DETAILED CONTENTS

THE ENERGY CONSERVATION (AMENDMENT) ACT, 2010

THE ENERGY CONSERVATION ACT, 2001

CHAPTER I
PRELIMINARY

1. Short title, extent and commencement
2. Definitions

CHAPTER II
BUREAU OF ENERGY EFFICIENCY

3. Establishment and incorporation of Bureau of Energy Efficiency
4. Management of Bureau
5 Meetings of Governing Council
6. Vacancies, etc., not to invalidate proceedings of Bureau, Governing Council or Committee
7. Removal of member from office
8. Constitution of Advisory Committees and other committees
9. Director-General of Bureau
10. Officers and employees of Bureau
11. Authentication of orders and decisions of Bureau

CHAPTER III
TRANSFER OF ASSETS, LIABILITIES ETC., OF ENERGY MANAGEMENT CENTRE TO BUREAU

12. Transfer of assets, liabilities and employees of Energy Management Centre

CHAPTER IV
POWERS AND FUNCTIONS OF BUREAU

13. Power and functions of Bureau

CHAPTER V
POWER OF CENTRAL GOVERNMENT TO FACILITATE AND ENFORCE EFFICIENT USE OF ENERGY AND ITS CONSERVATION

14. Power of Central Government to enforce efficient use of energy and its conservation
14A. Power of Central Government to issue energy savings certificate
14B. Power of Central Government to specify value of energy

CHAPTER VI

POWER OF STATE GOVERNMENT TO FACILITATE AND ENFORCE EFFICIENT USE OF ENERGY AND ITS CONSERVATION

15. Power of State Government to enforce certain provisions for efficient use of energy and its conservation
16. Establishment of Fund by State Government
17. Power of inspection
18. Power of Central Government or State Government to issue directions

CHAPTER VII

FINANCE, ACCOUNTS AND AUDIT OF BUREAU

19. Grants and loans by Central Government
20. Establishment of Fund by Central Government
21. Borrowing powers of Bureau
22. Budget
23. Annual report
24. Annual report to be laid before Parliament
25. Accounts and audit

CHAPTER VIII

PENALTIES AND ADJUDICATION

26. Penalty
27. Power to adjudicate
28. Factors to be taken into account by adjudicating officer
29. Civil Court not to have jurisdiction

CHAPTER IX

APPELLATE TRIBUNAL FOR ENERGY CONSERVATION

30. Appellate Tribunal
31. Appeal to Appellate Tribunal
31A. [Omitted]
32. [Omitted]
33. [Omitted]
34. [Omitted]
35. [Omitted]
36. [Omitted]
37. [Omitted]
38. [Omitted]
39. [Omitted]
40. [Omitted]
41. [Omitted]
42. [Omitted]
43. [Omitted]
44. Right of appellant to take assistance of legal practitioner or accredited auditor and of Government to appoint presenting officers
45. Appeal to Supreme Court

CHAPTER X
MISCELLANEOUS
46. Power of Central Government to issue directions to Bureau
47. Power of Central Government to supersede Bureau
48. Default by companies
49. Exemption from tax on income
50. Protection of action taken in good faith
51. Delegation
52. Power to obtain information
53. Power to exempt
54. Chairperson, Members, officers and employees of the Appellate Tribunal, Members of State Commission, Director-General, Secretary, members, officers and employees of the Bureau to be public servants
55. Power of Central Government to issue directions
56. Power of Central Government to make rules
57. Power of State Government to make rules
58. Power of Bureau to make regulations
59. Rules and regulations to be laid before Parliament and State Legislature
60. Application of other laws not barred
61. Provisions of Act not to apply in certain cases
62. Power to remove difficulty
THE SCHEDULE —List of Energy Intensive Industries and other Establishments

THE BUREAU OF ENERGY EFFICIENCY APPOINTMENT AND TERMS AND CONDITIONS OF SERVICE OF THE DIRECTOR-GENERAL RULES, 2003

1. Short title and commencement
2. Definitions
3. Appointment of Director-General
4. Scale of pay and allowances
5. Resignation and removal of Director-General
6. Grounds for removal
7. Entitlement for staff car

THE BUREAU OF ENERGY EFFICIENCY (APPOINTMENT OF SECRETARY) RULES, 2004

1. Short title and commencement
2. Number of post, classification and scale of pay
3. Method of recruitment, age limit, qualifications, etc.
4. Disqualification
5.
6. Power to relax
7. Savings
SCHEDULE

THE BUREAU OF ENERGY EFFICIENCY (APPOINTMENT OF MEMBERS, MANNER OF FILLING VACANCIES, FEES AND ALLOWANCES AND PROCEDURE FOR DISCHARGING THEIR FUNCTIONS) RULES, 2007

1. Short title and commencement
2. Definitions
3. Appointment of members
4. Vacancies
5. Resignation
6. Fees and allowances
7. Procedure to be followed by members in the discharge of their functions

THE ENERGY CONSERVATION (THE FORM AND MANNER FOR SUBMISSION OF REPORT ON THE STATUS OF ENERGY CONSUMPTION BY THE DESIGNATED CONSUMERS) RULES, 2007

1. Short title and commencement
2. Definitions
3. Submission of report on the status of energy consumption by designated consumer
4. Authentication of data
5. Supply of data to the Bureau

ANNEXURE

FORM 1 —DETAILS OF INFORMATION REGARDING TOTAL ENERGY CONSUMED AND SPECIFIC ENERGY CONSUMPTION PER UNIT OF PRODUCTION

THE ENERGY CONSERVATION (FORM AND MANNER AND TIME FOR FURNISHING INFORMATION WITH REGARD TO ENERGY CONSUMED AND ACTION TAKEN ON RECOMMENDATIONS OF ACCREDITED ENERGY AUDITOR) RULES, 2008

1. Short title and commencement
2. Definitions
3. Form and time limit for furnishing of information by the designated consumers with regard to energy consumed and action taken on the recommendations of the accredited energy auditor
4. Manner of furnishing information

FORM 1—DETAILS OF ENERGY CONSUMED AND SPECIFIC ENERGY CONSUMPTION, PRODUCT-WISE, BASE ON VERIFIED DATA

FORM 2 —DETAILS OF ACTION TAKEN ON RECOMMENDATIONS OF ACCREDITED ENERGY AUDITOR FOR IMPROVING ENERGY EFFICIENCY

FORM 3—DETAILS OF ENERGY EFFICIENCY IMPROVEMENT MEASURES IMPLEMENTED, INVESTMENT MADE AND SAVINGS IN ENERGY ACHIEVED AND PROGRESS MADE IN THE IMPLEMENTATION OF OTHER RECOMMENDATIONS

THE ENERGY CONSERVATION (MANNER OF HOLDING INQUIRY) RULES, 2009

1. Short title and commencement
2. Definitions
3. Manner of holding inquiry by an adjudicating officer

THE ENERGY CONSERVATION (INSPECTION) RULES, 2010

1. Short title and commencement
2. Definitions
3. Inspecting Officer
4. Inspection of processes and equipment
5. Procedure for inspection
6. Inspection report
7. Submission of report

THE BUREAU OF ENERGY EFFICIENCY (ADVISORY COMMITTEES) REGULATIONS, 2008

1. Short title and commencement
2. Definitions
3. Constitution of Advisory Committees
4. Functions of Advisory Committees
5. Tenure of Policy Advisory Committee
6. Resignation and removal
7. Meetings of Advisory Committee
8. Notice and agenda of the meeting
9. Minutes of meetings
10. Quorum for meeting
11. Filling of vacancy
12. Fee and allowances payable to Members of Policy Advisory Committee

THE BUREAU OF ENERGY EFFICIENCY (PARTICULARS AND MANNER OF THEIR DISPLAY ON LABELS OF HOUSEHOLD FROST FREE REFRIGERATORS) REGULATIONS, 2009

1. Short title and commencement
2. Definitions
3. Particulars to be displayed on the label
4. Time limit for display of labels
5. Manner of display of label

SCHEDULE— Details of particulars to be displayed on labels of household frost free refrigerators

THE BUREAU OF ENERGY EFFICIENCY (PARTICULARS AND MANNER OF THEIR DISPLAY ON LABELS OF TUBULAR FLUORESCENT LAMPS) REGULATIONS, 2009

1. Short title and commencement

2. Definitions
3. Particulars to be displayed on the label
4. Time limit for display of labels
5. Manner of display of label
6. Permission for display of label
7. Grant of permission
8. Terms and conditions for display of particulars on label
9. Label Fee
10. Refund of Label Security Fee
11. Verification by the Bureau
12. Cancellation of Permission

FORM I—Application for permission to affix label on tubular fluorescent lamps under the Bureau of Energy Efficiency (Particulars and Manner of their Display on Label of Tubular Fluorescent Lamps) Regulations, 2009

FORM II —Permission/Renewal of Permission

FORM III—Register of Permittees

SCHEDULE —Details of particulars to be displayed on label of Tubular Fluorescent Lamps

THE BUREAU OF ENERGY EFFICIENCY (PARTICULARS AND MANNER OF THEIR DISPLAY ON LABELS OF ROOM AIR CONDITIONERS) REGULATIONS, 2009

1. Short title and commencement
2. Definitions
3. Particulars to be displayed on the labels
4. Time limit for display of labels
5. Manner of display of label
6. Permission for display of label
7. Grant of permission
8. Terms and conditions for display of particulars on label
9. Label Fee
10. Refund of Label Security Fee
11. Verification by the Bureau
12. Cancellation of Permission

FORM I—Application for permission to affix label on Room Air Conditioners under the Bureau of Energy Efficiency (Particulars and Manner of their Display on Label of Room Air Conditioners) Regulations, 2009

FORM II—Permission/Renewal of Permission

FORM III—Register of Permittees

SCHEDULA—Details of particulars to be displayed on labels of Room Air Conditioners

THE BUREAU OF ENERGY EFFICIENCY (PARTICULARS AND MANNER OF THEIR DISPLAY ON LABELS OF DISTRIBUTION TRANSFORMERS) REGULATIONS, 2009

1. Short title and commencement
2. Definitions
3. Particulars to be displayed on the labels
4. Time limit for display of labels

5. Manner of display of label
6. Permission for display of label
7. Grant of permission
8. Terms and conditions for display of particulars on label
9. Label Fee
10. Refund of Label Security Fee
11. Verification by the Bureau
12. Cancellation of Permission

FORM I—Application for permission to affix label on distribution transformer under the Bureau of Energy Efficiency (Particulars and Manner of their Display on Label of Distribution Transformers) Regulations, 2009
FORM II— Permission/Renewal of Permission
FORM III—Register of Permittees

SCHEDULE —Details of particulars to be displayed on label of Distribution Transformers

THE BUREAU OF ENERGY EFFICIENCY (QUALIFICATIONS FOR ACCREDITED ENERGY AUDITORS AND MAINTENANCE OF THEIR LIST) REGULATIONS, 2010

1. Short title and commencement
2. Definitions
3. Qualifications for accredited energy auditor
4. Application for grant of certificate of accreditation
5. Constitution of Accreditation Advisory Committee
6. Certificate of accreditation
7. Maintenance of list of accredited energy auditors, their offices and firms
8. Removal and restoration of names in the register of list of accredited energy auditors
9. Cancellation of certificate of accreditation
10. Issue of duplicate certificate
11. Information relating to accredited energy auditors

FORM I—APPLICATION FOR CERTIFICATE OF ACCREDITATION
FORM II—CERTIFICATE OF ACCREDITATION
FORM III—REGISTER CONTAINING LIST OF ACCREDITED ENERGY AUDITORS
FORM IV—REGISTER CONTAINING NAMES OF OFFICES AND FIRMS OF ACCREDITED ENERGY AUDITORS
SCHEDULE —Subjects for examination in Energy Performance Assessment for Equipment and Utility Systems

THE BUREAU OF ENERGY EFFICIENCY (CERTIFICATION PROCEDURES FOR ENERGY MANAGERS) REGULATIONS, 2010

PART I
PRELIMINARY
1. Short title and commencement
2. Definitions

PART II
NATIONAL EXAMINATION

3. Conduct of National Examination
4. Eligibility for appearing in National Examination
5. Application for admission to National Examination
6. Admission for the National Examination
7. Passing of National Examination

PART III

CERTIFICATION OF ENERGY MANAGERS

8. Certification of energy managers
9. Register of certified energy managers
10. Validity of certification
11. Cancellation of certification
12. Issue of duplicate certificate or identity card

PART IV

ADVISORY COMMITTEE

13. Constitution of Advisory Committees

FORM-I—APPLICATION FOR NATIONAL EXAMINATION
FORM-II—CERTIFICATE FOR CERTIFIED ENERGY MANAGER
FORM-III—REGISTER OF ENERGY MANAGERS
FORM-IV—FORMAT FOR IDENTITY CARD
FORM-V—APPLICATION FOR RENEWAL OF CERTIFICATION
SCHEDULE—Subjects for National Examination

THE BUREAU OF ENERGY EFFICIENCY (MANNER AND INTERVALS OF TIME FOR CONDUCT OF ENERGY AUDIT) REGULATIONS, 2010

1. Short title and commencement
2. Definitions
3. Intervals of time for conduct of energy audit
4. Manner of energy audit
5. Prioritisation and preparation of action plan
6. Structure of the energy audit report

FORM 1—DETAILS OF VALIDATED DATA ON ENERGY CONSUMED AND SPECIFIC ENERGY CONSUMPTION PER UNIT OF PRODUCTION
FORM 2 —TAILS OF ENERGY SAVING MEASURES RECOMMENDED IN THE ENERGY AUDIT REPORT (YEAR)
FORM 3—ETAILS OF ENERGY CONSERVATION MEASURES IMPLEMENTED, INVESTMENT MADE AND SAVINGS IN ENERGY ACHIEVED ANDPROGRESS MADE IN THE IMPLEMENTATION OF OTHER RECOMMENDATIONS
FORM 4—UIDELINES FOR PREPARATION OF ENERGY AUDIT REPORT

THE ENERGY CONSERVATION (AMENDMENT) ACT, 2010

(Act No. 28 of 2010, dt. 24-8-2010)

An Act to amend the Energy Conservation Act, 2001.

Be it enacted by Parliament in the Sixty-first year of the Republic of India as follows:—

1. Short title

This Act may be called the Energy Conservation (Amendment) Act, 2010.

2. Amendment of section 2

In section 2 of the Energy Conservation Act, 2001 (52 of 2001) (hereinafter referred to as the principal Act),—

(i) in clause (a), for the words "an auditor possessing qualifications specified under", the words "an energy auditor accredited in accordance with the provisions of" shall be substituted;

(ii) in clause (b), for the words and figures "established under" section 30", the words and figures "referred to in section 30" shall be substituted;

(iii) for clause (c), the following clause shall be substituted, namely:—

'(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;';

(iv) after clause (m), the following clauses shall be inserted, namely:—

'(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;'.

3. Amendment of section 9

In section 9 of the principal Act, in sub-section (3), for the words "three years", the words "five years" shall be substituted.

4. Amendment of section 10

In section 10 of the principal Act, in sub-section (1), for the words "The Central Government", the words "The Bureau" shall be substituted.

5. Amendment of section 13

In section 13 of the principal Act, in sub-section (2),—

(i) after clause (a), the following clause shall be inserted, namely:—

"(aa) recommend to the Central Government for issuing of the energy savings certificate under section 14A;";

(ii) for clause (p), the following clause shall be substituted, namely:—

"(p) specify, by regulations, the qualifications, criteria and conditions subject to which a person may be accredited as an energy auditor and the procedure for such accreditation;";

(iii) in clause (r), for the words "energy managers", the words "energy auditors and energy managers" shall be substituted;

(iv) after clause (s), the following clause shall be inserted, namely:—

"(sa) conduct examination for capacity building and strengthening of services in the field of energy conservation including certification of energy managers and energy auditors.".

6. Amendment of section 14

In section 14 of the principal Act,—

(i) in clause (c), for the proviso, the following provisos shall be substituted, namely:—

"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;";

(ii) in clause (e), for the words "any user or class of users of energy as a designated consumer", the words "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" shall be substituted;

(iii) in clause (m), for the words "energy managers", the words "energy auditors and energy managers" shall be substituted;

(iv) in clause (o), for the words "such form and manner", the words "such form, the time within which and the manner" shall be substituted.

7. Insertion of new sections 14A and 14B

After section 14 of the principal Act, the following sections shall be inserted, namely:—

"14A. Power of Central Government to issue energy savings certificate

(1) The Central Government may issue the energy savings certificate to the designated consumer 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.

14B. Power of Central Government to specify value of energy

The Central Government may, in consultation with the Bureau, prescribe the value of per metric ton of oil equivalent of energy consumed for the purpose of this Act.".

8. Amendment of section 26

In section 26 of the principal Act,—

(a) in sub-section (1),—

(i) the words, brackets and letter "or clause (n)" shall be omitted;

(ii) for the words "ten thousand rupees", the words "ten lakh rupees" shall be substituted;

(iii) for the words "one thousand rupees", the words "ten thousand rupees" shall be substituted;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) 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 of every metric ton of oil equivalent of energy, prescribed under this Act, that is in excess of the prescribed norms.".

9. Substitution of new section for section 30

For section 30 of the principal Act, the following section shall be substituted, namely:—

"30. Appellate Tribunal

The Appellate Tribunal established under section 110 of the Electricity Act, 2003 (36 of 2003) shall, without prejudice to the provisions of the Electricity Act, 2003 (36 of 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.".

10. Insertion of new section 31A

After section 31 of the principal Act, the following section shall be inserted, namely:—

"31A. Procedure and powers of Appellate Tribunal

The provisions of sections 120 of 123 (both inclusive) of the Electricity Act, 2003 (36 of 2003) shall, *mutatis mutandis,* 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 (36 of 2003).".

11. Omission of sections 32 to 43

Sections 32 to 43 of the principal Act shall be omitted.

12. Amendment of section 54

In section 54 of the principal Act, the words "Chairperson of the Appellate Tribunal or the Members of the Appellate Tribunal or officers or employees of the Appellate Tribunal or the Members of the State Commission or the" shall be omitted.

13. Amendment of section 56

In section 56 of the principal Act, in sub-section (2),—

(i) in clause (j), for the words "energy managers", the words "energy auditors and energy managers" shall be substituted;

(ii) after sub-clause (l) the following clauses shall be inserted, namely:—

"(la) prescribing the procedure for issuing the energy savings certificate under sub-section (1) of section 14A;

(laa) the value of per metric ton of oil equivalent of energy consumed under section 14B;";

(iii) clauses (s), (t) and (u) shall be omitted.

14. Amendment of section 58

In section 58 of the principal Act, in sub-section (2),—

(a) for clause (f), the following clause shall be substituted, namely:—

"(f) 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;";

(b) in clause (h), for the words "energy managers", the words "energy auditors and energy managers" shall be substituted.

15. Amendment of the Schedule

In the Schedule to the principal Act, in the heading, the words "specified as designated consumers" shall be omitted.

16. Amendment of certain enactment

The enactment specified in the Schedule to this Act shall be amended in the manner specified therein.

THE SCHEDULE

(See section 16)

AMENDMENT TO THE ELECTRICITY ACT, 2003 (36 of 2003)

Amendment of section 110

In section 110, for the words "under this Act", the words "under this Act or any other law for the time being in force" shall be substituted.

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.

Section 2(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).

Section 2(u) :

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

CHAPTER II

BUREAU OF ENERGY EFFICIENCY

3. Establishment and incorporation of Bureau of Energy Efficiency

(1) With effect from such date as the Central Government may, by notification, appoint, there shall be established, for the purposes of this Act, a Bureau to be called the Bureau of Energy Efficiency.

(2) The Bureau shall be a body corporate by the name aforesaid having perpetual succession and a common seal, with power subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.

(3) The head office of the Bureau shall be at Delhi.

(4) The Bureau may establish offices at other places in India.

COMMENT

The Bureau of Energy Efficiency was established with effect from 1st March, 2002 vide SO 269(E), dated 1st March, 2002. It is a body corporate having perpetual succession and a common seal, with power subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued. The head office of the Bureau is located at Delhi.

4. Management of Bureau

(1) The general superintendence, direction and management of the affairs of the Bureau shall vest in the Governing Council which shall consist of not less than twenty, but not exceeding twenty six, members to be appointed by the Central Government.

