctioning and ensuring the payment of unemployment allowances; (iii) ensuring the prompt and fair payment of wages to all labourers employed under the Programme within the Block; (iv) dealing promptly with any public complaints that may arise in connection with the implementation of projects taken up within the Block; (v) ensuring that regular social audits of all works within the jurisdiction of the Gram Panchayat are carried out by the Gram Sabha and that prompt action is taken on the objections raised in the social audits.

(3) At the Gram Panchayat level, the Gram Panchayat shall be responsible for planning the projects taken up under the Programme as per the recommendations of the Gram Sabha (and Ward Sabhas, if applicable), and for executing and supervising these works. Projects taken up by the Gram Panchayat shall be subject to the administrative sanction of the Programme Officer.

(4) Each Gram Panchayat shall prepare an annual Development Plan and maintain a shelf of possible works to be taken up under the Programme as and when demand for work arises, taking into account the recommendations of the Gram Sabha (and, if applicable, Ward Sabhas). Proposals for these projects, including an order of priority between different works, shall be sent to the Programme Officer for scrutiny and preliminary approval, prior to commencement of the financial year when the works are to be executed.

(5) In the planning and selection of works to be taken up under the Programme, priority shall be given to works recommended by the Gram Sabha and Gram Panchayat. In cases where these recommendations are overridden, written explanations shall be supplied by the Programme Officer.

(5) The Programme Officer shall supply each Gram Panchayat with muster rolls for the works sanctioned at the Gram Panchayat level, and also a list of employment opportunities available elsewhere to residents of the Gram Panchayat. The Gram Panchayat shall allocate employment opportunities among the applicants and ask them to report for work.

(6) Adequate staff and technical support shall be made available by the State Government to the Gram Panchayat and Programme Officer for the purpose of carrying their responsibilities under this Act.

(7) The Programme Rules shall provide for the formation of suitable Committees at the Block and District levels, for the purpose of: (i) preparing a shelf of possible projects to be taken up at the Block and District levels; (ii) issuing guidelines for the monitoring and evaluation of projects taken up at the Block and District levels; (iii) dealing with any public complaints that may arise in connection with the implementation of projects taken up at the Block and

District levels. Provision shall be made, in the Programme Rules, for adequate inclusion of elected representatives, women and disadvantaged communities on the Committees. The Committees shall be answerable to elected representatives at the appropriate level, through such procedures as may be described in the Programme Rules.

12. Transparency and accountability.

(1) The District Collector (or Chief Executive Officer, as the case may be) and all implementing agencies in the District shall be responsible for the funds placed at their disposal for the purpose of implementing the Programme. They shall maintain the accounts of employment and expenditure in such manner as may be prescribed.

(2) The State Government shall put in place, within the Rules of the Programme, adequate arrangements to ensure transparency and accountability at all levels in the implementation of the Programme, including:

(i) Regular inspection of the works taken up under the Programme.

(ii) Each Gram Panchayat, Programme Officer and District Collector (or Chief Executive Officer, as the case may be) shall prepare an annual report on the implementation of the Programme in the area within its jurisdiction. The report shall be made available in convenient form for public scrutiny.

(iii) All accounts and records relating to the Programme shall be available in convenient form for public scrutiny. Copies shall be provided to anyone on demand at cost price, as per procedures specified in the Rules.

(iv) The details of each project, including a summary of expenditure and labour employed, shall be prominently displayed on a board close to the site after completion of the work. Similar information shall be painted on the walls of the Gram Panchayat office and updated from time to time, as prescribed in the Rules.

(v) A copy of the muster rolls of each project taken up by or in the Gram Panchayat shall be posted at the Gram Panchayat office until such time as the wages are paid.

(vi) The Gram Sabha shall monitor the work of the Gram Panchayat. In particular, Gram Sabhas (and, if applicable, Ward Sabhas) shall conduct regular social audits of all the projects taken up within their jurisdiction. All relevant documents, including muster rolls, bills, vouchers, measurement books, copies of sanctions, etc., will be presented to the Gram Sabha for purposes of social audit. Completion and utilisation certificates of works taken up under the Programme by the Gram Panchayat shall be issued by the Gram Sabha after conducting the relevant social audits.

(vii) The productive aspects of the works shall be evaluated by technically qualified personnel to ensure that they meet the required technical standards and measurements. Supervisory authorities shall be held responsible for any shortcoming in this respect.

