

Energy Conservation Act 2001

Chapter VI - Power of State Government to Facilitate and Enforce Efficient Use of Energy and Its Conservation

The State Government may, by notification, in consultation with the Bureau--

- (a) Amend the energy conservation building codes to suit the regional and local climatic conditions and may, by rules made by it, specify and notify energy conservation building codes with respect to use of energy in the buildings;
- (b) Direct every owner or occupier of a building or building complex being a designated consumer to comply with the provisions of the energy conservation building codes;
- (c) Direct, if considered necessary for efficient use of energy .and its conservation, any designated consumer referred to in clause (b) to get energy audit conducted by an accredited energy auditor in such manner and at such intervals of time as may be specified by regulations;
- (d) Designate any agency as designated agency to coordinate, regulate and enforce provisions of this Act within the State;
- (e) Take all measures necessary to create awareness and disseminate information for efficient use of energy and its conservation;
- (f) Arrange and organize training of personnel and specialists in the techniques for efficient use of energy and its conservation;
- (g) Take steps to encourage preferential treatment for use of energy efficient equipment or appliances;
- (h) Direct, any designated consumer to furnish to the designated agency, in such form and manner and within such period as may be specified by rules made by it, information with regard to the energy consumed by such consumer;
- (i) specify the matters to be included for the purposes of inspection under subsection (2) of section 17.

Section 16 - Establishment of Fund by State Government

- (1) The State Government shall constitute a Fund to be called the State Energy Conservation Fund for the purposes of promotion of efficient use of energy and its conservation within the State.
- (2) To the Fund shall be credited all grants and loans that may be made by the State Government or. Central Government or any other organisation or individual for the purposes of this Act
- (3) The Fund shall be applied for meeting the expenses incurred for implementing the provisions of this Act.

(4) The Fund created under sub-section (1) shall be administered by such persons or any authority and in such manner as may be specified in the rules made by the State Government.

Section 17 - Power of inspection

(1) The designated agency may appoint, after the expiry of five years from the date of commencement of this Act, as many inspecting officers as may be necessary for the purpose of ensuring compliance with energy consumption standards specified under clause (a) of section 14 or ensure display of particulars on label on equipment or appliance specified under clause (b) of section 14 or for the purpose of performing such other functions as may be assigned to them.

(2) Subject to any rules made under this Act, an inspecting officer shall have power

(a) Inspect any operation carried on or in connection with the equipment or appliance specified under clause (b) of section 14 or in respect of which energy standards under clause (a) of section 14 have been specified;

(b) Enter any place of designated consumer at which the energy is used for any activity and may require any proprietor, employee, director, manager or secretary or any other person who may be attending in any manner to or helping in, carrying on any activity with the help of energy--

(i) To afford him necessary facility to inspect--

(A) Any equipment or appliance as he may require and which may be available at such place:

(B) Any production process to ascertain the energy consumption norms and standards;

(ii) To make an inventory of stock of any equipment or appliance checked or verified by him;

(iii) To record the statement of any person which may be useful for, or relevant to, for efficient use of energy and its conservation under this Act.

(3) An inspecting officer may enter any place of designated consumer--

(a) Where any activity with the help of energy is carried on; and

(b) Where any equipment or appliance notified under clause (b) of section 14 has been kept, during the hours at which such place is open for production or conduct of business connected therewith.

(4) An inspecting officer acting under this section shall, on no account, remove or cause to be removed from the place wherein he has entered, any equipment or appliance or books of account or other documents.

Section 18 - Power of Central Government or State Government to issue directions

The Central Government or the State Government may, in the exercise of its powers and performance of its functions under this Act and for efficient use of energy and its conservation, issue such directions in writing as it deems fit for the purposes of this Act to any person, officer, authority or any designated consumer and such person, officer or authority or any designated consumer shall be bound to comply with such directions.

Explanation. --For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct--

(a) Legislation of norms for process and energy consumption standards in any industry or building or building complex; or

(b) Regulation of the energy consumption standards for equipment and appliances.