(2) The Governing Council shall consist of the following members, namely:—

(a) the Minister in charge of the Ministry or Department of the Central Government dealing with the Power —ex officio Chairperson;

(b) the Secretary to the Government of India, in charge of the Ministry or Department of the Central Government dealing with Power —ex officio member;

(c) the Secretary to the Government of India, in charge of the Ministry or Department of the Central Government dealing with the Petroleum and Natural Gas —ex officio member;

(d) the Secretary to the Government of India, in charge of the Ministry or Department of the Central Government dealing with the Coal —ex officio member;

(e) the Secretary to the Government of India, in charge of the Ministry or Department of the Central Government dealing with Non-conventional Energy Sources —ex officio member;

(f) The Secretary to the Government of India, in charge of the Ministry or Department of the Central Government dealing with the Atomic Energy —ex officio member;

(g) the Secretary to the Government of India, in charge of the Ministry or Department of the Central Government dealing with Consumer Affairs — ex officio member;

(h) Chairman of the Central Electricity Authority established under the Electricity (Supply) Act, 1948 (54 of 1948) —ex officio member;

(i) Director-General of the Central Power Research Institute registered under the Karnataka Societies Act, 1960 (Karnataka Act 17 of 1960) —ex officio member;

(j) Executive Director of the Petroleum Conservation Research Association, a society registered under the Societies Registration Act, 1860 (XXI of 1860) —ex officio member;

(k) Chairman-cum-Managing Director of the Central Mine Planning and Design Institute Limited, a company incorporated under the Companies Act, 1956 (1 of 1956) —ex officio member;

(l) Director-General of the Bureau of Indian Standards established under the Bureau of Indian Standards Act, 1986 (63 of 1986)—ex officio member;

(m) Director-General of the National Test House, Department of Supply, Ministry of Commence and Industry, Koklata —ex officio member;

(n) Managing Director of the Indian Renewable Energy Development Agency Limited, a company incorporated under the Companies Act, 1956 (1 of 1956) —ex officio member;

(o) one member each from the five power regions representing the States of the region to be appointed by the Central Government —Member;

(p) such number of persons, not exceeding four as may be prescribed, to be appointed by the Central Government as members from amongst persons who are in the opinion of the Central Government capable or representing industry, equipment and appliance manufacturers, architects and consumers —Members;

(q) such number of persons, not exceeding two as may be nominated by the Governing Council as members —Members;

(r) Director-General of Bureau —ex officio Member-Secretary

(3) The Governing Council may exercise all powers and do all acts and things which may be exercised or done by the Bureau.

(4) Every member referred to in clauses (o), (p) and (q) of sub-section (2) shall hold office for a term of three years from the date on which he enters upon his office.

(5) The fee and allowances to be paid to the members referred to in clauses (o), (p) and (q) of sub-section (2) and the manner of filling up of vacancies and the procedure to be followed in the discharge of their functions shall be such as may be prescribed.

COMMENT

The Governing Council which did superintendence, direction and management of the affairs of the Bureau, shall consists of not less than 20 (twenty) but not exceeding 26 (twenty six) members to be appointed by the Central Government. The Governing Council may exercise all powers and do all acts and things which may be exercised

or done by the Bureau.

5. Meetings of Governing Council

(1) The Governing Council shall meet at such times and places, and shall observe such rules of procedure in regard to the transaction of business at its meetings (including quorum at such meetings) as may be provided by regulations.

(2) The Chairperson or, if for any reason, he is unable to attend a meeting of the Governing Council, any other member chosen by the members present from amongst themselves at the meeting shall preside at the meeting.

(3) All questions which come up before any meeting of the Governing Council shall be decided by a majority vote of the members present and voting, and in the event of an equality of votes, the Chairperson or in his absence, the person presiding, shall have a second or casting vote.

COMMENT

The Chairperson preside over the Governing Council meetings. In the absence of the Chairperson, any other member chosen by the members present from amongst themselves at the meeting shall preside at the meeting. The all questions which come up before any meeting of the Governing Council shall be decided by a majority vote of the members present and voting, and in the event of an equality of votes, the Chairperson or in his absence, the person presiding, shall have a second or casting vote.

6. Vacancies, etc., not to invalidate proceedings of Bureau, Governing Council or Committee

No act or proceeding of the Bureau or the Governing Council or any Committee shall be invalid merely by reason of—

(a) any vacancy in, or any defect in the constitution of, the Bureau or the Governing Council or the Committee; or

(b) any defect in the appointment of a person acting as a Director-General or Secretary of the Bureau or a member of the Governing Council or the Committee; or

(c) any irregularity in the procedure of the Bureau or the Governing Council or the Committee and affecting the merits of the case.

7. Removal of member from office

The Central Government shall remove a member referred to in clauses (o), (p) and (q) of sub-section (2) of section 4 from office if he—

(a) is, or at any time has been, adjudicated as insolvent;

(b) is of unsound mind and stands so declared by a competent Court;

(c) has been convicted of an offence which, in the opinion of the Central Government, involves a moral turpitude;

(d) has, in the opinion of the Central Government, so abused his position as to render his continuation in office detrimental to the public interest:

PROVIDED that no member shall be removed under this clause unless he has been given a reasonable opportunity of being heard in the matter.]

8. Constitution of Advisory Committees and other committees

(1) Subject to any regulations made in this behalf, the Bureau shall, within six months from the date of commencement of this Act, constitute Advisory Committees for the efficient discharge of its functions.

(2) Each Advisory Committee shall consist of a Chairperson and such other members as may be determined by regulations.

(3) Without prejudice to the powers contained in sub-section (1), the Bureau may constitute, such number of technical committees of experts for the formulation of energy consumption standards or norms in respect of equipment or processes, as it considers necessary.

COMMENT

The Bureau shall, within six months from the date of commencement of this Act, constitute Advisory Committees for the efficient discharge of its functions. Each Advisory Committee shall consists of a Chairperson and such other members as may be determined by regulations.

9. Director-General of Bureau

(1) The Central Government shall, by notification, appoint a Director-General from amongst persons of ability and standing, having adequate knowledge and experience in dealing with the matters relating to energy production, supply and energy management, standardization and efficient use of energy and its conservation.

(2) The Central Government shall, by notification, appoint any person not below the rank of Deputy Secretary to the Government of India as Secretary of the Bureau.

(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.

(4) The salary and allowances payable to the Director-General and other terms and conditions of his service and other terms and conditions of service of the Secretary of the Bureau shall be such as may be prescribed.

(5) Subject to general superintendence, direction and management of the affairs by the Governing Council, the Director-General of the Bureau shall be the Chief Executive Authority of the Bureau.

(6) The Director-General of the Bureau shall exercise and discharge such powers and duties of the Bureau as may be determined by regulations.

COMMENT

The Central Government appoint a Director-General from amongst persons of ability and standing, having adequate knowledge and experience in dealing with the matters relating to energy production, supply and energy management, standardisation and efficient use of energy and its conservation. The term of office of the Director-General is five years from the date on which he enters upon his office or until he attains the age of 60 years, whichever is earlier.

The Director-General of the Bureau is the Chief Executive Authority of the Bureau.

10. Officers and employees of Bureau

(1) 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.

(2) The terms and conditions of service of officers and other employees of the Bureau appointed under sub-section (1) shall be such as may be prescribed.

11. Authentication of orders and decisions of Bureau

All orders and decisions of the Bureau shall be authenticated by the signature of the Director-General or any other officer of the Bureau authorised by the Director- General in this behalf.

CHAPTER III

TRANSFER OF ASSETS, LIABILITIES ETC., OF ENERGY MANAGEMENT CENTRE TO BUREAU

12. Transfer of assets, liabilities and employees of Energy Management Centre

(1) On and from the date of establishment of the Bureau—

(a) any reference to the Energy Management Centre in any law other than this Act or in any contract or other instrument shall be deemed as a reference to the Bureau;

(b) all properties and assets, movable and immovable of, or belonging to, the Energy Management Centre shall vest in the Bureau;

(c) all the rights and liabilities of the Energy Management Centre shall be transferred to, and be the rights and liabilities of, the Bureau;

(d) without prejudice to the provisions of clause (c), all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the Energy Management Centre immediately before that date, for or in connection with the purposes of the said Centre shall be deemed to have been incurred, entered into, or engaged to be done by, with or for, the Bureau;

(e) all sums of money due to the Energy Management Centre immediately before that date shall be deemed to be due to the Bureau;

(f) all suits and other legal proceedings instituted or which could have been instituted by or against the Energy Management Centre immediately before that date may be continued or may be instituted by or against the Bureau; and

(g) every employee holding any office under the Energy Management Centre immediately before that date shall hold his office in the Bureau by the same tenure and upon the same terms and conditions of service as respects remuneration, leave, provident fund, retirement or other terminal benefits as he would have held such office if the Bureau had not been established and shall continue to do so as an employee of the Bureau or until the expiry of six months from that date if such employee opts not to be the employee of the Bureau within such period.

(2) Notwithstanding anything contained in the Industrial Disputes Act, 1947 (14 of 1947), or in any other law for the time being in force, the absorption of any employee by the Bureau in its regular service under this section shall not entitle such employee to any compensation under that Act or other law and no such claim shall be entertained by any court, Tribunal or other authority.

CHAPTER IV

POWERS AND FUNCTIONS OF BUREAU

13. Power and functions of Bureau

(1) The Bureau shall, effectively co-ordinate with designated consumers, designated agencies and other agencies, recognise and utilize the existing resources and infrastructure, in performing the functions assigned to it by or under this Act.

(2) The Bureau may perform such functions and exercise such powers as may be assigned to it by or under this Act and in particular, such functions and powers include the function and power to—

(a) recommend to the Central Government the norms for processes and energy consumption standards required to be notified under clause (a) of section14;

(aa) recommend to the Central Government for issuing of the energy savings certificate under section 14A;

(b) recommend to the Central Government the particulars required to be displayed on label on equipment or on appliances and manner of their display under clause (d) of section 14;

(c) recommend to the Central Government for notifying any user or class of users of energy as a designated consumer under clause (e) of section 14;

(d) take suitable steps to prescribe guidelines for energy conservation building codes under clause (p) of section 14;

(e) take all measures necessary to create awareness and disseminate information for efficient use of energy and its conservation;

(f) arrange and organise training of personnel and specialists in the techniques for efficient use of energy and its conservation;

(g) strengthen consultancy services in the field of energy conservation;

(h) promote research and development in the field of energy conservation;

(i) develop testing and certification procedure and promote testing facilities for certification and testing for energy consumption of equipment and appliances;

(j) formulate and facilitate implementation of pilot projects and demonstration projects for promotion of efficient use of energy and its conservation;

(k) promote use of energy efficient processes, equipment, devices and systems;

(l) promote innovative financing of energy efficiency projects;

(m) give financial assistance to institutions for promoting efficient use of energy and its conservation;

(n) levy fee, as may be determined by regulations, for services provided for promoting efficient use of energy and its conservation;

(o) maintain a list of accredited energy auditors as may be specified by regulations;

(p) specify, by regulations, the qualifications, criteria and conditions subject to which a person may be accredited as an energy auditor and the procedure for such accreditation;

(q) specify, by regulations, the manner and intervals of time in which the energy audit shall be conducted;

(r) specify, by regulations, certification procedures for energy auditors and energy managers to be designated or appointed by designated consumers;

(s) prepare educational curriculum on efficient use of energy and its conservation for educational institutions, boards, universities or autonomous bodies and coordinate with them for inclusion of such curriculum in their syllabus;

(sa) conduct examination for capacity building and strengthening of services in the field of energy conservation including certification of energy managers and energy auditors;

(t) implement international co-operation programmes relating to efficient use of energy and its conservation as may be assigned to it by the Central Government;

(u) perform such other functions as may be prescribed.

CHAPTER V

POWER OF CENTRAL GOVERNMENT TO FACILITATE AND ENFORCE EFFICIENT USE OF ENERGY AND ITS CONSERVATION

14. Power of Central Government to enforce efficient use of energy and its conservation

The Central Government may, by notification, in consultation with the Bureau,—

(a) specify the norms for processes and energy consumption standards for any equipment, appliance which consumes, generates, transmits or supplies energy;

(b) specify equipment or appliance or class of equipments or appliances, as the case may be, for the purposes of this Act;

(c) prohibit manufacture or sale or purchase or import of equipment or appliance specified under clause (b), unless such equipment or appliance 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;

(d) direct display of such particulars on label on equipment or on appliance specified under clause (b) and in such manner as may be specified by regulations;

(e) 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 of 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;

(f) after the list of Energy Intensive Industries specified in the Schedule;

(g) establish and prescribe such energy consumption norms and standards for designated consumers as it may consider necessary:

PROVIDED that the Central Government may prescribe different norms and standards for different designated consumers having regard to such factors as may be prescribed;

(h) direct, having regard to quantity of energy consumed or the norms and standards of energy consumption specified under clause (a), the Energy Intensive Industries specified in the Schedule to get energy audit conducted by an accredited energy auditor in such manner and intervals of time as may be specified by regulations;

(i) direct, if considered necessary for efficient use of energy and its conservation, any designated consumer to get energy audit conducted by an accredited energy auditor;

(j) specify the matter to be included for the purposes of inspection under sub-section (2) of section 17;

(k) direct any designated consumer to furnish to the designated agency, in such form and manner and within such period, as may be prescribed, the information with regard to the energy consumed and action taken on the recommendation of the accredited energy auditor;

(l) direct any designated consumer to designate or appoint energy manager in charge of activities for efficient use of energy and its conservation and submit a report, in the form and manner as may be prescribed, on the status of energy consumption at the end of every financial year to the designated agency;

(m) prescribe minimum qualification for energy auditors and energy managers to be designated or appointed under clause (l);

(n) direct every designated consumer to comply with energy consumption norms and standards;

(o) direct any designated consumer, who does not fulfill 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 the economic viability of the investment in such form, the time within which and the manner as may be prescribed;

(p) prescribe energy conservation building codes for efficient use of energy and its conservation in the building or building complex;

(q) amend the energy conservation building codes to suit the regional and local climatic conditions;

(r) direct every owner or occupier of the building or building complex, being a designated consumer to comply with the provisions of energy conservation building codes for efficient use of energy and its conservation;

(s) direct, any designated consumer referred to in clause (r), if considered necessary, for efficient use of energy and its conservation in his building to get energy audit conducted in respect of such building by an accredited energy auditor in such manner and intervals of time as may be specified by regulations;

(t) take all measures necessary to create awareness and disseminate information for efficient use of energy and its conservation;

(u) arrange and organise training of personnel and specialists in the techniques for efficient use of energy and its conservation.

(v) take steps to encourage preferential treatment for use of energy efficient equipment or appliances:

PROVIDED that the powers under clauses (p) to (s) shall be exercised in consultation with the concerned State.

COMMENT

This section provides power of Central Government to facilitate and enforce efficient use of energy and its conservation.

14A. Power of Central Government to issue energy savings certificate

(1) The Central Government may issue the energy savings certificate to the designated consumer 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.

14B. Power of Central Government to specify value of energy

The Central Government may, in consultation with the Bureau, prescribe the value of per metric ton of oil equivalent of energy consumed for the purpose of this Act.]

CHAPTER VI

POWER OF STATE GOVERNMENT TO FACILITATE AND ENFORCE EFFICIENT USE OF ENERGY AND ITS CONSERVATION

15. Power of State Government to enforce certain provisions for 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 organise 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 sub-section (2) of section 17.

COMMENT

This section provides power of State Government to facilitate and enforce efficient use of energy and its conservation.

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 organization 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.

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 to—

(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.

18. Power of Central Government or State Government to issue directions

The Central Government or the State Government may, in 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) regulation 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.

CHAPTER VII
FINANCE, ACCOUNTS AND AUDIT OF BUREAU

19. Grants and loans by Central Government

The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the Bureau or to the State Governments grants and loans of such sums of money as the Central Government may consider necessary.

20. Establishment of Fund by Central Government

(1) There shall be constituted a Fund to be called as the Central Energy Conservation Fund and there shall be credited thereto—

(a) any grants and loans made to the Bureau by the Central Government under section 19;

(b) all fees received by the Bureau under this Act;

(c) all sums received by the Bureau from such other sources as may be decided upon by the Central Government.

(2) The Fund shall be applied for meeting—

(a) the salary, allowances and other remuneration of Director-General, Secretary, officers and other employees of the Bureau;

(b) expenses of the Bureau in the discharge of its functions under section 13;

(c) fee and allowances to be paid to the members of the Governing Council under sub-section (5) of section 4;

(d) expenses on objects and for purposes authorised by this Act.

COMMENT

The Central Energy Conservation Fund which is constituted by the Central Government shall be credited thereto—

(a) any grants and loans made to the Bureau by the Central Government under section 19;

(b) all fees received by the Bureau under this Act;

(c) all sums received by the Bureau from such other sources as may be decided by the Central Government.

The fund shall be applied for meeting—

(a) the salary, allowances and other remuneration of Director-General, Secretary, officers and other employees of the Bureau,

(b) expenses of the Bureau in the discharge of its functions under section 3,

(c) fee and allowances to be paid to the members of the Governing Council, and

(d) expenses on objects and purposes authorised by the Act.

21. Borrowing powers of Bureau

(1) The Bureau may, with the consent of the Central Government or in accordance with the terms of any general or special authority given to it by the Central Government, borrow

money from any source as it may deem fit for discharging all or any of its functions under this Act.

(2) The Central Government may guarantee, in such manner as it thinks fit, the repayment of the principal and the payment of interest thereon with respect to the loans borrowed by the Bureau under sub-section (1).

22. Budget

The Bureau shall prepare, in such form and at such time in each financial year as may be prescribed, its budget for the next financial year, showing the estimated receipts and expenditure of the Bureau and forward the same to the Central Government.

23. Annual report

The Bureau shall prepare, in such form and at such time in each financial year as may be prescribed, its annual report, giving a full account of its activities during the previous financial year, and submit a copy thereof to the Central Government.

24. Annual report to be laid before Parliament

The Central Government shall cause the annual report referred to in section 23 to be laid, as soon as may be after it is received, before each House of Parliament.

25. Accounts and audit

(1) The Bureau shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Bureau shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Bureau to the Comptroller and Auditor-General.

(3) The Comptroller and Auditor-General of India and any other person appointed by him in connection with the audit of the accounts of the Bureau shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of the Government accounts, and in particular, shall have the right to demand the production of
books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Bureau.

(4) The accounts of the Bureau as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament.

CHAPTER VIII
PENALTIES AND ADJUDICATION

26. Penalty

(1) 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) [xxx] 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 a 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 commencement of this Act.

(1A) 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 of every metric ton of oil equivalent of energy, prescribed under this Act, that is in excess of the prescribed norms.

(2) Any amount payable under this section, if not paid, may be recovered as if it were an arrear of land revenue.

COMMENT

This section provides penalty for failure 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 (n) or clause (r) or clause (s) of section 14 or clause (b) or clause (c) or clause (h) of section 15
upon which he/she shall be liable to a penalty which shall not exceed ten thousand rupees for each such failure and, in the case of continuing failure, with an additional penalty which may extend to one thousand rupees for every day during which such failure continues. It is an exception that no person shall be liable to pay penalty within five years from the date of commencement of this Act. The amount not paid may be recovered as if it were an arrear of land revenue.

27. Power to adjudicate

For the purpose of adjudging under section 26, the State Commission shall appoint any of its members to be an adjudicating officer for holding an inquiry in such manner as may be prescribed by the Central Government, after giving any person concerned a reasonable opportunity of being heard for the purpose of imposing any penalty.

(2) While holing an inquiry, the adjudicating officer shall have power to summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or produce any document which in the opinion of the adjudicating officer, may be useful for or relevant to the subject-matter of the inquiry, and if, on such inquiry, he is satisfied that the person has failed to comply with the provisions of any of the clauses of the sections specified in section 26, he may impose such penalty as he thinks fit in accordance with the provisions of any of those clauses of that section:

PROVIDED that where a State Commission has not been established in a State, the Government of that State shall appoint any of its officers, not below the rank equivalent to a Secretary dealing with legal affairs in that State to be an adjudicating officer for the purposes of this section and such officer shall cease to be an adjudicating officer immediately on the appointment of an adjudicating officer by the State Commission on its establishment in that State:

PROVIDED FURTHER that where an adjudicating officer appointed by a State Government ceased to be an adjudicating officer, he shall transfer to the adjudicating officer appointed by the State Commission all matters being adjudicated by him and thereafter the adjudicating officer appointed by the State Commission shall adjudicate the penalties on such matters.

28. Factors to be taken into account by adjudicating officer

While adjudicating the quantum of penalty under section 26, the adjudicating officer shall have due regard to the following factors, namely:—

(a) the amount of disproportionate gain or unfair advantage, wherever quantifiable, made as a result of the default;

(b) the repetitive nature of the default.

29. Civil Court not to have jurisdiction

No Civil Court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which an adjudicating officer appointed under this Act or the Appellate Tribunal is empowered by or under this Act to determine and no injunction shall be granted by any Court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

COMMENT

This section provides that no civil court shall have jurisdiction to entertain any suit or proceedings in respect of any matter which an adjudicating officer appointed under this Act or the Appellate Tribunal is empowered by or under this Act to determine and no injunction shall be granted by any civil court in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

CHAPTER IX
APPELLATE TRIBUNAL FOR ENERGY CONSERVATION

30. Appellate Tribunal

The Appellate Tribunal established under section 110 of the Electricity Act, 2003 (36 of 2003) shall, without prejudice to the provisions of the Electricity Act, 2003 (36 of 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.

