THE ENERGY CONSERVATION ACT, 2001

[Act 52 of 2001, dt. 29-9-2001]
[As amended by Act No. 28 of 2010, dt. 24-8-2010]

An Act to provide for efficient use of energy and its conservation and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement

(1) This Act may be called the Energy Conservation Act, 2001.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

COMMENTS

Section 1(2) :

This Act is not applicable in Jammu and Kashmir.

Section 1(3) :

The application of the sections 1 to 29 and sections 46 to 62 came into force on 1st March, 2002 vide SO 268(E), dated 1st March, 2002.

2. Definitions

In this Act, unless the context otherwise requires,—

(a) ―accredited energy auditor‖ means an energy auditor accredited in accordance with the provisions of] clause (p) of sub-section (2) of section13;

(b) ―Appellate Tribunal‖ means the Appellate Tribunal for Energy Conservation referred to in section 30;

(c) ―building‖ means any structure or erection or part of structure or erection after the rules relating to energy conservation building codes have been notified under clause (p) of section 14 and clause (a) of section 15 and includes any existing structure or erection or part of structure or erection, which is having a connected load of 100 Kilowatt (kW) or contract demand of 120 Kilo-volt Ampere (kVA) and above and is used or intended to be used for commercial purposes;

(d) ―Bureau‖ means the Bureau of Energy Efficiency established under sub-section (1) of section 3;

(e) ―Chairperson‖ means the Chairperson of the Governing Council;

(f) ―designated agency‖ means any agency designated under clause (d) of section 15;

(g) ―designated consumer‖ means any consumer specified under clause (e) of section 14;

(h) ―energy‖ means any form of energy derived from fossil fuels, nuclear substances or materials, hydro-electricity and includes electrical energy or electricity generated from renewable sources of energy or bio-mass connected to the grid; (i)

―energy audit‖ means the verification, monitoring and analysis of use of energy including submission of technical report containing recommendations for improving energy efficiency with cost benefit analysis and an action plan to reduce energy consumption;

(j) ―energy conservation building codes‖ means the norms and standards of energy consumption expressed in terms of per square metre of the area wherein energy is used and includes the location of the building;

(k) ―energy consumption standards‖ means the norms for process and energy consumption standards specified under clause (a) of section 14;

(l) ―Energy Management Centre‖ means the Energy Management Centre set up under the Resolution of the Government of India in the erstwhile Ministry of Energy, Department of Power No. 7(2)/87-EP(Vol. IV), dated the 5th July, 1989 and registered under the Societies Registration Act, 1860 (21 of 1860);

(m) ―energy manager‖ means any individual possessing the qualifications prescribed under clause (m) of section 14;

(ma) ―energy savings certificate‖ means any energy savings certificate issued to the designated consumers under sub-section (1) of section 14A;

(maa) ―equipment or appliance‖ means any equipment or appliance which consumes, generates, transmits or supplies energy and includes any device that consumes any form of energy and produces a desired work;

(n) ―Governing Council‖ means the Governing Council referred to in section 4; (o) ―member‖ means the member of the Governing Council and includes the Chairperson;

(p) ―notification‖ means a notification in the Gazette of India or, as the case may be, the Official Gazette of a State;

(q) ―prescribed‖ means prescribed by rules made under this Act;

(r) ―regulations‖ means regulations made by the Bureau under this Act;

(s) ―Schedule‖ means the Schedule to this Act;

(t) ―State Commission‖ means the State Electricity Regulatory Commission established under sub-section (1) of section 17 of the Electricity Regulatory Commissions Act, 1998 (14 of 1998);

(u) words and expressions used and not defined in this Act but defined in the Indian Electricity Act, 1910 (9 of 1910), or the Electricity (Supply) Act, 1948 (54 of 1948), or the Electricity Regulatory Commissions Act, 1998 (14 of 1998), shall have the meanings respectively assigned to them in those Acts.

COMMENTS

Section 2(l)

Energy Management Centre means the Energy Management Centre set up under the Resolution of the Government of India in erstwhile Ministry of Energy, Department of Power No. 7(2)/87-EP (Vol. IV), dated the 5th July, 1989 and registered under the Societies Registration Act, 1860 (21 of 1860).

Section 2(m) :

Energy Manager means any person possessing the qualification prescribed under clause (m) of section 14.

Section 2(o) :

Member means and includes member of the Governing Council and the Chairperson also.