

The Energy conservation Act 2001 (52 of 2001) Amended by the Energy Conservation Amendment Act 2010 (28 of 2010) received the assent of the president on 24th August 2010

Section in Act	No. in Bill	Amended Provisions read as under
2 (a)	2 (i)	Accredited energy auditors” means an <u>energy</u> auditor accredited in accordance with the provisions of clause (p) of sub-section (2) of section 13.
2 (b)	2 (ii)	Appellate Tribunal” means the Appellate Tribunal for Energy conservation referred to in section 30.
2 (c)	2 (iii)	“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 intended to be used for commercial purposes.
New 2 (ma)	2 (iv)	“Energy Savings Certificates” means any energy saving certificate issued to the designated consumers under sub-section (I) of section 14A.
New 2(maa)	2 (iv)	“equipment or appliance” means any equipment, appliance which consumes, generates, transmits or supplies energy and includes any device that consumes any other form of energy and produce a desired work.
9 (3)	3	The Director General shall hold office for a term of five years from the date on which he enters upon his office or until he attains the age of sixty years, whichever is earlier.
10 (1)	4	The Bureau may appoint such other officers and employees in the Bureau as it considers necessary for the efficient discharge of its functions under this Act.
New 13 (2) (aa)	5 (i)	Recommend to the central government for <b>issuing</b> of the energy savings certificates under the second proviso to clause (g) of section 14 <del>A</del> .
13 (2) (p)	5 (ii)	Specify, by regulations, the qualificationscriteria and conditions subject to which a person may be accredited as an energy auditor and the procedure for such accreditation.
13 (2) (r)	5 (iii)	Specify, by regulations, certification procedures for energy auditors and energy managers to be designated or appointed by designated consumers.
New 13 (2) (sa)	5 (iv)	Conduct examination for capacity building and strengthening of services in the field of energy conservation including certification of energy managers and energy auditors.
14 (c)	6 (i)	The Central Government may, by notification, in consultation with the Bureau, prohibit manufacture or sale or purchase or import of equipment or appliance specified under clause (b) unless such equipment or appliances conforms to energy consumption standards; Provided that no notification prohibiting manufacture or sale or purchase or import of equipment or appliance shall be issued within a period of six months from the date of notification issued under clause (a) of this section.

		Provided further that the Central Government may, having regard to the market share and the technological development having impact on equipment or appliance, and for reasons to be recorded in writing, extend the said period of six months referred to in the first proviso by a further period not exceeding six months.
14 (e)	6 (ii)	Specify, having regard to the intensity or quantity of energy consumed and the amount of investment required for switching over to energy efficient equipments and capacity or industry to invest in it and availability of the energy efficient machinery and equipment required by the industry, any user or class of users of energy in the energy intensive industries and other establishments as specified in the Schedule as a designated consumer for the purposes of this Act.
14 (m)	6 (iii)	Prescribe minimum qualification for energy auditors and energy managers to be designated or appointed under clause (l).
14 (o)	6 (iv)	No time limit for implementation exists, although Section 14 (o) states: direct any designated consumer, who does not fulfil the energy consumption norms and standards prescribed under clause (g), to prepare a scheme for efficient use of energy and its conservation and implement such scheme keeping in view of the economic viability of the investment in such form, the time within which and the manner as may be prescribed.
New 14 A	7	(1) The Central Government may issue the energy savings certificates to the designated consumers whose energy consumption is less than the prescribed norms and standards in accordance with the procedure as may be prescribed. (2) The designated consumer whose energy consumption is more than the prescribed norms and standards shall be entitled to purchase the energy savings certificate to comply with the prescribed norms and standards.
New 14 B	7	The Central Government may, in consultation with the Bureau, prescribe the value of per metric ton of oil equivalent of energy consumed for the purposes of this Act.
26 (1)	8 (a)	If any person fails to comply with the provisions of clause(c) or clause(d) or clause(h) or clause(i) or clause(k) or clause(l) or clause(r) or clause(s) of section 14 or clause(b) or clause ( c) or clause ( h) of section 15, he shall be liable to penalty which shall not exceed ten lakh rupees for each such failure and , in the case of continuing failure, with an additional penalty, which may extend to ten thousand rupees for every day during which such failure continues: Provided that no person shall be liable to pay penalty within five years from the date of the commencement of this Act.
New 26 (1A)	8 (b)	If any person fails to comply with the provisions of clause (n) of section 14, he shall be liable to a penalty which shall not exceed ten lakh rupees and, in the case of continuing failure, with an additional penalty which shall not be less than the price for every metric ton of oil equivalent of energy, prescribed under this Act, that is in excess of the prescribed norms.
30	9	The Appellate Tribunal established under section 110 of the Electricity Act, 2003, shall, without prejudice to the provisions of the Electricity Act, 2003, be the Appellate Tribunal for the purposes of this Act and hear appeals against

		the orders of the adjudicating officer or the Central Government or the State Government or any other authority under this Act.
New (31A)	10	The provisions of sections 120 to 123 (both inclusive) of the Electricity Act, 2003 shall, <i>mutatis mutandis</i> , apply to the Appellate Tribunal in the discharge of its functions under this Act as they apply to it in the discharge of its function under the Electricity Act, 2003.
32 to 43	11	Section 32 to Section 43 need to be omitted in the EC Act, 2001.
54	12	The members, Director General, Secretary, officers and other employees of the Bureau shall be deemed, when acting or purporting to act in pursuance of any provisions of this Act, to be public servants within the meaning of section 21 of Indian Penal Code.
56 (2) (j)	13 (i)	The minimum qualification for energy auditors and energy managers under clause (m) of section 14”
New 56 (2) (la)	13 (ii)	Prescribing the procedure for issuing the energy savings certificates under sub-section (1) of section 14A.
New 56 (2) (laa)	13 (ii)	The value of per metric ton of oil equivalent of energy consumed under section 14B.
56 (2) (s), (t), (u)	13 (iii)	Section 56 (s), 56 (t), 56 (u) of Energy Conservation Act 2001 needs to be omitted.
58 (2) (f)	14 (a)	The qualifications, criteria and conditions subject to which a person may be accredited as an energy auditor and the procedure for such accreditation under clause (p) of sub-section (2) of section 13.
58 (2) (h)	14 (b)	Certification procedure for energy auditors and energy managers under clause (r) of sub-section (2) of section (13).
Schedule	15	“specified as designated consumers” needs to be removed from the schedule to the Act.
Schedule	16	The enactment specified in the Schedule to this Act shall be amended in the manner specified therein.
New	Schedule to the Bill	The words “under this Act”, the words “under this Act or any other law for the time being in force” shall be substituted.