COMMENT

The Appellate Tribunal for Energy Conservation is empowered to hear an appeal against the orders of the adjudicating officer or the Central Government or the State Government or any other authority under this Act.

31. Appeal to Appellate Tribunal

(1) Any person aggrieved, by an order made by an adjudicating officer or the Central Government or the State Government or any other authority under this Act, may prefer an appeal to the Appellate Tribunal for Energy Conservation:

PROVIDED that any person, appealing against the order of the adjudicating officer levying any penalty, shall, while filing the appeal, deposit the amount of such penalty:

PROVIDED FURTHER that where in any particular case, the Appellate Tribunal is of the opinion that the deposit of such penalty would cause undue hardship to such person, the Appellate Tribunal may dispense with such deposit subject to such conditions as it may deem fit to impose so as to safeguard the realisation of penalty.

(2) Every appeal under sub-section (1) shall be filed within a period of forty five days from the date on which a copy of the order made by the adjudicating officer or the Central Government or the State Government or any other authority is received by the aggrieved person and it shall be in such form, verified in such manner and be accompanied by such fee as may be prescribed:

PROVIDED that the Appellate Tribunal may entertain an appeal after the expiry of the said period of forty five days if it is satisfied that there was sufficient cause for not filing it within that period.

(3) On receipt of an appeal under sub-section (1), the Appellate Tribunal may, after giving the parties to the appeal an opportunity of being heard, pass such orders thereon as it thinks fit, confirming, modifying or setting aside the order appealed against.

(4) The Appellate Tribunal shall send a copy of every order made by it to the parties to the appeal and to the concerned adjudicating officer or the Central Government or the State Government or any other authority.

(5) The appeal filed before the Appellate Tribunal under sub-section (1) shall be dealt with by it as expeditiously as possible and endeavour shall be made by it to dispose of the appeal finally within one hundred and eighty days from the date of receipt of the appeal:

PROVIDED that where an appeal could not be disposed of within the said period of one hundred and eighty days, the Appellate Tribunal shall record its reasons in writing for not disposing of the appeal within the said period.

(6) The Appellate Tribunal may, for the purpose of examining the legality, propriety or correctness of any order made by the adjudicating officer or the Central Government or the State Government or any other authority under this Act, as the case may be, in relation to any proceeding, on its own motion or otherwise, call for the records of such proceedings and make such order in the case as it thinks fit.

COMMENT

The appeal before the Appellate Tribunal may entertain within a period of 45 days from the date on which a copy of the order made by adjudicating officer or the Central Government or the State Government or any other authority is received by the aggrieved person. The person appealing against the order of the adjudicating officer or other Central or State Government shall deposit the amount of such penalty while filing the appeal. The period of disposal of the appeal finally is 180 days from the date of receipt of the appeal.

31A. Procedure and powers of Appellate Tribunal

The provisions of sections 120 of 123 (both inclusive) of the Electricity Act, 2003 (36 of 2003) shall, mutatis mutandis, 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 (36 of 2003).

32. Composition of Appellate Tribunal

(1) The Appellate Tribunal shall consist of a Chairperson and such number of Members not exceeding four, as the Central Government may deem fit.

(2) Subject to the provisions of this Act,—

(a) the jurisdiction of the Appellate Tribunal may be exercised by Benches thereof;

(b) a Bench may be constituted by the Chairperson of the Appellate Tribunal with two or more Members of the Appellate Tribunal as the Chairperson of the Appellate Tribunal may deem fit:

PROVIDED that every Bench constituted under this clause shall include at least one Judicial Member and one Technical Member;

(c) the Benches of the Appellate Tribunal shall ordinarily sit at Delhi and such other places as the Central Government may, in consultation with the Chairperson of the Appellate Tribunal, notify;

(d) the Central Government shall notify the areas in relation to which each Bench of the Appellate Tribunal may exercise jurisdiction.

(3) Notwithstanding anything contained in sub-section (2), the Chairperson of the Appellate Tribunal may transfer a Member of Appellate Tribunal from one Bench to another Bench.

Explanation : For the purposes of this Chapter,—

(i) "Judicial Member" means a Member of the Appellate Tribunal appointed as such under item (i) or item (ii) of clause (b) of sub-section (1) of section 33, and includes the Chairperson of the Appellate Tribunal;

(ii) "Technical Member" means a Member of the Appellate Tribunal appointed as such under item (iii) or item (iv) or item (v) or item (vi) of clause (b) of sub-section (1) of section 33.

33. Qualifications for appointment of Chairperson and Members of Appellate Tribunal

(1) A person shall not be qualified for appointment as the Chairperson of the Appellate Tribunal or a Member of the Appellate Tribunal unless he,—

(a) in the case of Chairperson of the Appellate Tribunal, is, or has been, a Judge of the Supreme Court or the Chief Justice of a High Court; and

(b) in the case of a Member of the Appellate Tribunal,—

(i) is, or has been, or is qualified to be, a Judge of a High Court; or

(ii) is, or has been, a Member of the Indian Legal Service and has held a post in Grade I in that service for at least three years; or

(iii) is, or has been, a Secretary for at least one year in the Ministry or Department of the Central Government dealing with the Power, or Coal, or Petroleum and Natural Gas, or Atomic Energy; or

(iv) is, or has been, the Chairman of the Central Electricity Authority for at least one year; or

(v) is, or has been, Director-General of Bureau or Director-General of the Central Power Research Institute or Bureau of Indian Standards for at least three years or has held any equivalent post for at least three years; or

(vi) is, or has been, a qualified technical person of ability and standing, having adequate knowledge and experience in dealing with the matters relating to energy production and supply, energy management, standardization and efficient use of energy and its conservation, and has shown capacity in dealing with problems relating to engineering, finance, commerce, economics, law or management.

34. Term of office

The Chairperson of the Appellate Tribunal and every Member of the Appellate Tribunal shall hold office as such for a term of five years from the date on which he enters upon his office:

PROVIDED that no Chairperson of the Appellate Tribunal or Member of the Appellate Tribunal shall hold office as such after he has attained,—

(a) in the case of the Chairperson of the Appellate Tribunal, the age of seventy years;

(b) in the case of any Member of the Appellate Tribunal, the age of sixty five years.

COMMENT

The Chairperson of the Appellate Tribunal and every member of the Appellate Tribunal shall hold office for a term of 5 years from the date on which he enters upon his office, provided that the Chairperson and any member of the Appellate Tribunal shall not attained the age of 70 years and 65 years respectively.

35. Terms and conditions of service

The salary and allowances payable to and the other terms and conditions of service of the Chairperson of the Appellate Tribunal and Members of the Appellate Tribunal shall be such as may be prescribed:

PROVIDED that neither the salary and allowances nor the other terms and conditions of service of the Chairperson of the Appellate Tribunal or a Member of the Appellate Tribunal shall be varied to his disadvantage after appointment.

36. Vacancies

If for reason, other than temporary absence, any vacancy occurs in the office of the Chairperson of the Appellate Tribunal or a Member of the Appellate Tribunal, the Central Government shall appoint another person in accordance with the provisions of this Act to fill the vacancy and the proceedings may be continued before the Appellate Tribunal from the stage at which the vacancy is filled.

37. Resignation and removal

(1) The Chairperson or a Member of the Appellate Tribunal may, by notice in writing under his hand addressed to the Central Government, resign his office:

PROVIDED that the Chairperson of the Appellate Tribunal or a Member of the Appellate Tribunal shall, unless he is permitted by the Central Government to relinquish his office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as his successor enters upon his office or until the expiry of his term of office, whichever is the earliest.

(2) The Chairperson of the Appellate Tribunal or Member of the Appellate Tribunal shall not be removed from his office except by an order by the Central Government on the ground of proved misbehaviour or incapacity after an inquiry made by such person as the President may appoint for this purpose in which the Chairperson or a Member of the Appellate Tribunal concern has been informed of the charges against him and given a reasonable opportunity of being heard in respect of such charges.

38. Member to act as Chairperson in certain circumstances

(1) In the event of the occurrence of any vacancy in the office of the Chairperson of the Appellate Tribunal by reason of his death, resignation or otherwise, the senior-most Member of the Appellate Tribunal shall act as the Chairperson of the Appellate Tribunal until the date on which a new Chairperson, appointed in accordance with the provisions of this Act to fill such vacancy, enters upon his office.

(2) When the Chairperson of the Appellate Tribunal is unable to discharge his functions owing to absence, illness or any other cause, the senior-most Member of the Appellate Tribunal shall discharge the functions of the Chairperson of the Appellate Tribunal until the date on which the Chairperson of the Appellate Tribunal resumes his duties.

39. Staff of Appellate Tribunal

(1) The Central Government shall provide the Appellate Tribunal with such officers and employees as it may deem fit.

(2) The officers and employees of the Appellate Tribunal shall discharge their functions under the general superintendence of the Chairperson of the Appellate Tribunal, as the case may be.

(3) The salaries and allowances and other conditions of service of the officers and employees of the Appellate Tribunal shall be such as may be prescribed.

40. Procedure and powers of Appellate Tribunal

(1) The Appellate Tribunal shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 (5 of 1908) but shall be guided by the principles of natural justice and, subject to the other provisions of this Act, the Appellate Tribunal shall have powers to regulate its own procedure.

(2) The Appellate Tribunal shall have, for the purposes of discharging its functions under this Act, the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (5 of 1908), while trying a suit in respect of the following matters, namely:—

- *(a) summoning and enforcing the attendance of any person and examining him on oath;*
- *(b) requiring the discovery and production of documents;*
- *(c) receiving evidence on affidavits;*
- *(d) subject to the provisions of sections 123 and 124 of the Indian Evidence Act, 1872 (1 of 1872), requisitioning any public record or document or copy of such record or document from any office;*
- *(e) issuing commissions for the examination of witnesses or documents;*
- *(f) reviewing its decisions;*
- *(g) dismissing a representation of default or deciding it, ex-parte;*
- *(h) setting aside any order of dismissal or any representation for default or any order passed by it, ex-parte;*
- *(i) any other matter which may be prescribed by the Central Government.*

(3) An order made by the Appellate Tribunal under this Act shall be executable by the Appellate Tribunal as a decree of Civil Court and, for this purpose, the Appellate Tribunal shall have all the powers of a Civil Court.

(4) Notwithstanding anything contained in sub-section (3), the Appellate Tribunal may transmit any order made by it to a Civil Court having local jurisdiction and such Civil Court shall execute the order as if it were a decree made by that Court.

(5) All proceedings before the Appellate Tribunal shall be deemed to be judicial proceedings within the meaning of sections 193 and 228 of the Indian Penal Code (45 of 1860), and the Appellate Tribunal shall be deemed to be a Civil Court for the purposes of sections 345 and 346 of the Code of Criminal Procedure, 1973 (2 of 1974).

41. Distribution of business amongst Benches

Where Benches are constituted, the Chairperson of the Appellate Tribunal may, from time to time, by notification, make provisions as to the distribution of the business of the Appellate Tribunal amongst the Benches and also provide for the matters which may be dealt with by each Bench.

42. Power of Chairperson to transfer cases

On the application of any of the parties and after notice to the parties, and after hearing such of them as he may desire to be heard, or on his own motion without such notice, the Chairperson of the Appellate Tribunal may transfer any case pending before one Bench for disposal, to any other Bench.

43. Decision to be by majority

If the Members of the Appellate Tribunal of a Bench consisting of two Members differ in opinion on any point, they shall state the point or points on which they differ, and make a reference to the Chairperson of the Appellate Tribunal who shall either hear the point or points himself or refer the case for hearing on such point or points by one or more of the other Members of the Appellate Tribunal and such point or points shall be decided according to the

opinion of the majority of the Members of the Appellate Tribunal who have heard the case, including those who first heard it.

44. Right of appellant to take assistance of legal practitioner or accredited auditor and of Government to appoint presenting officers

(1) A person preferring an appeal to the Appellate Tribunal under this Act may either appear in person or take the assistance of a legal practitioner or an accredited energy auditor of his choice to present his case before the Appellate Tribunal, as the case may be.

(2) The Central Government or the State Government may authorise one or more legal practitioners or any of its officers to act as presenting officers and every person so authorised may present the case with respect to any appeal before the Appellate Tribunal, as the case may be.

45. Appeal to Supreme Court

Any person aggrieved by any decision or order of the Appellate Tribunal, may, file an appeal to the Supreme Court within sixty days from the date of communication of the decision or order of the Appellate Tribunal to him, on any one or more of the grounds specified in section 100 of the Code of Civil Procedure, 1908 (5 of 1908):

PROVIDED that the Supreme Court may, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the said period, allow it to be filed within a further period not exceeding sixty days.

CHAPTER X
MISCELLANEOUS

46. Power of Central Government to issue directions to Bureau

(1) Without prejudice to the foregoing provisions of this Act, the Bureau shall, in exercise of its powers or the performance of its functions under this Act, be bound by such directions on questions of policy as the Central Government may give in writing to it from time to time:

PROVIDED that the Bureau shall, as far as practicable, be given an opportunity to express its views before any direction is given under this sub-section.

(2) The decision of the Central Government, whether a question is one of policy or not, shall be final.

47. Power of Central Government to supersede Bureau

(1) If at any time the Central Government is of opinion,—

(a) that on account of grave emergency, the Bureau is unable to discharge the functions and duties imposed on it by or under the provisions of this Act; or

(b) that the Bureau has persistently made default in complying with any direction issued by the Central Government under this Act or in discharge of the functions and duties imposed on it by or under the provisions of this Act and as a result of such default, the financial position of the Bureau had deteriorated or the administration of the Bureau had deteriorated; or

(c) that circumstances exist which render it necessary in the public interest so to do, the Central Government may, by notification, supersede the Bureau for such period, not exceeding six months, as may be specified in the notification.

(2) Upon the publication of a notification under sub-section (1) superseding

the Bureau,—

(a) all the members referred to in clauses (o), (p) and (q) of sub-section (2) of section 4 shall, as from the date of supersession, vacate their offices as such;

(b) all the powers, functions and duties which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the Bureau, shall until the Bureau is reconstituted under sub-section (3), be exercised and discharged by such person or persons as the Central Government may direct; and

(c) all property owned or controlled by the Bureau shall, until the Bureau is reconstituted under sub-section (3), vest in the Central Government.

(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central Government may reconstitute the Bureau by a fresh appointment and in such case any person or persons who vacated their offices under clause (a) of sub-section (2), shall not be deemed disqualified for appointment:

PROVIDED that the Central Government may, at any time, before the expiration of the period of supersession, take action under this sub-section.

(4) The Central Government shall cause a notification issued under sub-section (1) and a full report of any action taken under this section and the circumstances leading to such action to be laid before each House of Parliament at the earliest.

48. Default by companies

(1) Where a company makes a default in complying with the provisions of clause (c) or clause (d) or clause (h) or clause (i) or clause (k) or clause (l) or clause (n) or clause (r) or clause (s) of section 14 or clause (b) or clause (c) or clause (h) of section 15, every person who at the time of such contravention was in charge of, and was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to have acted in contravention of the said provisions and shall be liable to be proceeded against and imposed penalty under section 26 accordingly:

PROVIDED that nothing contained in this sub-section shall render any such person liable for penalty provided in this Act if he proves that the contravention of the aforesaid provisions was committed without his knowledge or that he exercised all due diligence to prevent the contravention of the aforesaid provisions.

(2) Notwithstanding anything contained in sub-section (1), where any contravention of the provisions of clause (c) or clause (d) or clause (h) or clause (i) or clause (k) or clause (l) or clause (n) or clause (r) or clause (s) of section 14 or clause (b) or clause (c) or clause (h) of section 15 has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to have contravened the said provisions and shall be liable to be proceeded for imposition of penalty accordingly.

Explanation: For the purposes of this section, "company" means a body corporate and includes a firm or other association of individuals.

49. Exemption from tax on income

Notwithstanding anything contained in the Income-tax Act, 1961 (43 of 1961) or any other enactment for the time being in force relating to tax on income, profits or gains—

(a) the Bureau;

(b) the existing Energy Management Centre from the date of its constitution to the date of establishment of the Bureau, shall not be liable to pay any income-tax or any tax in respect of their income, profits or gains derived.

50. Protection of action taken in good faith

No suit, prosecution or other legal proceeding shall lie against the Central Government or Director-General or Secretary or State Government or any officer of those Governments or State Commission or its members or any member or officer or other employee of the Bureau for anything which is in good faith done or intended to be done under this Act or the rules or regulations made thereunder.

51. Delegation

The Bureau may, by general or special order in writing, delegate to any member, member of the committee, officer of the Bureau or any other person subject to such conditions, if any, as may be specified in the order, such of its powers and functions, if any, as may be specified in the order, such of its powers and functions under this Act (except the powers under section 58) as it may deem necessary.

52. Power to obtain information

Every designated consumer or manufacturer of equipment or appliance specified under clause (b) of section 14 shall supply the Bureau with such information, and with such samples of any material or substance used in relation to any equipment or appliance, as the Bureau may require.

53. Power to exempt

If the Central Government or the State Government is of the opinion that it is necessary or expedient so to do in the public interest, it may, by notification and subject to such conditions as may be specified in the notification, exempt any designated consumer or class of designated consumers from application of all or any of the provisions of this Act:

PROVIDED that the Central Government or the State Government, as the case may be, shall not grant exemption to any designated consumer or class of designated consumers for a period exceeding five years:

PROVIDED FURTHER that the Central Government or the State Government, as the case may be, shall consult the Bureau of Energy Efficiency before granting such exemption.

54. Chairperson, Members, officers and employees of the Appellate Tribunal, Members of State Commission, Director-General, Secretary, members, officers and employees of the Bureau to be public servants

The Chairperson of the Appellate Tribunal or the Members of the Appellate Tribunal or officers or employees of the Appellate Tribunal or the Members of the State Commission or 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 of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

55. Power of Central Government to issue directions

The Central Government may give directions to a State Government or the Bureau as to carrying out into execution of this Act in the State.

56. Power of Central Government to make rules

(1) The Central Government may, by notification, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) such number of persons to be appointed as members by the Central Government under clauses (o), (p) and (q) of sub-section (2) of section 4;

(b) the fee and allowances to be paid to the members under sub-section (5) of section 4;

(c) the salary and allowances payable to the Director-General and other terms and conditions of his service and other terms and conditions of service of the Secretary of the Bureau under sub-section (4) of section 9;

(d) the terms and conditions of service of officers and other employees of the Bureau under sub-section (2) of section 10;

(e) performing such other functions by the Bureau, as may be prescribed, under clause (u) of sub-section (2) of section 13;

(f) the energy consumption norms and standards for designated consumers under clause (g) of section 14;

(g) prescribing the different norms and standards for different designated consumers under the proviso to clause (g) of section 14;

(h) the form and manner and the time within which information with regard to energy consumed and the action taken on the recommendations of the accredited energy auditor be furnished under clause (k) of section 14;

(i) the form and manner in which the status of energy consumption be submitted under clause (l) of section 14;

(j) the minimum qualifications for [energy auditors and energy managers under clause (m) of section 14;

(k) the form and manner for preparation of scheme and its implementation under clause (o) of section 14;

(l) the energy conservation building codes under clause (p) of section 14;

(la) prescribing the procedure for issuing the energy savings certificate under sub-section (1) of section 14A;

(laa) the value of per metric ton of oil equivalent of energy consumed under section 14B;

(m) the matters relating to inspection under sub-section (2) of section 17;

(n) the form in which, and the time at which, the Bureau shall prepare its budget under section 22;

(o) the form in which, and the time at which, the Bureau shall prepare its annual report under section 23;

(p) the form in which the accounts of the Bureau shall be maintained under section 25;

(q) the manner of holding inquiry under sub-section (1) of section 27;

(r) the form of and fee for filing such appeal under sub-section (2) of section 31;

(s) the salary and allowances payable to and other terms and conditions of service of the Chairperson of the Appellate Tribunal and Members of the Appellate Tribunal under section 35;

(t) the salary and allowances and other conditions of service of the officers and other employees of the Appellate Tribunal under sub-section (3) of section 39;

(u) the additional matters in respect of which the Appellate Tribunal may exercise the powers of a Civil Court under clause (i) of sub-section (2) of section 40;]

(v) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made, or may be made, by rules.

57. Power of State Government to make rules

(1) The State Government may, by notification, make rules for carrying out the provisions of this Act and not inconsistent with the rules, if any, made by the Central Government.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) energy conservation building codes under clause (a) of section 15;

(b) the form, the manner and the period within which information with regard to energy consumption shall be furnished under clause (h) of section 15;

(c) the person or any authority who shall administer the Fund and the manner in which the Fund shall be administered under sub-section (4) of section 16;

(d) the matters to be included for the purposes of inspection under sub-section (2) of section 17;

(e) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made, or may be made, by rules.