(3) Payment of wages and unemployment allowances shall be made directly to the person concerned in front of the community on pre-announced dates.

(4) If any dispute or complaint arises concerning the implementation of the Programme by the Gram Panchayat, the matter shall be referred to the Programme Officer, who will be required to settle the complaint within 7 days. Appropriate provisions shall be made in the Rules for the maintenance of complaint registers and issuing of receipts.

13. Penalties for non-compliance with the provisions of the Act

1. Any Programme Officer who has, without any reasonable cause, failed to carry out his or her obligations under this Act, will be liable upon summary conviction to a fine of not less than Rs 1,000 or imprisonment up to six months or both.

14. Establishment and utilisation of National Employment Guarantee Fund.¹

(1) On the date of commencement of this Act, a non-lapsable fund to be called the National Employment Guarantee Fund shall be deemed to be established.

(2) Any amount transferred or credited to the National Fund shall be charged on the Consolidated Fund of India.

(3) The amount standing to the credit of the National Fund shall be expended in such manner and subject to such conditions as may be prescribed for the purpose of implementing the Programme.

(4) The following shall form part of, or be paid into, the National Fund, namely: (a) at least one tenth of the proceeds of the Goods and Services Tax; (b) amounts transferred from various tax sources as the Central Government may specify; (c) a separate tax by name "Employment Guarantee Tax" that may be created by the Central Government; (d) whatever resources may be required, from the Consolidated Fund of India, to ensure that the entitlements under this Act are met.

(5) The amount standing to the credit of the National Fund shall be expended exclusively for the purpose of implementing the Programme.

(6) The wage component of the costs of the Employment Guarantee Programme shall be paid by the Central Government from the National Employment Guarantee Fund. The material component shall be shared equally between the Central and State Governments. The unemployment allowance, however, shall be paid by the State Government.

(7) The accounts of the National Fund shall be audited as per standard procedures, submitted to the Lok Sabha, and made available in convenient form for public scrutiny at the end of each financial year.

¹ This section and the next one may need revision after further expert scrutiny of the financial arrangements required to implement the Employment Guarantee Act.

(8) At least 50 per cent of the funds disbursed for implementation of projects taken up under the Programme shall be allocated to the Gram Panchayats.

15. Establishment and utilisation of State Employment Guarantee Funds.

(1) On the date of commencement of this Act, a non-lapsable fund to be called the State Employment Guarantee Fund shall be deemed to be established in each state.

(2) Any amount transferred or credited to the State Fund shall be charged on the Consolidated Fund of the State.

(3) The amount standing to the credit of the State Fund shall be expended in such manner and subject to such conditions as may be prescribed for the purpose of implementing the Programme (including for meeting the administrative charges and for making ex-gratia payments as provided under this Act).

(4) The amount standing to the credit of the Fund shall be expended exclusively for the purpose of implementing the Programme.

(5) The accounts of the Fund shall be audited as per standard procedures, submitted to the State Assembly, and made available in convenient form for public scrutiny at the end of each financial year.

(6) The Fund shall be held and administered on behalf of the State Government by an officer not below the rank of a Secretary to the State Government, subject to such general or special directions as may be given by the State Government, from time to time.

16. Delegation of powers.

The Government may, by notification in the Official Gazette, direct that the powers exercisable by it, except the powers to make the Programme and the Rules, shall, in circumstances and under conditions specified by the notification, be exercisable also by such officer or officers subordinated to it as may be specified in the notification.

17. Act to have overriding effect.

The provisions of this Act or the Programme Rules, notifications or orders made or issued thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of such law.

18. Power to make Rules.

(1) The power to make Rules under this Act shall be exercised by the Central Government by notification in the Official Gazette.

(2) Without prejudice to any power to make Rules contained elsewhere in this Act, the State Government may make Rules consistent with this Act and with the Rules specified by the Central Government, to carry out the purposes of this Act.

(3) All Rules made under this Act shall be subject to the conditions of previous publication.

(4) Every rule made under this Act shall be laid as soon as may be after it is made, before each House of the Parliament, while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions, and if before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made and notify such decisions in the Official Gazette, the rule shall from the date of publication of such notification have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or amendment shall be without prejudice to the validity of anything previously done under that Act.