58. Power of Bureau to make regulations

(1) The Bureau may, with the previous approval of the Central Government and subject to the condition of previous publication, by notification, make regulations not inconsistent with the provisions of this Act and the rules made thereunder to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(a) the times and places of the meetings of the Governing Council and the procedure to be followed at such meetings under sub-section (1) of section 5;

(b) the members of advisory committees constituted under sub-section (2) of section 8;

(c) the powers and duties that may be exercised and discharged by the Director-General of the Bureau under sub-section (6) of section 9;

(d) the levy of fee for services provided for promoting efficient use of energy and its conservation under clause (n) of sub-section (2) of section 13;

(e) the list of accredited energy auditors under clause (o) of sub-section (2) of section 13;

(f) 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;

(g) the manner and the intervals of time in which the energy audit shall be conducted under clause (q) of sub-section (2) of section 13;

(h) certification procedure for energy auditors and energy managers under clause (r) of sub-section (2) of section 13;

(i) particulars required to be displayed on label and the manner of their display under clause (d) of section 14;

(j) the manner and the intervals of time for conduct of energy audit under clause (h) or clause (s) of section 14;

(k) the manner and the intervals of time for conducting energy audit by an accredited energy auditor under clause (c) of section 15;

(l) any other matter which is required to be, or may be, specified.

59. Rules and regulations to be laid before Parliament and State Legislature

(1) Every rule made by the Central Government and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more 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 regulation, or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

(2) Every rule made by the State Government shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House.

60. Application of other laws not barred

The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force.

61. Provisions of Act not to apply in certain cases

The provisions of this Act shall not apply to the Ministry or Department of the Central Government dealing with Defence, Atomic Energy or such other similar Ministries or Departments or undertakings or Boards or institutions under the control of such Ministries or Departments as may be notified by the Central Government.

62. Power to remove difficulty

(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:

PROVIDED that no such order shall be made under this section after the expiry of two years from the date of the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

THE SCHEDULE

[Refer section 2(s)]

LIST OF ENERGY INTENSIVE INDUSTRIES AND OTHER ESTABLISHMENTS

[xxx]

1. Aluminium;
2. Fertilizers;
3. Iron and Steel;
4. Cement;
5. Pulp and Paper;
6. Chlor Alkali;
7. Sugar;

8. Textile;
9. Chemicals;
10 . Railways;
11. Port Trust;
12. Transport Sector (Industries and Services);
13. Petrochemical, Gas Crackers, Naphtha Crackers and Petroleum Refineries;
14. Thermal power stations, hydel power stations, electricity transmission companies and distribution companies;
15. Commercial buildings or establishments.

THE BUREAU OF ENERGY EFFICIENCY APPOINTMENT AND TERMS AND CONDITIONS OF SERVICE OF THE DIRECTOR-GENERAL RULES, 2003

[GSR 761(E), dt. 24-9-2003]

In exercise of the powers conferred by section 56 of the Energy Conservation Act, 2001 (52 of 2001), the Central Government hereby makes the following rules for regulating the appointment and other terms and conditions of service of the Director-General of the Bureau of Energy Efficiency, namely:—

1. Short title and commencement

(1) These rules may be called the Bureau of Energy Efficiency Appointment and Terms and Conditions of Service of the Director-General Rules, 2003.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

In these rules, unless the context otherwise requires,—

(a) "Act" means the Energy Conservation Act, 2001 (52 of 2001);

(b) "Director-General" means the Director-General of the Bureau appointed under sub-section (1) of section 9 of the Act;

(c) "Section" means a section the Act; and

(d) all other words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. Appointment of Director-General

(1) The Central Government shall appoint a person possessing the following qualifications and experience:—

(i) Essential qualifications and experience

(a) a candidate must be a Graduate in Engineering or Post-Graduate in Physics or Chemistry or Geology or Geophysics or Energy Studies or Energy Management or Energy Economics; and

(b) shall have the experience of 25 years of service in the Central Government or the State Government in Group `A' with at least 3 years experience in the pay scale of Rs. 18,400-22,400 in the parent cadre of service; or at least 25 years of post qualification experience in any public sector undertaking or an autonomous body or any statutory body or any private firm out of which 5 years should be at a senior level in an organization of a repute; and

(c) the candidate must have adequate knowledge and experience in dealing with the matters relating to energy production, supply and energy management, standardization and efficient use of energy and its conservation.

(ii) Desirable qualification and experience A candidate possessing a Post-Graduate Engineering or Doctorate degree in Physics or Chemistry or Geology or Geophysics or Energy Studies or Energy Management of Energy Economics and having experience in policy formulation or planning in the field of energy management shall be preferred.

(2) The term of the office of Director-General shall be determined from the date on which he enters upon his office.

(3) Where an officer of the Central Government or a State Government is appointed as the Director-General, his appointment, till the date he attains the age of superannuation, shall be deemed to have been made on deputation and after the date of superannuation, till he attains the age of sixty years, his appointment shall be deemed to have been made on short-term contract.

(4) Where a person working under a public sector undertaking or autonomous or statutory organization or from any private company or society or institution is appointed as the Director-General, his appointment shall be deemed to have been made on short-term contract.

4. Scale of pay and allowances

(1) The Director-General shall be entitled to draw a salary in the pay scale of Rs. 22400-525-24500:

PROVIDED that where an officer of the Central or State Government is appointed as Director-General his pay being drawn from the parent Government shall be protected.

(2) The pension and the leave salary contribution in respect of a person appointed under sub-rule (4) of rule 3 shall be paid by the Bureau to the lending Government.

(3) The Director-General shall be entitled to dearness allowance appropriate to his pay at the rate admissible to a Group `A' officer of the corresponding status in the Central Government.

(4) The other terms and conditions of the service of the Director-General for which the provisions have not been made in these rules, including entitlement of leave salary, leave travel concession, travelling allowance, medical facilities, shall be such as are admissible to a Group `A' officer of the corresponding status in the Central Government.

5. Resignation and removal of Director-General

(1) The Director-General may relinquish his office by giving in writing under his hand to the Central Government a notice of not less than ninety days.

(2) The Director-General may be removed from his office by the Central Government if he is subject to any of the disqualifications mentioned in rule 6:

PROVIDED that the Director-General shall, unless he is permitted by the Central Government to relinquish his office sooner, continue to hold office until the expiry of ninety days from the date of receipt of such notice or within the said period of ninety days until a person duly appointed as his successor enters upon his office or until the expiry of term of office, whichever is the earlier.

6. Grounds for removal

(1) The Central Government may remove from office the Director-General who—

(a) is, or at any time has been, adjudged as an insolvent; or

(b) is, or becomes, of unsound mind or is so declared by a competent court; or

(c) has become physically or mentally incapable of acting as the Director-General; or

(d) has been convicted of any offence which, in the opinion of the Central Government, involves moral turpitude; or

(e) has acquired such financial or other interest as is likely to affect prejudicially his functions as the Director-General; or

(f) has so abused his position as to render his continuation in office detrimental to the public interest.

(2) The Director-General shall not be removed from service under the provisions of sub-rule (2) of rule 5 unless he has been given a reasonable opportunity of being heard in the matter.

7. Entitlement for staff car

The Director-General shall be entitled to the use of staff car in accordance with the instructions issued from time to time by the Central Government.

THE BUREAU OF ENERGY EFFICIENCY (APPOINTMENT OF SECRETARY) RULES, 2004

[GSR 362(E), dt. 15-6-2004]

In exercise of the powers conferred by section 56 of the Energy Conservation Act, 2001 (52 of 2001), the Central Government hereby makes the following rules regulating the appointment of Secretary, Bureau of Energy Efficiency, a body corporate under the Ministry of Power, namely:—

1. Short title and commencement

(1) These rules may be called the Bureau of Energy Efficiency (Appointment of Secretary) Rules, 2004.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Number of post, classification and scale of pay

The number of post, its classification and the scale of pay attached thereto shall be as specified in columns 2 to 4 of the Schedule annexed to these rules.

3. Method of recruitment, age limit, qualifications, etc.

The method of recruitment to the said post, age limit, qualifications and other matters relating thereto shall be as specified in columns 5 to 14 of the said Schedule aforesaid.

4. Disqualification

No person,—

(a) who has entered into or contracted a marriage with a person having a spouse living; or

(b) who, having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to the said post:

PROVIDED that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. The conditions of service for which the provisions have not been made in these rules, including entitlement of leave salary, leave travel concession, travelling allowances, medical facilities, shall be such as are admissible to a Group `A' officer of the corresponding status in the Central Government.

6. Power to relax

Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect of any class or category of persons.

7. Savings

Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

SCHEDULE

Name of the Post	*No. of the Post*	*Classification*	*Scale of pay*	*Whether selection post or non-selection post*	*Age limit for direct recruits*
(1)	(2)	(3)	(4)	(5)	(6)
Secretary	1 (One)	Group A	Rs. 14,300-400-18,300	Selection	Not applicable

Whether benefit of added years of service admissible under rule 30 of the Central Civil Services (Pension) Rules, 1972	*Educational and other qualifications required for direct recruits*	*Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotee*	*Period of probation, if any*
(7)	(8)	(9)	(10)
Not applicable	Not applicable	Not applicable	Not applicable

Method of recruitment whether by direct recruitment or by promotion or by deputation or transfer and percentage of the vacancies to be filled by various methods	*In case of recruitment by promotion or deputation or transfer, grades from which promotion or deputation or transfer to be made*	*If Departmental Promotion Committee exists, what is its composition*	*Circumstances in which Union Public Service Commission is to be consulted in making recruitment*
(11)	(12)	(13)	(14)
By deputation	Deputation.— The officers of Central or State Government holding a post not below the rank of Deputy Secretary to the Government of India.	Departmental Promotion Committee for deputation — 1. Secretary/Special Secretary Ministry of Power. —Chairman	Consultation with Union Public Service Commission not necessary.
	Desirable.— (i) Experience in the field of generation, transmission,,	2. Director-General, Bureau of Energy Efficiency. — Member	

	distribution of power or energy conservation; (ii) Experience in administrative, financial and budgetary matters. Period of Deputation.— The term of office of Secretary shall be three years,, from the date on which he enters upon his office or the date of his superannuation in his parent cadre, whichever is earlier. The term of deputation may be extended where considered necessary upto a period of five years.	Additional Secretary/Joint Secretary, Ministry of Power in-charge of Energy Conservation — Member	

THE BUREAU OF ENERGY EFFICIENCY (APPOINTMENT OF MEMBERS, MANNER OF FILLING VACANCIES, FEES AND ALLOWANCES AND PROCEDURE FOR DISCHARGING THEIR FUNCTIONS) RULES, 2007

[GSR 537(E), dt. 3-8-2007]

In exercise of the powers conferred by section 56 read with sub-section (5) of section 4 of the Energy Conservation Act, 2001 (52 of 2001), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement

(a) These rules may be called the Bureau of Energy Efficiency (Appointment of Members, Manner of Filling Vacancies, Fees and Allowances and Procedure for Discharging their Functions) Rules, 2007.

(b) They shall come into force on the dateof their publication in the Official Gazette.

2. Definitions

In these rules, unless the context otherwise requires,—

(a) "Act" means the Energy Conservation Act, 2001 (52 of 2001);

(b) "Director-General" means the Director-General of the Bureau appointed under sub-section (1) of section 9;

(c) "meeting" means the meeting of the Governing Council and shall include any other business connected with it;

(d) "member" for the purposes of these rules means a member of Governing Council referred to in clauses (o), (p) and (q) of sub-section (2) of section 4;

(e) "section" means a section of the Act;

(f) words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Appointment of members

(1) The Central Government shall appoint the following members of the Governing Council, namely:—

(a) Five members, one each from the five power regions under clause (o) of sub-section (2) of section 4.

(b) Four members, one each from the industry, equipment and appliance manufacturers, architects and consumers under clause (p) of sub-section (2) of section 4.

(c) Two members as may be nominated by the Governing Council under clause (q) of sub-section (2) of section 4.

(2) For the purpose of clause (a) of sub-rule (1), the Central Government shall appoint the respective Chairmen of Northern, Western, Southern, Eastern and North-Eastern Regional Electricity Board as members representing the respective States of each region.

(3) For the purpose of clause (b) of sub-rule (1), the Central Government shall appoint members in the following manner, namely:—

(a) one person having adequate knowledge, experience or capability in dealing with matters relating to promotion of energy efficiency or energy conservation, who in the opinion of the Central Government is capable of representing industry;

(b) one person having adequate knowledge, experience or capability in dealing with matters relating to promotion of energy efficiency or energy conservation, who in the opinion of the Central Government is capable of representing equipment and appliance manufacturers;

(c) one person having adequate knowledge, experience or capability in dealing with matters relating to promotion of energy efficiency or energy conservation, who in the opinion of the Central Government is capable of representing the profession of architects; and

(d) one person having adequate knowledge, experience or capability in dealing with matters relating to promotion of energy efficiency or energy conservation, who in the opinion of the Central Government is capable of representing the consumers.

(4) For the purpose of clause (c) of sub-rule (1), the Central Government for making appointments shall seek nominations from the Governing Council from the areas identified to focus attention for promotion of energy efficiency or energy conservation from amongst the following, namely:—

(a) Major energy users like Railways, Surface Transport, Power Generation, Steel and Heavy Industries and Urban Development.

(b) Financial Institutions, Small and Medium Enterprises, Test Houses, Designated Consumers, Research Institutions and Management Institutions specialising in the field of energy efficiency, energy conservation or energy management.

(5) The Central Government shall, for the purposes of selecting the members under sub-rule (3), constitute a Selection Committee consisting of:

(a) Additional Secretary or Joint Secretary, in-charge of energy efficiency or energy conservation in the Ministry of the Central Government dealing with Power. —Chairman

(b) An officer not below the rank of Joint Secretary to be nominated by the Secretary in-charge of the Ministry of the Central Government dealing with Power. —Member

(c) Director-General—Member

(6) The Director-General shall be the convener of the Selection Committee.

(7) The Selection Committee shall finalise the selection of the persons referred to in sub-rule (3) within three months from the date on which the term of the existing members is to expire.

(8) The Selection Committee shall recommend a panel of two names for each of the categories referred to in sub-rule (3).

(9) The Selection Committee shall satisfy itself that such persons do not have any financial or other interest which is likely to affect prejudicially their functions as members.

4. Vacancies

(1) If, for reason, other than temporary absence, any vacancy occurs, the Central Government shall appoint another person in accordance with the provisions of these rules, to fill the vacancy.

(2) A member who has completed his term shall be eligible for further appointment.

5. Resignation

(1) A member may, by notice in writing under his hand addressed to the Central Government, resign his office and the resignation shall take effect from the date of its acceptance by the Central Government or on the expiry of the period of one month, whichever is earlier.

6. Fees and allowances

(1) Every ex-officio member and members representing the Departments of the Central Government, State Governments and Organizations associated with or under the Central Government and State Governments shall not be entitled to draw any fee, travelling allowance or daily allowance from the funds of the Bureau.

(2) Every other member shall be entitled to a sitting fee of Rupees five hundred only for attending a meeting.

(3) A local member shall be entitled to reimbursement of local conveyance hire charges by way of actual conveyance hire charges subject to such ceiling as may be specified by the Central Government from time to time for attending each meeting.

Explanation : A meeting extending over one sitting shall be treated as one meeting.

(4) A member may travel by rail in first class or second AC tier, by trains, including Rajdhani Express, Shatabdi, etc., by shortest route, or by air by economy class from his usual place of residence and back for attending the meetings and in case he travels from a station other than the usual place of his residence, the reimbursement of fare will be restricted to that from the place of residence.

(5) Where journeys are performed by road, the reimbursement will be limited to first class fare by rail.

(6) (a) An outstation member shall be entitled to reimbursement of single room rent—

(i) for stay in any Government guest house or hotels, single room in medium range India Tourism Development Corporation hotels like Janpath Hotel or residential accommodation provided by registered societies like India International Centre or India Habitat Centre;

(ii) for stay in private lodges or hotels at such rates as may be allowed up to the limits specified by the Central Government from time to time.

(b) Daily allowances at the rate of 90% of the ordinary rates of daily allowances as admissible to the highest grade of civil servant for boarding purposes as specified by the Central Government from time to time.

(c) Actual conveyance hire charges subject to such ceilings as may be specified by the Central Government from time to time.

7. Procedure to be followed by members in the discharge of their functions

(1) The participation by a member in a meeting shall be regulated by the Bureau of Energy Efficiency (Procedures for Conduct of Business of the Governing Council) Regulations, 2005.

(2) Every member, while participating in a meeting, shall inform the Chairperson or in his absence, the presiding officer, that he or any of his relatives or friends has a pecuniary interest in the matter being considered in the said meeting and thereafter shall abstain from attending the meeting till discussion on such matter is over.

THE ENERGY CONSERVATION (THE FORM AND MANNER FOR SUBMISSION OF REPORT ON THE STATUS OF ENERGY CONSUMPTION BY THE DESIGNATED CONSUMERS) RULES, 2007

[GSR 174(E), dt. 2-3-2007]

In exercise of the powers conferred by clause (i) of sub-section (2) of section 56 of the Energy Conservation Act, 2001 (52 of 2001), the Central Government, in consultation with the Bureau of Energy Efficiency, hereby makes the following rules, namely:—

1. Short title and commencement

(1) These rules may be called the Energy Conservation (the Form and Manner for Submission of Report on the Status of Energy Consumption by the Designated Consumers) Rules, 2007.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

(1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Energy Conservation Act, 2001 (52 of 2001);

(b) "Financial Year" means the year beginning on the 1st day of April and ending on the 31st March following.

(2) Words and expressions used herein but not defined shall have the meanings respectively assigned to them in the Act.

3. Submission of report on the status of energy consumption by designated consumer

(1) Every designated consumer shall—

(a) submit in electronic form as well as hard copy to the designated agency, within three months, the first report on the status of energy consumption at the end of the previous financial year in Form 1 of the Annexure; and

(b) submit to the designated agency subsequent reports for each financial year in the same manner on the status of energy conservation in Form 1 of the Annexure within three months of the close of that financial year.

(2) The Bureau may prescribe different forms for different sections from time to time.

4. Authentication of data

Every designated consumer shall ensure that all the data furnished under rule 3 are duly authenticated by the energy manager appointed or designated by the designated consumer, the Chief Executive or his nominee authorized for the purpose before it is sent to the designated agency under rule 3 of these rules.

5. Supply of data to the Bureau

(1) Every designated consumer shall also furnish the data in electronic form as well as hard copy, referred to in clauses (a) and (b) of sub-rule (1) of rule 3 of these rules, duly authenticated, in the manner prescribed in rule 4 of these rules, to the Bureau of Energy Efficiency.

ANNEXURE

FORM 1

DETAILS OF INFORMATION REGARDING TOTAL ENERGY CONSUMED AND SPECIFIC ENERGY CONSUMPTION PER UNIT OF PRODUCTION

(Refer rule 3)

1. Name of the Unit
2. The Sector to which unit falls (Refer Annex-1)
3. (a) Complete address of Unit's location (including Chief Executive's name & designation) with mobile, telephone, fax Nos. & e-mail
   (b) Year of Establishment
4. Registered Office address with telephone, fax Nos. & e-mail
5. Name, designation, address, mobile, telephone, fax Nos. & e-mail of energy manager.
6. Production and capacity utilization details

Year	*Main product*	*Units (Please specify)*	*Installed Capacity (a)*	*Actual Production (b)*	*Capacity Utilisation (b/a) x 100*
Current financial year					
Previous financial year					
			Current financial year	Previous financial year	

7.0 Energy consumption and cost

7.1 Electricity consumption and cost

(A) Purchased Electricity

(i) Units (Million kWh/year)
(ii) Total Cost (Rs. Million/year)
(iii) Plant Connected Load (kW)
(iv) Contract demand (kVA) with utility
(v) Connected load (kW)

(B) Own Generation

(a) Through DG sets

(i) Annual generation (Million kWh/year)
(ii) Total Cost (Rs. Million/year)
(iii) Fuel used (HSD/LDO/LSHS/LSFO)
(iv) Gross calorific value (kCal/kg)
(v) Annual fuel consumption (tonne)
(vi) Total annual fuel cost (Rs. Million)

(b) Through Steam turbine/generator

(i) Annual generation (Million kWh/year)
(ii) Fuel used state which type of fuel was used (C = coal, B = biomass, E = electricity). If coal was used, state which grade i.e., C/I = imported or C/F = coal of grade F

(c) Through Gas turbine

(i) Annual generation (Million kWh/year)

(ii) Fuel used (state which type of fuel was used NG, PNG, CNG, Naphtha)
(iii) Gross calorific value (kCal/SCM)
(iv) Annual fuel consumption (SCM)
(v) Total annual fuel cost (Rs. Million)

(C) Total generation of electricity (Million kWh/year) 7.1 (B)[a(i)+b(i) + c(i)]

(D) Electricity, supplied to the grid/others (specify) (Million kWh/year)

(E) Total Electricity consumed (Million kWh/year) 7.1 [A(i) + C - D]

7.2 Fuel consumption and % cost for process heating

(A) Coal
(i) Gross calorific value (kCal/kg)
(ii) Quantity purchased (tonne/year)
(iii) Quantity used for power generation (tonne/year)
(iv) Quantity used as raw material, if any (tonne/year)
(v) Quantity used for process heating (tonne/year)
(vi) Total coal cost for process (Rs. Million/year)

(B) Lignite
(i) Gross calorific value (kCal/kg)
(ii) Quantity purchased (tonne/year)
(iii) Quantity used for power generation (tones/year)
(iv) Quantity used as raw material, if any (tonne/year)
(v) Quantity used for process heating (tonne/year)
(vi) Total lignite cost for process (Rs. Million/year)

(C) Bio-mass other purchased solid fuels (pl. specify) baggase, rice husk, etc.
(i) Average moisture content as fired (%)
(ii) Average Gross calorific value as fired (kCal/kg)
(iii) Quantity purchased (tonne/year)
(iv) Quantity used as raw material, if any (tonne/year)
(v) Quantity used for process heating (tonne/year)
(vi) Total baggase cost for process (Rs. Million/year)

7.3 Liquid

(A) Furnace Oil
(i) Gross calorific value (kCal/kg)
(ii) Quantity purchased (kL/year)
(iii) Quantity used for power generation (kL/year)
(iv) Quantity used as raw material, if any (kL/year)
(v) Quantity used for process heating (kL/year)
(vi) Total F.O. cost for process heating (Rs. Million/year)

(B) Low Sulphur Heavy Stock (LSHS)
(i) Gross calorific value (kCal/kg)
(ii) Quantity purchased (tonne/year)
(iii) Quantity used for power generation (tonne/year)
(iv) Quantity used as raw material, if any (tonne/year)
(v) Quantity used for process heating (tonne/year)
(vi) Total LSHS cost for process heating (Rs. Million/year)

(C) High Sulphur Heavy Stock (HSHS)

(i) Gross calorific value (kCal/kg)
(ii) Quantity purchased (tonne/year)
(iii) uantity used for power generation (tonne/year)
(iv) Quantity used for raw material, if any (tonne/year)
(v) Quantity used for process heating (tonne/year)
(vi) Total HSHS cost for process heating (Rs. Million/year)

(D) Diesel oil

(a) High Speed Diesel (HSD)
(i) Gross calorific value (kCal/kg)
(ii) Quantity purchased (kL/year)
(iii) Quantity used for power generation (tonne/year)
(iv) Quantity used as raw material, if any (kL/year)
(v) Quantity used for process heating (kL/year)
(vi) Total HSD cost for process heating (Rs. Million/year)

(b) Light Diesel Oil (LDO)
(i) Gross calorific value (kCal/kg)
(ii) Quantity purchased (kL/year)
(iii) Quantity used for power generation (kL/year)
(iv) Quantity used as raw material, if any (kL/year)
(v) Quantity used for process heating (kL/year)
(vi) Total LDO cost for process heating (Rs. Million/year)

7.4 Gas

(A) Compressed Natural Gas (CNG)
(i) Gross calorific value (kCal/SCM)
(ii) Quantity purchased (million SCM/year)
(iii) Quantity used for power generation (million SCM/year)
(iv) Quantity used as raw material, if any (million SCM/year)
(v) Quantity used for process heating (million SCM/year)
(vi) Total cost of natural gas for process heating (Rs. Million/year)

(B) Liquefied Petroleum Gas (LPG)
(i) Gross calorific value (kCal/SCM)
(ii) Quantity purchased (million SCM/year)
(iii) Quantity used for power generation (million SCM/year)
(iv) Quantity used as raw material, if any (million SCM/year)
(v) Quantity used for process heating (million SCM/year)
(vi) Total cost of LPG for process heating (Rs. Million/year)

(C) Gas generated as by-product/waste in the plant and used as fuel
(i) Name
(ii) Gross calorific value (kCal/SCM)
(iii) Quantity used for process heating (million SCM/year)
(iv) Total cost of by-product gas for process heating (Rs. Million/year)

7.5 Solid Waste

Solid waste generated in the plant and used as fuel
(i) Name
(ii) Gross calorific value (kCal/Kg)

(iii) Quantity used for process heating (tonne/year)
(iv) Total cost of solid waste for process heating (Rs. Million/year)

7.6 Liquid Waste

Liquid effluent/waste generated in the plant and used as fuel

(i) Name
(ii) Gross calorific value (kCal/Kg)
(iii) Quantity used for process heating (tonne/year)
(iv) Total cost of liquid effluent for process heating (Rs. Million/year)

7.7 Others

(i) Name
(ii) Average gross calorific value (kCal/kg)
(iii) Quantity used for power generation (tonnes/year)
(iv) Quantity used for process heat (tonnes/year)
(v) Annual cost of the others source

ANNEXURE 1—NAME OF SECTORS

Aluminium, cement, chemicals, chlor-alkali, fertilizers, gas crackers, iron and steel, naphtha crackers, pulp and paper, petro-chemicals, petroleum refineries, sugar, textile.

ANNEXURE 2—NOMENCLATURE

HSD High Speed Diesel
LDO Diesel Oil
LSHS Low Sulphur Heavy Stock
LSFO Low Sulphur Furnace Oil
C Coal
B Biomass
E Electricity
C/I Coal Imported
C/F Indian Coal grade F
NG Natural Gas
PNG Piped Natural Gas
CNG Compressed Natural Gas
FO Furnace Oil
LPG Liquefied Petrolem Gas
SCM Standard Cubic Metre (15<198>C and 1.01325 bar)
KL Kilo Litre
Million Ten (10) lakh

THE ENERGY CONSERVATION (FORM AND MANNER AND TIME FOR FURNISHING INFORMATION WITH REGARD TO ENERGY CONSUMED AND ACTION TAKEN ON RECOMMENDATIONS OF ACCREDITED ENERGY AUDITOR) RULES, 2008

[GSR 486(E), dt. 26-6-2008]

In exercise of the powers conferred by clause (h) of sub-section (2) of section 56 read with clause (k) of section 14 of the Energy Conservation Act, 2001 (52 of 2001), the Central Government, hereby makes the following rules, namely:—

1. Short title and commencement

(1) These rules may be called the Energy Conservation (Form and Manner and Time for Furnishing Information with Regard to Energy Consumed and Action Taken on Recommendations of Accredited Energy Auditor) Rules, 2008.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

(1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Energy Conservation Act, 2001;

(b) "Form" means the forms specified under rule 3;

(c) "Year" means the financial year beginning on the 1st day of April and ending on the 31st March following;

(d) words and expressions used herein and not defined, but defined in the Act shall have the meanings assigned to them in the Act.

3. Form and time limit for furnishing of information by the designated consumers with regard to energy consumed and action taken on the recommendations of the accredited energy auditor

(1) Every designated consumer within three months of the submission of energy audit report by the accredited energy auditor shall, furnish in electronic form as well as in a hard copy, to the designated agency,—

(a) details of information on energy consumed during the year preceding to the year for which energy audit was undertaken as verified by the accredited energy auditor, in Form 1;

(b) details of specific energy consumption product-wise for the period referred to in clause (a), in Form 1;

(c) details of the action taken on the recommendations made by the accredited energy auditor in the energy audit report submitted under the Act, in Form 2.

(2) Every designated consumer shall furnish to the designated agency every year, the details of progress made in consequence of the action taken by it as per clause (c) of sub-rule (1) of rule 3 together with the details of energy efficiency improvement measures implemented and consequent savings achieved in Form 3, within three months of the close of that year.

4. Manner of furnishing information

(1) Every designated consumer shall furnish the information under rule 3 after getting the same authenticated by its energy manager appointed or designated in terms of Notification No. S.O. 318(E), dated the 2nd March, 2007.

(2) The information under sub-rule (1) shall be strictly in accordance with the energy audit report of the accredited energy auditor.

FORM 1

DETAILS OF ENERGY CONSUMED AND SPECIFIC ENERGY CONSUMPTION, PRODUCT-WISE, BASED ON VERIFIED DATA

[Refer rule 3(1)(a) and (b)]

1	Name of the Unit	
2	The sector in which unit falls (Refer Annexure-1)	
3	(a) Complete address of Unit's location (including Chief Executive's name and designation) with mobile, telephone, fax numbers and e-mail. (b) Year of establishment	
4	Registered office address with telephone, fax numbers and e-mail	
5	Name, designation, address, mobile, telephone, fax numbers and e-mail of energy manager	
6	Production and capacity utilisation details,	

Year	Main products	Units (Please specify)	Installed capacity (a)	Actual production (b)	% Capacity utilisation (b/a) x 100	Specific energy consumption
	Product 1 Product 2 Other Products					
200.....-200.....						

		Year 20..... - 20 .....
7.0	Energy consumption and cost	
7.1	Electricity consumption and cost	
	(A) Purchased electricity	
	(i) Units (Millions kWh/year)	
	(ii) Total cost (Rs. Millions/year)	
	(iii) Plant connected load (kW)	
	(iv) Contract demand (kVA) with utility	
	(v) Connected load (kW)	
	(B) Own Generation	
	(a) Through Diesel Generating sets	
	(i) Annual generation (Millions kWh/year)	
	(ii) Total cost (Rs. Million/year)	
	(iii) Fuel used (HSD/LDO/LSHS/LSFO-(Refer	

	Annexure 2)	
	(iv) Gross calorific value (kCal/kg)	
	(v) Annual fuel consumption (tonne)	
	(vi) Total annual fuel cost (Rs. million)	
	(b) Through steam turbine/generator	
	(i) Annual generation (Millions kWh/year)	
	(ii) Fuel used (state which type of fuel was used) (C=coal, B=biomass, E=electricity). If coal was used, state which grade i.e. C/I=imported or C/F=Coal of grade F	
	(c) Through gas turbine	
	(i) Annual generation (Millions kWh/year)	
	(ii) Fuel used (state which type of fuel was used) Natural Gas (NG), Piped Natural Gas (PNG); Compressed Natural Gas (CNG), Naphtha,	
	(iii) Gross calorific value (kCal/SCM)	
	(iv) Annual fuel consumption (SCM)	
	(v) Total annual fuel cost (Rs. Million)	
	(C) Total generation of electricity (Millions kWh/year) 7.1. (B) [a(i)+b(i)+c(i)]	
	(D) Electricity supplied to the grid/others (specify (Millions kWh/year)	
	(E) Total Electricity consumed (Millions kWh/year) 7.1 [A(i)+C-D]	
7.2	Fuel consumption and % cost for process heating	
	(A) Coal	
	(i) Gross calorific value (kCal/kg)	
	(ii) Quantity purchased (tonne/year)	
	(iii) Quantity used for power generation (tonne/year)	
	(iv) Quantity used as raw material,, if any (tonne/year)	
	(v) Quantity used for process heating (tonne/year)	
	(vi) Total coal cost for process (Rs. Million/year)	
	(B) Lignite	
	(i) Gross calorific value (kCal/kg)	
	(ii) Quantity purchased (tonne/year)	
	(iii) Quantity used for power generation (tonnes/year)	
	(iv) Quantity used as raw material,, if any (tonne/year)	
	(v) Quantity used for process heating (tonne/year)	
	(vi) Total lignite cost for process (Rs. Million/year)	
	(C) Bio mass other purchased solid fuels (please	

	specify) bagasse, rice husk, etc.	
	(i) Average moisture content as fired (%)	
	(ii) Average gross calorific value as fired (kCal/kg)	
	(iii) Quantity purchased (tonne/year)	
	(iv) Quantity used as raw material,, if any (tonne/year)	
	(v) Quantity used for process heating (tonne/year)	
	(vi) Total baggase cost for process (Rs. Million/year)	
7.3	Liquid	
	(A) Furnace Oil (F.O.)	
	(i) Gross calorific value (kCal/kg)	
	(ii) Quantity purchased (kL/year)	
	(iii) Quantity used for power generation (kL/year)	
	(iv) Quantity used as raw material, if any (kL/year)	
	(v) Quantity used for process heating (kL/year)	
	(vi) Total F.O. cost for process heating (Rs. Million/year)	
	(B) Low Sulphur Heavy Stock (LSHS)	
	(i) Gross calorific value (kCal/kg)	
	(ii) Quantity purchased (tonne/year)	
	(iii) Quantity used for power generation (tonne/year)	
	(iv) Quantity used as raw material,, if any (tonne/year)	
	(v) Quantity used for process heating (tonne/year)	
	(vi) Total LSHS cost for process heating (Rs. Million/year)	
	(C) High Sulphur Heavy Stock (HSHS)	
	(i) Gross calorific value (kCal/kg)	
	(ii) Quantity purchased (tonnes/year)	
	(iii) Quantity used for power generation (tonne/year)	
	(iv) Quantity used as raw material, if any (tonne/year)	
	(v) Quantity used for process heating (tonne/year)	
	(vi) Total HSHS cost for process heating (Rs. Million/year)	
	(D) Diesel Oil	
	(a) High Speed Diesel (HSD)	
	(i) Gross calorific value (kCal/kg)	
	(ii) Quantity purchased (kL/year)	

	(iii) Quantity used for power generation (tonne/year)	
	(iv) Quantity used as raw material, if any (kL/year)	
	(v) Quantity used for process heating (kL/year)	
	(vi) Total HSD cost for process heating (Rs. Million/year)	
	(b) Light Diesel Oil (LDO)	
	(i) Gross calorific value (kCal/kg)	
	(ii) Quantity purchased (kL/year)	
	(iii) Quantity used for power generation (kL/year)	
	(iv) Quantity used as raw material, if any (kL/year)	
	(v) Quantity used for process heating (kL/year)	
	(vi) Total LDO cost for process heating (Rs. Million/year)	
7.4	Gas	
	(A) Compressed Natural Gas (CNG)	
	(i) Gross calorific value (kCal/SCM)	
	(ii) Quantity purchased (million SCM/Year)	
	(iii) Quantity used for power generation (million SCM/year)	
	(iv) Quantity used as raw material,, if any (million SCM/year)	
	(v) Quantity used for process heating (million SCM/year)	
	(vi) Total cost of natural gas for process heating (Rs. Million/year)	
	(B) Liquefied Petroleum Gas (LPG)	
	(i) Gross calorific value (k Cal/SCM)	
	(ii) Quantity purchased (million SCM/year)	
	(iii) Quantity used for power generation (million SCM/year)	
	(iv) Quantity used as raw material,, if any (million SCM/year)	
	(v) Quantity used for process heating (million SCM/year)	
	(vi) Total cost of LPG for process heating (Rs. Million/year)	
	(C) Gas generated as by-product/waste in the plant and used as fuel	
	(i) Name,	
	(ii) Gross calorific value (kCal/SCM)	
	(iii) Quantity used for process heating (million SCM/year)	

	(iv) Total cost of by-product gas for process heating (Rs. Million/year)	
7.5	Solid waste	
	Solid waste generated in the plant and used as fuel	
	(i) Name	
	(ii) Gross calorific value (kCal/kg)	
	(iii) Quantity used for process heating (tonne/year)	
	(iv) Total cost of solid waste for process heating (Rs. Million/year)	
7.6	Liquid waste	
	Liquid effluent/waste generated in the plant and used as fuel	
	(i) Name	
	(ii) Gross calorific value (kCal/kg)	
	(iii) Quantity used for process heating (tonne/year)	
	(iv) Total cost of liquid effluent for process heating (Rs. Million/year)	
7.7	Others	
	(i) Name	
	(ii) Average gross calorific value (kCal/kg)	
	(iii) Quantity used for power generation (tonnes/year)	
	(iv) Quantity used for process hearing (tonnes/year)	
	(v) Annual cost of the others source	

Signature
Name of the energy manager
Name of the company
Full address
Seal

Signature
Name of the accredited energy auditor
Accreditation details
Seal

ANNEXURE 1 – NAME OF SECTORS

Aluminium, cement, chemicals, chlor-alkali, fertilizers, gas crackers, iron and steel, naphtha crackers, pulp and paper, petrochemicals, petroleum refineries, sugar, textile.

ANNEXURE 1 – NOMENCLATURE

HSD	High Speed Diesel

LDO	Light Diesel Oil
LSHS	Low Sulphur Heavy Stock
LSFO	Low Sulphur Furnace Oil
C	Coal
B	Biomass
E	Electricity
C/I	Coal Imported
C/F	Indian Coal grade F
NG	Natural Gas
PNG	Piped Natural Gas
CNG	Compressed Natural Gas
FO	Furnace Oil
LPG	Liquefied Petroleum Gas
SCM	Standard Cubic Metre (15^0C and 1.01325 bar)
KL	Kilo Litre
Million	Ten (10) lakh

FORM 2

DETAILS OF ACTION TAKEN ON RECOMMENDATIONS OF ACCREDITED ENERGY AUDITOR FOR IMPROVING ENERGY EFFICIENCY

[Refer Rule 3(1)(c)]

S.No.	Energy efficiency improvement measures — (suggested categories of areas of energy efficiency improvement for obtaining details of energy savings— Refer Annexure 3)	Investment Millions Rupees	Reasons for not implement-ing the measure	Date of completion of measure/likely completion	Lice cycle years	Annual energy savings				
						Oil	Gas	Coal	Electricity	Other
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										

Signature
Name of the energy manger
Name of the company
Full address
Contact person
Email address
Telephone/Fax numbers
Plant address

Signature
Name of the accredited energy auditor
Accreditation details
Seal

1. Estimate the predicted life of the measure, meaning the number of years the level of first year energy savings or even larger amounts will materialilse.
2. Life commercial units of litre, kg. tones, normal cubic meter, kWh or MWh and indicate the unit. Indicate the anticipated potential in energy savings.

ANNEXURE 3—SUGGESTED CATEGORIES OF AREAS OF ENERGY EFFICIENCY IMPROVEMENT FOR OBTAINING DETAILS OF ENERGY SAVINGS

1. Better house keeping measures
2. Installation of improved process monitoring and control instrumentation, or software
3. Fuel Handling System
4. Steam Generation System
5. Steam Distribution System
6. Electricity Generation System
7. Hot Water System
8. Compressed Air System
9. Raw/Process Water System
10. Cooling Water System
11. Process Cooling/Refrigeration System
12. Heating, Ventilation and Air Conditioning System
13. Electrical System
14. Lighting System
15. Melting/Heating/Drying Equipment (e.g. Furnaces, Heaters, Klins, Ovens, Dryers, Evaporators, etc.
16. Heat Exchangers
17. Pumps, Compressors, Fans, Blowers, Piping, Ducting
18. Process Equipment (e.g. Reactors, Separation Equipment, Material, Handling Equipment, etc.)
19. Transformers
20. Electric Motors and Drives
21. Process Technology
22. Process Integration
23. Process Control and Automation
24. Other Non-equipment Measures (e.g. Plant Operation/Scheduling, Tariff Schedule, etc.)
25. Recovery of waste heat for process heat or power generation
26. Retrofitting, modification or sizing of fans, blowers, pumps, including duct systems
27. Other.

FORM 3

[Refer rule 3(2)]

DETAILS OF ENERGY EFFICIENCY IMPROVEMENT MEASURES IMPLEMENTED, INVESMNTE MADE AND SAVINGS IN ENERGY ACHIEVED AND PROGRESS MADE IN THE IMPLEMENTATION OF OTHER RECOMMENDATIONS

A. Implemented

Sl. No.	Description of energy efficiency improvements measure	Category	Investment (Rupees)	Verified savings (Rupees)	Verified energy savings	Units	Fuel	Remarks
1								
2								
3								

B. Under implementation

Sl. No.	Description of energy efficiency improvements measure	Category	Investment (Rupees) estimated	Verified savings (Rupees) estimated	Verified energy savings estimated	Units	Fuel	Status of implementation
1								
2								
3								

Signature
Name of the energy manger
Name of the company
Full address
Contact person
Email address
Telephone/Fax numbers
Plant address

Signature
Name of the accredited energy auditor
Accreditation details
Seal

1. Use "C. No." column of form 2 as reference – See Annexure "3" for adoption.

2. First Year
3. Use conventional energy, volume or mass units with proper prefix K = 10^3, M = 10^6, G=10^9

THE ENERGY CONSERVATION (MANNER OF HOLDING INQUIRY) RULES, 2009

[GSR 25, dt. 21-3-2009]

In exercise of the powers conferred by Section 56 of the Energy Conservation Act, 2001 (52 of 2001), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement

(1) These rules may be called the Energy Conservation (Manner of Holding Inquiry) Rules, 2009.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

(1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Energy Conservation Act, 2001;

(b) "adjudicating officer" means the adjudicating officer appointed under Section 27;

(c) "section" means section of the Act.

(2) Words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Manner of holding inquiry by an adjudicating officer

(1) Whenever the State Commission appoints an adjudicating officer, a copy of the appointment order shall be provided to the person concerned.

(2) In holding the inquiry, the adjudicating officer shall, issue a notice containing the particulars of violations under Section 26 to the person concerned requiring him to appear before the adjudicating officer within twenty-one days from the date of issue of such notice.

(3) The adjudicating officer shall provide an opportunity to the concerned person to present his case.

(4) If the person concerned fails, neglects or refuses to appear before the adjudicating officer as required under sub-rule (2), the adjudicating officer may proceed with the inquiry in the absence of such person after recording the reasons for so doing.

(5) The adjudicating officer, while holding inquiry, shall follow as far as possible the same procedure as is followed in the proceedings of the State Commission in exercise of its powers and in discharge of its functions.

(6) The adjudicating officer shall complete the inquiry within sixty days from the date of issue of the notice referred to in sub-rule (2).

(7) Where the inquiry may not be completed within the period of sixty days, the adjudicating officer may, after recording reasons in writing, seek extension of time from the State Commission for a further period of sixty days.

(8) On completion of inquiry, the adjudicating officer shall record his findings and impose penalty accordingly.

THE ENERGY CONSERVATION (INSPECTION) RULES, 2010

[GSR 645(E), dt. 27-7-2010, w.e.f. 30-7-2010]

In exercise of the powers conferred by clause (m) of sub-section (2) of section 56 of the Energy Conservation Act, 2001 (52 of 2001), the Central Government, hereby makes the following rules, namely:—

1. Short title and commencement

(1) These rules may be called the Energy Conservation (Inspection) Rules, 2010.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

(1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Energy Conservation Act, 2001;

(b) "inspecting officer" means the inspecting officer appointed under sub-section (1) of section 17;

(c) "section" means section of the Act.

(2) Words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Inspecting Officer

(1) The designated agency may, appoint inspecting officer under sub-section (1) of section 17 from amongst the officers of the State Government not below the rank of the Deputy Secretary.

(2) The inspecting officer appointed under sub-section (1) of section 17 shall possess the qualifications specified for accredited energy auditors under clause (p) of sub-section (2) of section 13.

(3) An inspecting officer shall, at the time of carrying out inspection produce a certificate of appointment as an inspecting officer or an authority for undertaking such inspection.

(4) The inspecting officer, after recording reasons in writing, shall, wherever necessary, make consultation with accredited energy auditor, laboratory or professional organization approved by the Bureau for dealing with any one or more of the following matters relating to inspection, namely:—

(a) while carrying out inspections of manufacturer's premises for ensuring compliance with the provisions contained in clauses (a) and (d) of section 14;

(b) while testing samples of equipment specified under clause (b) of section 14;

(c) while inspecting consignments intended to be covered under clauses (a) and (b) of section 14;

(d) while carrying carry out inspection with regard to the matters specified in clause (c) of clause (d) or clause (h) or clause (i) or clause (k) or clause (l) or clause (n) or clause (r) or clause (s) of section 14 referred to in section 26.

(5) The inspecting officer during the course of inspection shall report on the strengths and weaknesses in the management of energy and energy resources and recommend action to improve upon the quality of reporting data, energy management system and measures to improve energy efficiency and reduce energy consumption.

4. Inspection of processes and equipment

(1) Where compliance to norms or energy consumption standards or display of particulars on label is required, the inspecting officer may, on receipt of directions from the designated agency, carry out inspection of the production processes or equipment.

(2) Inspection may be carried out at place of manufacture before dispatch, or at the place of its import into India, or at place of its sale.

(3) Inspection may include inspection of any operation carried on in connection with equipment or inspection of records of testing or testing of a sample or matters referred to in clause (d) of sub-rule (4) of rule 3.

5. Procedure for inspection

(1) No inspection shall be undertaken by an inspecting officer unless it has been authorised by the designated agency.

(2) The designated agency before issuing authority for inspection shall ensure that—

(a) information received for the purpose of inspection has been duly verified from the credible and reliable sources and the action proposed to be undertaken must be recorded in writing;

(b) notice has been given to the person concerned against whom the inspection is sought and a reasonable opportunity of being heard has been given to him;

(c) the inspecting officer shall record reasons for undertaking inspection and clearly bring out its need for discharge of his duty.

(3) Notwithstanding anything contained in sub-rule (2), the designated agency, if satisfied that there are adequate reasons for undertaking such inspection may, for reasons to be recorded in writing, issue the authority and directions to the inspecting officer to carry out the inspection.

(4) Every authority issued for inspection shall be in writing under the signature and seal of the designated agency.

(5) Each inspection shall be undertaken in the presence of two respectable witnesses.

(6) All documents prepared, samples identified for test-checking, directions issued for testing, statement recorded under sub-section (2) of section 17 in pursuance of inspection, shall be signed by the said witnesses.

(7) For inspection, a proper notice with reasonable time shall be issued by the inspecting officer.

(8) The samples inspected by the inspecting officer shall be marked with identification mark to establish their identity.

(9) Any statement made or information supplied or any evidence given to the inspecting officer during inspection under the provisions of sub-section (2) of section 17 shall be treated as confidential.

6. Inspection report

The inspecting officer shall prepare an inspection report, bringing out clearly the violations of the provisions of the Act or rules or regulations made thereunder along with his recommendations on the action to be taken in the matter and the report shall inter-alia include—

(a) age, condition, quality, status of obsolescence, and technology of the equipment generating, consuming, transmitting or supplying energy installed or used by the manufacturer including designated consumer;

(b) the extent to which the process, equipment and appliance comply with the energy consumption norms or the energy consumption standards notified by the Central Government in relation to such process or the equipment or appliance in terms of clause (a) of section 14;

(c) the equipment notified for affixation of labels thereon in compliance with the regulations made in that behalf;

(d) number of labeled equipments manufactured annually;

(e) whether labels are printed and displayed as per regulations made in that behalf;

(f) whether energy audit is being done regularly and as per procedure laid down in this behalf in compliance to clause (h) or clause (i) of section 14;

(g) whether the designated consumer is furnishing the information with regard to energy consumed and action taken on the recommendations of the accredited energy auditor in terms of Energy Conservation (Form and Manner and Time for Furnishing Information with Regard to Energy Consumed and Action Taken on Recommendations of Accredited Energy Auditor) Rules, 2008 under clause (k) of section 14;

(h) whether certified energy manager has been duly appointed by the designated consumer in terms of clause (l) of section 14, and a report is being submitted to the designated agency on regular basis under the Energy Conservation (the Form and Manner for Submission of Report on the Status of Energy Consumption by the Designated Consumers) Rules, 2007;

(i) whether the designated consumer, who does not fulfill the energy consumption norms and standards prescribed under clause (g) of section 14 has prepared a scheme for efficient use of energy and its conservation and is implementing the said scheme keeping in view the economic viability of the investment in compliance of clause (o) of section 14;

(j) his observations on any point which he considers necessary for the purpose of promotion of energy efficiency or its conservation and enforcement of the provisions of the Act, rules and regulations made thereunder.

7. Submission of report

(1) The inspection report shall be submitted to the designated agency.

(2) A copy of the inspection report shall be given to the chief executive officer of the designated agency and the person concerned, affording him an opportunity to prefer his defence against the course of action proposed, within thirty days of the receipt of the report or such date as may be indicated in the communication, whichever is later.

(3) The designated agency may, after taking into account the reply of the person concerned and after giving him an opportunity of being heard, give directions to theinspecting officer to initiate adjudication proceedings against the person concerned under section 27 for imposition of penalty under section 26.

THE BUREAU OF ENERGY EFFICIENCY (ADVISORY COMMITTEES) REGULATIONS, 2008

[Noti. No. 02-11(3)/05-BEE, dt. 25-11-2008]

Whereas certain draft regulations namely, the Bureau of Energy Efficiency (Advisory Committees) Regulations, 2008, were published vide Notification Number 02-11(3)-BEE, dated the 5thJune, 2008 in the Gazette of India, Extraordinary Part III, Section 4, dated the 12th June, 2008 as required under sub-section (1) of section 58 of the Energy Conservation Act, 2001 (52 of 2001) inviting objections or suggestions from all persons likely to be affected thereby within forty-five days from the date on which copies of the Gazette containing the said notification were made available to the public;

And Whereas Gazette copies of the said draft regulations were made available to the public on 12th June, 2008;

And Whereas no objection or suggestion has been received from any person in this regard;

Now, Therefore, in exercise of the powers conferred by clause (b) of sub-section (2) of section 58 of the said Act, the Bureau of Energy Efficiency with the previous approval of the Central Government, hereby makes the following regulations, namely:—

1. Short title and commencement

(1) These regulations may be called the Bureau of Energy Efficiency (Advisory Committees) Regulations, 2008.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

(1) In these regulations, unless the context otherwise requires,—

(a) "Act" means the Energy Conservation Act, 2001;

(b) "Advisory Committee" means the Advisory Committee constituted under regulation 3;

(c) "Director-General" means the Director General of the Bureau appointed under sub-section (1) of section 9;

(d) "Equipment" means the equipment or appliance, class of equipments or appliances which consumes, generates, transmits or supplies energy;

(e) "Secretary" means the Secretary of the Bureau appointed under sub-section (2) of the section 9;

(f) "section" means the section of the Act.

(2) Words and expressions used herein and not defined, but defined in the Act, shall have the meanings assigned to them in the Act.

3. Constitution of Advisory Committees

(1) For the purpose of sub-sections (1) and (2) of section 8, the following Advisory Committees are hereby constituted, namely:—

(a) the Management Advisory Committee;

(b) the Policy Advisory Committee.

(2) The Management Advisory Committee shall consist of the following members, namely:—

(a)	Secretary to the Government of India, in charge of the Ministry or Department of the Central Government dealing with the Power	—ex officio Chairperson;
(b)	Chairperson of the Central Electricity Authority constituted under the Electricity Act	—ex-officio Member;
(c)	Joint Secretary to the Government of India, in charge of energy conservation in the Ministry or	—ex-officio Member;

	Department of the Central Government dealing with the Power	
(d)	Joint Secretary and Financial Advisor to the Government of India in the Ministry or Department of the Central Government dealing with the Power	—ex-officio Member;
(e)	Joint Secretary to the Government of India, in the Ministry or Department of the Central Government dealing with the New and Renewable Energy Sources	—ex-officio Member;
(f)	Executive Director of the Petroleum Conservation Research Association, a society registered under the Societies Registration Act, 1860 (21 of 1860)	—ex-officio Member;
(g)	Deputy Director-General of the Bureau of Indian Standards established under the Bureau of Indian Standards Act, 1986 (63 of 1986)	—ex-officio Member;
(h)	Director-General of the Bureau	—ex-officio Member-Secretary.

(3) The Policy Advisory Committee shall consist of the following members, namely:—

(a)	Director General of the Bureau	—ex-officio Chairperson;
(b)	Joint Secretary to the Government of India in the Ministry or Department of the Central Government dealing with Power	—ex-officio Member;
(c)	Joint Secretary to the Government of India in the Ministry or Department of the Central Government dealing with Petroleum and Natural Gas	—ex-officio Member;
(d)	Joint Secretary to the Government of India in the Ministry or Department of the Central Government dealing with Coal	—ex-officio Member;
(e)	Joint Secretary to the Government of India in the Ministry or Department of the Central Government dealing with New and Renewable Energy Sources	—ex-officio Member;
(f)	Joint Secretary to the Government of India in the Ministry or Department of the Central Government dealing with Consumers Affairs	—ex-officio Member;
(g)	Joint Secretary to the Government of India in the Ministry or Department of the Central Government dealing with Environment and Forests	—ex-officio Member;
(h)	An officer not below the rank of Joint Secretary to the Government of India in the Ministry or Department of the Central Government dealing with Railways	—ex-officio Member;
(i)	Joint Secretary to the Government of India in the Ministry or Department of the Central Government dealing with Civil Aviation	—ex-officio Member;
(j)	Joint Secretary to the Government of India in the Ministry or Department of the Central Government dealing with Industry	—ex-officio Member;

(k)	Joint Secretary to the Government of India in the Ministry or Department of the Central Government dealing with Agriculture	—ex-officio Member;
(l)	Director-General, Confederation of Indian Industry, New Delhi	—Member;
(m)	Secretary-General, Electric Lamp and Component Manufacturers' Association of India, New Delhi	—Member;
(n)	President, Indian Electrical and Electronics Manufacturers' Association, Mumbai	—Member;
(o)	President, Confederation of Real Estate Developers Association of India, New Delhi	—Member;
(p)	President, Indian Society of Heating, Refrigerating and Air Conditioning Engineers, New Delhi	—Member;
(q)	President, Refrigeration and Air Conditioning Manufacturers' Association of India, New Delhi	—Member;
(r)	Chief Operating Officer, Voluntary Organisation in the Interest of Consumer Education, New Delhi	—Member;
(s)	One energy specialist of standing, having five years' experience in dealing with matters relating to energy conservation or energy efficiency	—Member;
(t)	One energy specialist of standing,, having five years' experience in dealing with matters relating to electricity generation, transmission and distribution	—Member;
(u)	Secretary of the Bureau	—ex-officio Member-Secretary.

4. Functions of Advisory Committees

(1) The Advisory Committees shall have the following functions, namely:—

(a) The Management Advisory Committee shall advise the Bureau on matters relating to—

(i) finance, personnel, administrative and policy matters;

(ii) programmes or schemes relating to or in connection with implementation of the Energy Conservation Act.

(b) The Policy Advisory Committee shall advise the Bureau on matters relating to—

(i) research and development studies for identification of energy saving potential in end uses of energy, including buildings in industrial, commercial, domestic and agricultural sectors and development of programmes for their realisation;

(ii) balanced growth in energy consumption to sustain economic growth caused by accelerated industrialisation, urbanisation and rural electrification taking into consideration, the comfort, health, and productivity of the users of energy;

(iii) improving energy efficiency in the generation and use of electricity, energy efficient processes, equipment, devices and systems and sustainable use of energy resources to optimise efficient use of energy and its conservation in all sectors of economy contributing to sustainable energy management;

(iv) strengthen the capabilities of professionals dealing with energy efficiency or its conservation, and consultancy services in the field of energy efficiency or its conservation;

(v) measures necessary to create awareness and disseminate information for efficient use of energy and its conservation;

(vi) promotion of testing facilities for certification and testing for energy consumption of equipment and appliances, and development of testing and certification procedures;

(vii) norms for processes and energy consumption standards for any equipment, appliance which consumes, generates, transmits or supplies energy;

(viii) any other matter relating to the functions of the Bureau.

(2) he recommendations of each Advisory Committee shall be placed before the Governing Council for necessary directions.

5. Tenure of Policy Advisory Committee

(1) he term of the Policy Advisory Committee shall be three years.

(2) he term of Members specified in clauses (l) to (t) of sub-regulation (3) of regulation 3 shall be three years.

(3) he Members shall be eligible for reappointment.

6. Resignation and removal

(1) Any Member of the Advisory Committee may resign his office by forwarding his letter of resignation to the Bureau under his own hand and such resignation shall take effect from the date of its acceptance by the Bureau or on the expiry of period of one month from the date of its receipt by the Bureau, whichever is earlier.

(2) A Member shall not be removed from his office except by an order of the Bureau on the ground of proved misbehaviour or incapacity after an inquiry made by such person as the Bureau may appoint for the purpose in which the Chairperson or the Member concerned, has been informed of the charge against him and given a reasonable
opportunity of being heard in respect of such charge.

7. Meetings of Advisory Committee

Each Advisory Committee shall meet at least once in every year.

8. Notice and agenda of the meeting

(1) A notice of not less than seven days, from the date of issue, shall be ordinarily given to the members of each meeting of the Advisory Committee.

(2) Every notice of an Advisory Committee meeting shall specify the place and the day and hour of the meeting.

(3) The Chairperson of the Advisory Committee shall cause to be prepared and circulated to the Members an agenda for the meeting not later than three days before the meeting.

9. Minutes of meetings

The minutes of the proceedings of each meeting shall be circulated to each Member of the Advisory Committee and shall be confirmed at the next meeting with or without modifications, as the case may be.

10. Quorum for meeting

The quorum necessary for transaction of business at a meeting of the Advisory Committee shall be one-third of the total number of Members of the Committee besides the Chairperson.

11. Filling of vacancy

(1) A vacancy on the Policy Advisory Committee caused by resignation, or otherwise, of the Chairperson or a Member shall be filled up in terms of regulation 3.

(2) The person so appointed under sub-regulation (1) shall hold office only for the remaining term of the outgoing member.

12. Fee and allowances payable to Members of Policy Advisory Committee

The Members of the Policy Advisory Committee specified in clauses (l) to (t) of sub-regulation (3) of regulation 3, while travelling for attending a meeting of the Advisory Committee or in connection with any official assignment given to them shall be entitled to fee and allowances on par with fee and allowances payable to members of
the Governing Council.

THE BUREAU OF ENERGY EFFICIENCY (PARTICULARS AND MANNER OF THEIR DISPLAY ON LABELS OF HOUSEHOLD FROST FREE REFRIGERATORS) REGULATIONS, 2009

[Notification No. 2/11(5)/03-BEE.-4, dt. 6-7-2009]

Whereas the draft regulations namely, the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Household Frost Free Refrigerators) Regulations,2009, were published vide notification number 2/11(5)/03-BEE.-4, dated 12thJanuary, 2009, in the Gazette of India, Extraordinary, Part III, section 4, dated the 12th January, 2009, as required under sub-section (1) of section 58 of the Energy Conservation Act, 2001 (52 of 2001), inviting objections or suggestions from persons likely to be affected thereby within the specified period of forty-five days from the date of publication of the said notification in the Official Gazette;

And Whereas copies of the said draft regulations were made available to the public on the 12th January, 2009;

And Whereas suggestions have been received with respect to the said draft regulations within the specified period aforesaid; And Whereas the suggestions received in this regard have been taken into consideration;

Now, Therefore, in exercise of the powers conferred by clause (i) of sub-section (2) of section 58 read with clause (d) of section 14 of the said Act, the Bureau, with the previous approval of the Central Government, hereby makes the following regulations, namely:—

1. Short title and commencement

(1) These regulations may be called the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Household Frost Free Refrigerators) Regulations, 2009.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

(1) In these regulations, unless the context otherwise requires,—

(a) "Act" means the Energy Conservation Act, 2001;

(b) "label" means any written, printed, marked, stamped or graphic matter affixed to, or appearing upon, household frost free refrigerator;

(c) "models" mean the range of models of one particular brand to which a single set of test reports is applicable and where each of the models has the same physical characteristics, comparative energy consumption, energy efficiency rating and performance characteristics and includes family of models;

(d) "Model variant" means a model which has the same sales specification, model number and designation as another model, and offers the same level of performance except that it has different projected annual energy consumption and may have a different star rating;

(e) "household frost free refrigerators" means refrigerators with frost free system in which cooling is provided by forced air circulation and the evaporators are defrosted by an automatic defrosting system and shall include the systems and characteristics specified in clauses 3.1, 3.1.1, 3.1.2, 3.1.2.1, 3.1.2.2, 3.1.3 and 3.15 of IS 15750:2006;

(f) "star rating or star level" means the grade of energy efficiency displayed on the label of household frost free refrigerator on the basis of comparative energy consumption with reference to fixed volume.

(2) Words and expressions used herein and not defined, but defined in the Act, shall have meanings respectively assigned to them in the Act.

3. Particulars to be displayed on the label

On every household frost free refrigerator, the following particulars shall be displayed, namely:—

(i) the logo of the Bureau of Energy Efficiency;
(ii) name of manufacturer or importer and brand;
(iii) gross volume;
(iv) storage volume;
(v) model and year of manufacturing or import;
(vi) authority number;
(vii) electricity consumption in units per year;
(viii) star level of household frost free refrigerator.

(2) The design, colour, size and content of label shall be as specified in the Schedule annexed to these regulations.

4. Time limit for display of labels

A label containing particulars specified in Regulation 3 shall be displayed on every household frost free refrigerator within a period of six months from the date of coming into force of these regulations.

5. Manner of display of label

(1) Every household frost free refrigerator shall display label at the time of sale and such label shall be either adhered to, or attached as a swing tag, on it.

(2) For units not on display, the label may be attached to the exterior of the casing and the label may be attached to the unit when the unit is removed from its packaging or the label may be included as a part of the documentation given to the customer or user.

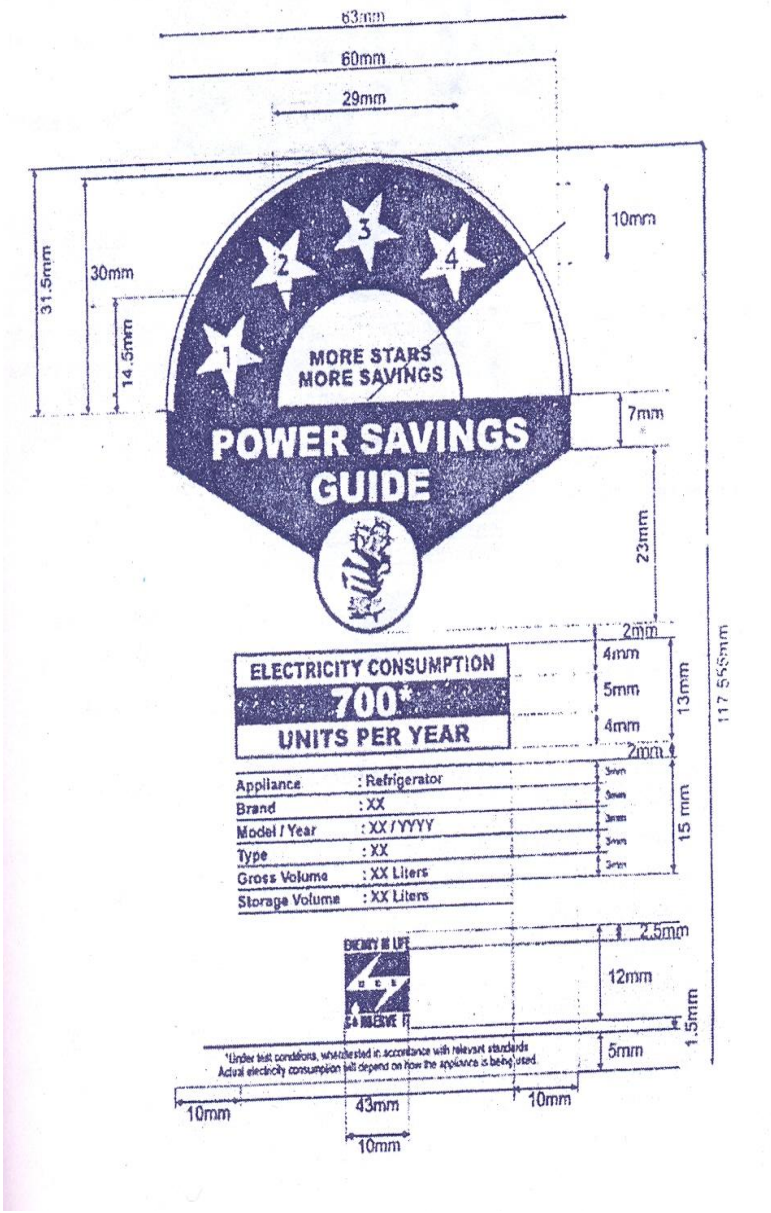
SCHEDULE

[Refer Regulation 3(2)]

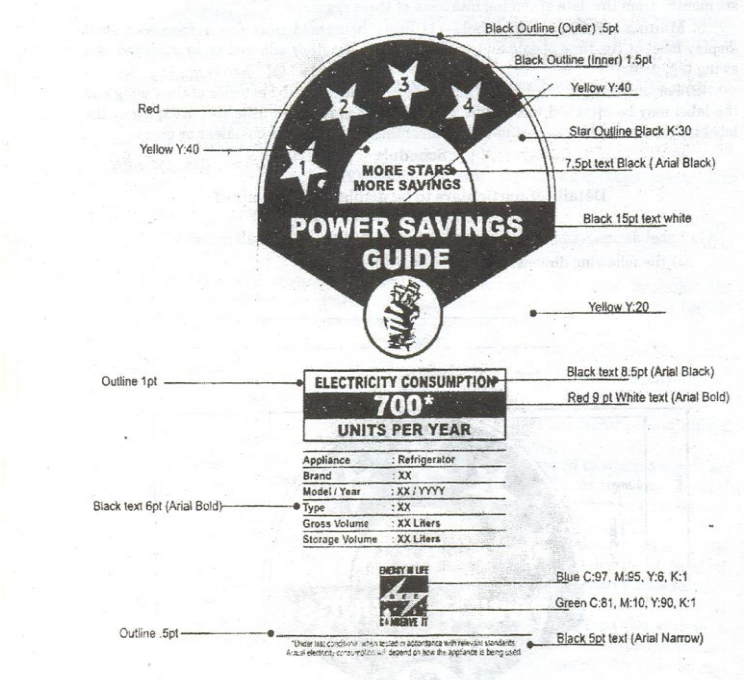
Details of particulars to be displayed on labels of household frost free refrigerators

(1) Label design, size, colour scheme and content of the label shall include—

(i) The following dimensional design of label, namely:—

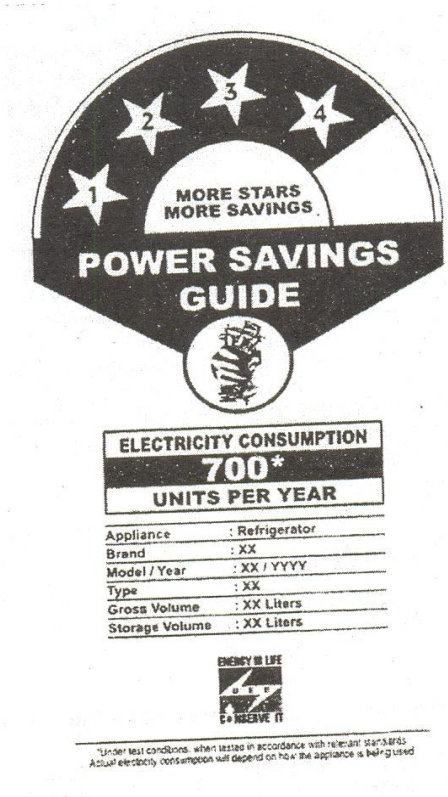


(ii) The following colour scheme for the label, namely:—



(iii) The following colour scheme for Bureau's logo, namely:—
BLUE-C
Hue(H)-239<198> Saturation(S): 64% Brightness(B): 59%
Luminance or lightness(L): 28, Chromatic components -a:24 b:54
Red(R): 54 Green(G): 55Blue(B): 151
Cyan(C): 97% Magenta(M): 95%Yellow(Y): 6%Black(K): 1%
Web colour code = #363797
GREEN
Hue(H)-150<198> Saturation(S): 10% Brightness(B): 67%
Luminance or lightness(L): 61, Chromatic components -a:53 b:32
Red(R): 0 Green(G): 170Blue(B): 87
Cyan(C):81% Magenta(M): 10% Yellow(Y): 90%Black(K): 1%
Web colour code = #00AA56;

(iv) The following complete specimen of a printed label for household frost free refrigerator, namely:



(2) Material of the label shall be of durable cardboard if it is to be attached as a swing tag or be self-adhesive.

THE BUREAU OF ENERGY EFFICIENCY (PARTICULARS AND MANNER OF THEIR DISPLAY ON LABELS OF TUBULAR FLUORESCENT LAMPS) REGULATIONS, 2009

[Notification No. 2/11(5)/03-BEE-1, dt. 6-7-2009]
(As amended vide Noti. No. 2/11(5)/03-BEE-1, dt. 5-1-2010, w.e.f. 5-1-2010)

Whereas the draft regulations namely, the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Tubular Fluorescent Lamps) Regulations, 2009, were published vide notification number 2/11(5)/03-BEE.-1, dated 12thJanuary, 2009, in the Gazette of India, Extraordinary, Part III, section 4, dated the 12th January, 2009, as required under sub-section (1) of section 58 of the Energy Conservation Act, 2001 (52 of 2001), inviting objections or suggestions from persons likely to be affected thereby within the specified period of forty-five days from the date of publication of the said notification in the Official Gazette;

And Whereas copies of the said draft regulations were made available to the public on the 12th January, 2009;

And Whereas no suggestion or objection has been received with respect to the said draft regulations within the specified period aforesaid;

Now, Therefore, in exercise of the powers conferred by clause (i) of sub-section (2) of section 58 read with clause (d) of section 14 of the said Act, the Bureau, with the previous approval of the Central Government, hereby makes the following regulations, namely:—

1. Short title and commencement

(1) These regulations may be called the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Tubular Fluorescent Lamps) Regulations, 2009.

(2) They shall come into force on the date of their publication in the Official Gazette

2. Definitions

(1) In these regulations, unless the context otherwise requires,—

(a) "Act" means the Energy Conservation Act, 2001;

(aa) "Form" means a form appended to these regulations;

(b) "label" means any written, printed, marked, stamped or graphic matter affixed to, or appearing upon, the tubular fluorescent lamp;

(c) "models" mean the range of models of one particular brand to which a single set of test reports is applicable and where each of the models has the same physical characteristics, comparative energy consumption, energy efficiency rating and performance characteristics and includes family of models;

(ca) "permitee" means a person to whom permission has been granted under Regulation 7;

(d) "star rating or star level" means the level of energy efficiency displayed on the label of the tubular fluorescent lamp on the basis of light output in lumens per watt of energy consumption;

(e) "tubular fluorescent lamp" means the tubular fluorescent lamp of 1200 millimetres in size consuming energy up to forty watts covering colour temperature of 6500 Kelvin for halo-phosphate category and 2700 Kelvin, 4000 Kelvin and 6500 Kelvin for tri-phosphate categories.

(2) Words and expressions used herein and not defined, but defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. Particulars to be displayed on the label

(1) On every tubular fluorescent lamp the following particulars shall be displayed on its label, namely:—

(a) the logo of the Bureau of Energy Efficiency;
(b) size of tubular fluorescent lamp and colour temperature;
(c) trade name and number;
(d) model and year of manufacturing or import;
(e) name of manufacturer/importer and brand;
(f) authority number;
(g) power consumption in watts;
(h) star level of the tubular fluorescent lamp.

(2) The design, colour, size and content of label shall be as specified in Schedule annexed to these regulations.

4. Time limit for display of labels

A label containing particulars specified in regulation 3 shall be displayed on every tubular fluorescent lamp within a period of six months from the date of coming into force of these regulations.

5. Manner of display of label

(1) On every tubular fluorescent lamp, the label shall be stamped as follows, namely:—

(i) the label with colour programme after photographic reduction to 16 millimetre height shall be printed on the sleeve;
(ii) all the manufacturers and importers would mark the colour temperature on the sleeve;
(iii) the star marking as per the rating is requiredto be stamped on the tubular fluorescent lamp where the size of the stamp for the star marking shall be 14.5 millimetre height by 8.5 millimetre width and the same shall be stamped in a separate column.

6. Permission for display of label

(1) No label shall be affixed on a tubular fluorescent lamp without obtaining the permission of the Bureau.

(2) For the purpose of obtaining permission of the Bureau under sub-regulation (1), an application shall be made in Form I or in electronic Form:

PROVIDED that separate application shall be made for each model of tubular fluorescent lamp.

(3) Every application under sub-regulation (2) shall be accompanied by—

(a) an application fee of Rupees One thousand payable by demand draft drawn in favour of the Bureau of Energy Efficiency, New Delhi or by any electronic mode of payment:
(b) a label Security Fee of Rupees One lakh payable by demand draft drawn in favour of the Bureau of Energy Efficiency, New Delhi or by any electronic mode of payment; and
(c) documents specified therein.

7. Grant of permission

(1) On receipt of an application under regulation 6 and after being satisfied that all requirements therein are complied with, the Bureau may, within a period of one month from the date of such receipt, grant, subject to such terms and conditions as are specified in regulation 8, permission for affixing label on tubular fluorescent lamp in Form II or in electronic form:

(2) The Bureau shall maintain a register in Form III and enter the name of permittee therein.

(3) The permission so granted under sub-regulation (1) shall be valid for a period of three years and may be renewed for a further period of three years by the Bureau.

(4) An application for renewal of permission shall be made at least three months before its expiry and shall be accompanied by a fee of Rupees five hundred payable by demand draft drawn in favour of the Bureau of Energy Efficiency, New Delhi or by any electronic mode of payment.

(5) On receipt of application for renewal under sub-regulation (4) and after being satisfied that all requirements are complied with, the Bureau may, within a period of one month from the date of such receipt, renew permission in Form II.

8. Terms and conditions for display of particulars on label

Every permittee shall comply with the following terms and conditions, namely:—

(a) the star level displayed on the label of the tubular fluorescent lamp shall conform to energy consumption standards for tubular fluorescent lamp notified under clause (a) Section 14 of the Act;

(b) the label shall be affixed only on such model of tubular fluorescent lamps for which permission has been granted;

(c) the label shall be printed and affixed on the tubular fluorescent lamps at the cost of the permittee;

(d) the permittee shall ensure that the star level displayed on the label of tubular fluorescent lamp shall be maintained at all time;

(e) the permittee shall pay the label fee as specified in regulation 9;

(f) the permittee shall furnish to the Bureau a statement containing details of production of labelled equipment and the accrued labelling fee due for each quarter within the following month of the close of each quarter of the financial year;

(g) the permittee shall comply with such other terms and conditions which the Bureau may specify.

9. Label Fee

(1) Every permittee shall pay to the Bureau a label fee of five paisa on each label affixed on the tubular fluorescent lamp. (2) The label fee specified under sub-regulation (1) shall be paid annually within one month from the date of closure of each financial year:

PROVIDED that on failure to pay the label fee within the period so specified, the Bureau may recover the amount due with interest thereon at ten percent from the Label Security Fee paid under clause (b) of sub-regulation (3) of regulation 6.

10. Refund of Label Security Fee

Subject to the proviso to sub-regulation (2) of regulation 9, a permittee shall be entitled to a refund of the Label Security Fee on ceasing to manufacture tubular fluorescent lamp.

11. Verification by the Bureau

(1) The Bureau may, either *suo motu*, or on the complaint received by it, carry out verification to ensure that the tubular fluorescent lamp conforms to the star level and other particulars displayed on its label and that it complies with the other terms and conditions of permission.

(2) Where upon a complaint received under sub-regulation (1), the Bureau is required to carry out verification by testing the tubular fluorescent lamp in a laboratory, a notice shall be issued to the permittee for carrying out such testing and the complainant shall be called upon to deposit such expenses relating to testing, transportation and other incidental expenses with the Bureau, within such time, as may be determined by it.

(3) Where samples of tubular fluorescent lamps used for testing fails the test, the permittee shall be afforded another opportunity and the Bureau shall conduct a second test with twice the quantity of tubular fluorescent lamps used in the first test, at the cost of the permittee.

(4) Where the second test also fails, the Bureau shall direct that the permittee shall, within a period of two months—

(a) correct the star level displayed on the label of the tubular fluorescent lamps or remove the defects and deficiencies found during testing;

(b) withdraw all the stocks from the market to comply with the directions of the Bureau; and

(c) change the particulars displayed on advertising material.

(5) Where thepermittee fails to comply with the directions issued by the Bureau under sub-regulation (4), the Bureau shall—

(a) withdraw the permission;

(b) notify the consumers in such manner as it deems fit;

(c) initiate adjudication proceedings against such permittee under section 27 of the Act.

12. Cancellation of Permission

The Bureau may cancel the permission granted under regulation 7 if the permittee—

(a) fails to comply with any of the terms and conditions specified under regulation 8;

(b) fails to pay label fee within the period specified under regulation 9.

FORM I

[Refer Regulation 6]

Application for permission to affix label on tubular fluorescent lamps under the Bureau of Energy Efficiency (Particulars and Manner of their Display on Label of Tubular Fluorescent Lamps) Regulations, 2009

To,

The Director General
Bureau of Energy Efficiency
(Ministry of Power, Government of India)
4th Floor, Sewa Bhawan,
Sector-I, R.K. Puram
New Delhi - 110066
India

1. I/We are the manufacturers of tubular fluorescent lamp carrying on business at ..... (full business address) under the style of ..... (full name of individual or firm) hereby apply for permission of affix label on tubular fluorescent lamps as specified by the Bureau in the Bureau of Energy Efficiency (Particulars and Manner of their Display on the Label of Tubular Fluorescent Lamps) Regulations, 2009.
2. Manufacturing Facility : The above equipment is manufactured or imported by ..... (name of the company) and is manufactured at ..... (Name and address of the factory).
3. Details of Information : The details of the information in respect of the equipment, company, manufacturing facility, certification for test, products, labels and payment is given in Annexure. A photocopy of the certificate of incorporation issued by the Registrar of Firms or Societies/Director of Industries (in case of Small Scale Units) or similar other documents authenticating the name of the firm and its manufacturing premises is enclosed.

(a) Applicant : ..... (Name and Designation) is authorised to make this application on behalf of the company/firm etc. and will be responsible for accuracy of the information supplied with this application.

(b) Contact Person : ..... (Name and Designation) is authorised contact person for coordination with the Bureau in respect of this application and use of the label.

(c) I/We undertake to intimate to the Bureau of any change in the authorized persons defined in (a) or (b) above as soon as it takes place.

4. Conformation to Quality Standards : I/We conform to the Bureau of Indian Standard/other International Standards in respect of Quality System/ Other Standards in accordance with IS/Others (name and number of the standard) ..... as specified in the Notification on .....(title of the Notification) for the ..... (name of the equipment). A copy of the Licence/Certificate in respect of the above equipment is enclosed. I/We have testing arrangements at ..... (Name and address of the laboratory) for ensuring consistency in quality of the equipment.

Lab details:

(a) Tests details: (Test procedures/name/number)

(b) Accreditation status:

(c) Bureau of Energy Efficiency approval:

5. Production and sales figures of the said equipment and the value thereof to the best of my/our knowledge and estimates are as follows:

Year	*Production*	*Sales*	*MRP of the equipment (Rs.)*
Last Year from.....to..... Current Year from..... to..... (estimate)			

6. (a) An application fee of Rupees One thousand ..... has been paid by D.D. No. ..... dated...../electronic mode.

(b) A Label Security Fee of Rupees One lakh..... has been paid by D.D. No. ..... dated...../electronic mode.

(c) I/We agree to pay the labelling fee of five paisa per label.

7. I/We agree to abide by all the terms and conditions specified by the Bureau and extend necessary assistance/co-operation to the Bureau in case of any enquiry to be made by it.

8. I/We authorise the Bureau of Energy Efficiency for selection of sample for verification and challenge testing and agree to abide by the directions of the Bureau in this regard.

9. I/We undertake that the information supplied in this application is accurate to the best of my knowledge, and if any of the information supplied be found to be incorrect; the application may be rejected forthwith.

Date this ..... day of ..... (Year)

Signature .....
Name .....
Designation .....
For and on behalf of.....
(Name of the firm)
SEAL OF FIRM

ANNEXURE

[Refer Para 3 of Form I]

Details of Information

1. Details of the Equipment
Name of Manufacturer and Brand
Size of Tubular Fluorescent Lamp in millimetres
Colour temperature of Tubular Fluorescent Lamp
Trade name of the Tubular Fluorescent Lamp
Model and Year of manufacturing
Registration No. and Date of the Trade Mark(s)
Rating of the Tubular Fluorescent Lamp in watts
Additional information (Tubular Fluorescent Lamp colour temperature)
ISI Certificate details (Attach copy of the certificate)
Quality System Certificate details (Attach copy of the certificate)

Sl. No.	Model Name/No.	Measured Luminous Efficacy	Rated Luminous Efficacy	Star Level or Efficiency level declared	Remarks

2. Details of the Company

Name of the Company	
Address	
Pin Code	
State	
Phone No.	
Fax No.	
E-mail	
Website	

3. Details of the manufacturing facility

Address
Pin Code
State
Phone No.
Fax No.
E-mail
Website
Any other details

4. Certification for test details

Name of the Test standard, No. and Year	

Name of the Test Laboratory	
Accreditation Status (Attach copy of the accreditation certificate)	
Address	
Pin Code	
State	
Phone No.	
Fax No.	
E-mail	
Website	

5. Product Details

Date of commencement	
Number of labels applied for BEE for the first year— For the second year— For the third year—	
Production Serial No.	From ..... to .....
Test report	
Sample Label	

6. Label Details

Star Rating/Star level	
Other information displayed on the label on the outer case	

7. Payment details, if proposed to pay in advance (Optional)

No. of Labels	Labelling fee per unit	Total Amount/Details of Payment
		Amount: Crossed Demand Draft details: Date:

Date

Signature .....
Name .....
Designation .....
For and on behalf of .....
.....
(Name of the firm)
SEAL OF FIRM

FORM II

[Refer Regulation 7]

Permission/Renewal of Permission

No.

Bureau of Energy Efficiency

New Delhi, Dated.....

To

.....

.....

.....

1. Pursuant to the provisions of Regulation 7 of the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Tubular Fluorescent Lamps) Regulations, 2009, the Bureau hereby permits you to affix label as per details of approvals set out in the Annexure.

2. This permission is subject to—

(a) the star level displayed on the label of the tubular fluorescent lamp shall conform to energy consumption standards for tubular fluorescent lamp notified under clause (a) of section 14 of the Act;

(b) the label shall be affixed only on such model of tubular fluorescent lamps for which permission has been granted;

(c) the label shall be printedand affixed on the tubular fluorescent lamps at the cost of the permittee;

(d) the permittee shall ensure that the star level displayed on the tubular fluorescent lamps shall be maintained at all time;

(e) the permittee shall pay the label fee of five paisa per label;

(f) the permittee shall furnish to the Bureau a statement containing details of production of labelled equipment and the accrued labelling fee due for each quarter within the following month of the close of each quarter of the financial year. The same details shall be furnished to the Bureau also through automated system;

(g) the permittee shall make available such other details of tubular fluorescent lamp as and when sought by the Bureau of which the permission has been granted.

3. This permission shall be valid from ..... to ..... and may be renewed as prescribed. You shall not withdraw the tubular fluorescent lamp from the market during the validity period of permission except with the prior approval of the Bureau.

4. The unique label series code for the equipment is..... and should appear on the label as per the approved design.

5. Where the star level plan or review is modified by the Bureau and the star level of the tubular fluorescent lamp stand modified, you shall seek the permission afresh.

6. Signed, sealed and dated this..... day of month..... year.

(Secretary)

Bureau of Energy Efficiency

ANNEXURE

[Refer Para 1 for Form II]

Details of Approvals

1. Details of the Equipment

Size of Tubular Fluorescent Lamp in millimetres

Colour temperature of Tubular Fluorescent Lamp

Year of manufacturing

Registration No. and Date of the Trade Mark(s)

Rating of the Tubular Fluorescent Lamps in watts

Additional information (Tubular Fluorescent Lamp colour temperature)

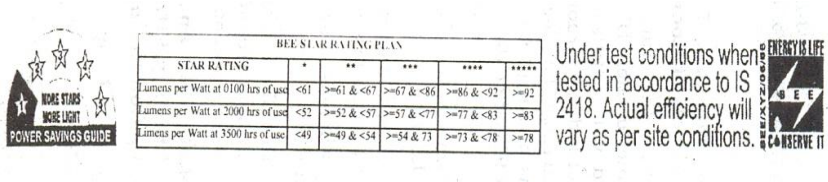
Sl. No.	Model Name/No.	Measured Luminous Efficacy	Rated Luminous Efficacy	Star Level or Efficiency level declared	Remarks

2. Label Details

Star Rating/Star level	
Other information displayed on the label on the outer case	
Unique label series code,	

3. Approval specimen of start marking label to be stamped on the outer casing and the sleeve

1. Outer Casing



The unique label series code provided in the letter has to be mentioned in the label affixed on the outer casing of the tubular fluorescent lamp.

2. Sleeve



4. The label design, size, colour scheme, and the content of the label and colour scheme of the Bureau's logo shall be as specified in the Schedule to the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Tubular Fluorescent Lamps) Regulations, 2009.

Date

Signature .....
Name .....
Designation .....
For and on behalf of .....
.....
(Name of the firm)
SEAL OF FIRM

FORM III

[Refer Regulation 7(2)]

Register of Permittees

Sl. No.	*Application No. and Date of Permission*	*Name and details of the permittee (Contact Person, Address, Pin Code, State, Phone No., Fax No., E-mail, Website)*	*Details of equipment for which the permission has been granted*	*Star level or Efficiency level declared,*	*BEE permission number and unique label series*	*Period for which the permission has been granted*
1	2	3	4	5	6	7

Amount of Label Security Fee	*Label Security Fee received by (Cross Demand Draft*	*Application Fees, details of Amount received (Cross*

	(Details) Electronic transaction (Details): Date:)	*Demand Draft (Details)/Electronic transaction (Details) : Date :)*
8	9	10

Number of labels affixed at the end of each financial year	Amount of labeling fee due	Labelling fees details of Amount received (Cross Demand Draft (Details)/Electronic transaction (Details): Date:),	Remarks
11	12	13	14

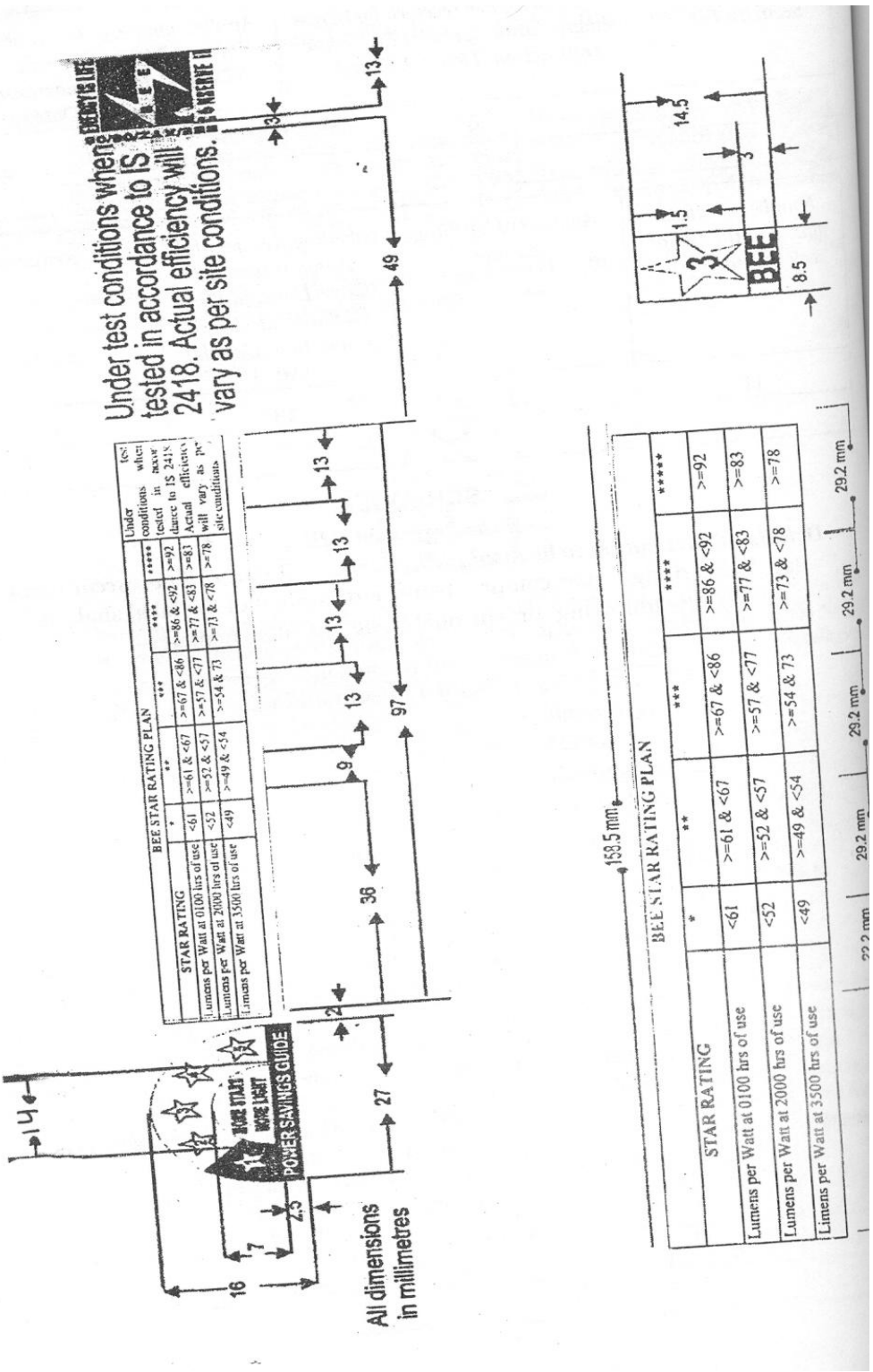
SCHEDULE

[Refer Regulation 3(2)]

Details of particulars to be displayed on label of Tubular Fluorescent Lamp

(a) Label design, size, colour scheme andcontent of the label shall include—

(i) the following dimensional design of label, namely:—

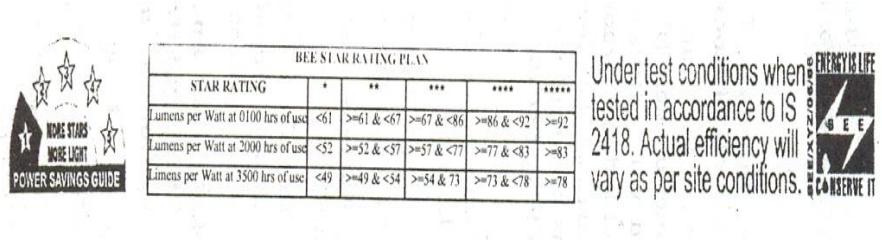


(ii) the following colour scheme for the label, namely:—
NAVY BLUE—Hue - 240<198> Saturation 100% Brightness 40% (Red - 0, Green - 0, Blue - 102)
GREEN— Hue - 150<198> Saturation 100% Brightness 65% (Red - 0, Green - 165, Blue - 83)

Note : Bottom of BEE logo and star filler in GREEN colour only. All fonts and top of BEE logo in NAVY BLUE

(iii) the following colour scheme for Bureau's logo, namely:—
BLUE—
Hue (H) - 239<198> Saturation (S) : 64% Brightness (B) : 59%
Luminance or lightness (L) : 28, chromatic components -a:24 b:54
Red (R) : 54 Green (G): 55 Blue (B): 151
Cyan (C): 97% Magenta (M): 95% Yellow (Y): 6% Black (K): 1%
Web colour code - 363797
GREEN—
Hue (H) - 150<198> Saturation (S): 10% Brightness (B): 67%
Luminance or lightness (L): 61, chromatic components -a:-53
b:32
Red (R): 0 Green (G): 170 Blue (B): 87
Cyan (C) 81% Magenta (M): 10% Yellow (Y): 90% Black (K): 1%
Web colour code - 00AA56;

(iv) the following complete specimen of a printed label for room tubular fluorescent lamp on the casing when not on display, namely:—



(b)
The following complete specimen of star marking label for tubular fluorescent lamp stamped on the sleeve, namely:—



THE BUREAU OF ENERGY EFFICIENCY (PARTICULARS AND MANNER OF THEIR DISPLAY ON LABELS OF ROOM AIR CONDITIONERS) REGULATIONS, 2009

[Notification No. 2/11(5)/03-BEE-2, dt. 6-7-2009]

(As amended vide Noti. No. 2/11(5)/03-BEE-2, dt. 5-1-2010, w.e.f. 5-1-2010)

Whereas the draft regulations namely, the Bureau of Energy Efficiency (Particularsand Manner of their Display on Labels of Room Air Conditioners) Regulations, 2009, were published vide notification number 2/11(5)/03-BEE-2, dated 12th January, 2009, in the Gazette of India, Extraordinary, Part III, section 4, dated the 12th January, 2009, asrequired under sub-section (1) of section 58 of the Energy Conservation Act, 2001 (52 of 2001), inviting objections or suggestions from persons likely to be affected thereby within the specified period of forty-five days from the date of publication of the said notification in the Official Gazette;

And Whereas copies of the said draft regulations were made available to the public on the 12th January, 2009; And Whereas suggestions have been received with respect to the said draft regulations within the specified period aforesaid;

And Whereas the suggestions received in this regard have been taken into consideration;

Now, Therefore, in exercise of the powers conferred by clause (i) of sub-section (2) of section 58 read with clause (d) of section 14 of the said Act, the Bureau, with the previous approval of the Central Government, hereby makes the following regulations, namely:—

1. Short title and commencement

(1) These regulations may be called the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Room Air Conditioners)
Regulations, 2009.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

(1) In these regulations, unless the context otherwise requires,—

(a) "Act" means the Energy Conservation Act, 2001;

(aa) "Form" means a form appended to these regulations;

(b) "label" means any written, printed, marked, stamped or graphic matter affixed to, or appearing upon, room air conditioner;

(c) "models" mean the range of models of one particular brand to which a single set of test reports is applicable and where each of the models has the same physical characteristics, comparative, energy consumption, energy efficiency level and performance characteristics and includes family of models;

(ca) "permitee" means a person to whom permission has been granted under regulation 7;

(d) "room air conditioner" means air conditioner of the vapour compression type for household use up to a rated cooling capacity of 10,465 watts or 9000 kcal/hour and shall include single-phase split and unitary air conditioners covered within the scope of IS 1391 (Part 1): 1992, and IS 1391 (Part 2): 1992, but shall not include such other room air conditioner which is not covered within the scope of IS 1391 (Part 1): 1992, and IS 1391 (Part 2): 1992, pending the development of a suitable test method or multi-split systems having more than one indoor unit with an independent control for each indoor unit or have evaporative cooler or any other cooling systems which are not of the vapour compression type;

(e) "star rating or star level" means the grade of energy efficiency displayed on the label of the room air conditioner based on energy consumption to denote the energy efficiency of the air conditioner.

(2) Words and expressions used herein and not defined, but defined in the Act, shall have meanings respectively assigned to them in the Act.

3. Particulars to be displayed on the labels

(1) One every room air conditioner, the following particulars shall be displayed on its label, namely:—

(a) the logo of the Bureau of Energy Efficiency;

(b) type of air conditioner;
(c) name of manufacturer or importer and brand;
(d) model and year of manufacturing or import;
(e) authority number;
(f) cooling capacity in watts;
(g) power consumption in watts;
(h) star level of air conditioner;
(i) variable speed compressor (Yes/No);
(j) heat pump (Yes/No);
(k) energy efficiency ratio i.e., cooling capacity in watts by power consumption in watts.

(2) The design, colour, size and content of label shall be as specified in the Schedule annexed to these regulations.

4. Time limit for display of labels

A label containing particulars specified in regulation 3 shall be displayed on every room air conditioner within a period of six months from the date of coming into force of these regulations.

5. Manner of display of label

(1) Every room air conditioner shall display label at the time of sale and such label shall be either adhered to, or attached as a swing tag, on it.

(2) For units not on display, the label may be attached to the exterior of the casing and the label may be attached to the unit when the unit is removed from its packaging or the label may be included as a part of the documentation given to the customer or user.

6. Permission for display of label

(1) No label shall be affixed on a Room Air Conditioner without obtaining the permission of the Bureau.

(2) For the purpose of obtaining permission of the Bureau under sub-regulation (1), an application shall be made in Form I or in electronic Form:

PROVIDED that separate application shall be made for each model of Room Air Conditioner.

(3) Every application under sub-regulation (2) shall be accompanied by—

(a) an application fee of Rupees One thousand payable by demand draft drawn in favour of the Bureau of Energy Efficiency, New Delhi or by any electronic mode of payment;
(b) a Label Security Fee of Rupees One lakh payable by demand draft drawn in favour of the Bureau of Energy Efficiency, New Delhi or by any electronic mode of payment; and
(c) documents specified therein.

7. Grant of permission

(1) On receipt of an application under regulation 6 and after being satisfied that all requirements therein are complied with, the Bureau may, within a period of one month from the date of such receipt, grant, subject to such terms and conditions as are specified in regulation 8, permission for affixing label on room air conditioner in Form II
or in electronic form.

(2) The Bureau shall maintain a register in Form III and enter the name of permittee therein.

(3) The permission so granted under sub-regulation (1) shall be valid for a period of three years and may be renewed for a further period of three years by the Bureau.

(4) An application for renewal of permission shall be made at least three months before its expiry and shall be accompanied by a fee of Rupees five hundred payable by demand

draft drawn in favour of the Bureau of Energy Efficiency, New Delhi or by any electronic mode of payment.

(5) On receipt of application for renewal under sub-regulation (4) and after being satisfied that all requirements are complied with, the Bureau may, within a period of one month from the date of such receipt, renew permission in Form II.

8. Terms and conditions for display of particulars on label

Every permittee shall comply with the following terms and conditions, namely:—

(a) the star level displayed on the label of the room air conditioner shall conform to energy consumption standards for room air conditioner notified under clause (a) Section 14 of the Act;

(b) the label shall be affixed only on such model of room air conditioner for which permission has been granted;

(c) the label shall be printed and affixed on the room air conditioner at the cost of the permittee;

(d) the permittee shall ensure that the star level displayed on the label of room air conditioner shall be maintained at all time;

(e) the permittee shall play the label fee as specified in regulation 9;

(f) the permittee shall furnish to the Bureau a statement containing details of production of labelled equipment and the accrued labelling fee due for each quarter within the following month of the close of each quarter of the financial year;

(g) the permittee shall comply with such other terms and conditions which the Bureau may specify.

9. Label Fee

(1) Every permittee shall pay to the Bureau a label fee of Rupees thirty on each label affixed on the room air conditioner.

(2) The label fee specified under sub-regulation (1) shall be paid annually within one month from the date of closure of each financial year:

PROVIDED that on failure to pay the label fee within the period so specified, the Bureau may recover the amount due with interest thereon at ten percent from the Label Security Fee paid under clause (b) of sub-regulation (3) of regulation 6.

10. Refund of Label Security Fee

Subject to the proviso to sub-regulation (2) of regulation 9, a permittee shall be entitled to a refund of the Label Security Fee on ceasing to manufacture room air conditioner.

11. Verification by the Bureau

(1) The Bureau may, either suo motu, or on the complaint received by it, carry out verification to ensure that the room air conditioner conforms to the star level and other particulars displayed on its label and that it complies with the other terms and conditions of permission.

(2) Where upon a complaint received under sub-regulation (1), the Bureau is required to carry out verification by testing the room air conditioner in a laboratory, a notice shall be issued to the permittee for carrying out such testing and the complainant shall be called upon to deposit such expenses relating to testing, transportation and other incidental expenses with the Bureau, within such time, as may be determined by it.

(3) Where samples of room air conditioner used for testing fails the test, the permittee shall be afforded another opportunity and the Bureau shall conduct a second test with twice the quantity of room air conditioner used in the first test, at the cost of the permittee.

(4) Where the second test also fails, the Bureau shall direct that the permittee shall, within a period of two months—

(a) correct the star level displayed on the label of the room air conditioner or remove the defects and deficiencies found during testing;

(b) withdraw all the stocks from the market to comply with the directions of the Bureau; and

(c) change the particulars displayed on advertising material.

(5) Where the permittee fails to comply with the directions issued by the Bureau under sub-regulation (4), the Bureau shall—

(a) withdraw the permission;

(b) notify the consumers in such manner as it deems fit;

(c) initiate adjudication proceedings against such permittee under section 27 of the Act.

12. Cancellation of Permission

The Bureau may cancel the permission granted under regulation 7 if the permittee—

(a) fails to comply with any of the terms and conditions specified under regulation 8;

(b) fails to pay label fee within the period specified under regulation 9.

FORM I

[Refer Regulation 6]

Application for permission to affix label on Room Air Conditioners under the Bureau of Energy Efficiency (Particulars and Manner of their Display on Label of Room Air Conditioners) Regulations, 2009

To,

The Director General
Bureau of Energy Efficiency
(Ministry of Power, Government of India)
4th Floor, Sewa Bhawan,
Sector-I, R.K. Puram
New Delhi - 110066
India

1. I/We are the manufacturers of Room Air Conditioners carrying on business at .....(full business address) under the style of .....(full name of individual or firm) hereby apply for permission to affix label on Room Air Conditioners as specified by the Bureau in the Bureau of Energy Efficiency (Particulars and Manner of their Display on Label of Room Air Conditioners) Regulations, 2009.

2. Manufacturing Facility : The above equipment is manufactured or imported by ..... (name of the company) and is manufactured at ..... (Name and address of the factory).

3. Details of Information : The details of the information in respect of the equipment, company, manufacturing facility, certification for test, products, labels and payment is given in Annexure. A photocopy of the certificate of incorporation issued by the Registrar of Firms or Societies/ Director of Industries (in case of Small Scale Units) or similar other documents authenticating the name of the firm and its manufacturing premises is enclosed.

(a) Applicant : ..... (Name and Designation) is authorised to make this application on behalf of the company/firm/ etc. and will be responsible for accuracy of the information supplied with this application.

(b) Contact Person : ..... (Name and Designation) is authorised contact person for coordination with the Bureau in respect of this application and use of the label.

(c) I/We undertake to intimate to the Bureau of any change in the authorised persons defined in (a) or (b) above as soon as it takes place.

4. *Conformation to Quality Standards* : I/We conform to the Bureau of Indian Standard/other International Standards in respect of Quality System/ Other standards in accordance with

IS/Others (name and number of the standard) ..... as specified in the Notification on ..... (title of the Notification) for the .....(name of the equipment). A copy of the Licence/Certificate in respect of the above equipment is enclosed.

I/We have testing arrangements at ..... (Name and address of the laboratory) for ensuring consistency in quality of the equipment.

Lab details:

(a) Tests details: (Test procedures/name/number)

(b) Accreditation status:

(c) Bureau of Energy Efficiency approval:

5. Production and sales figures of the said equipment and the value thereof to the best of my/our knowledge and estimates are as follows:—

Year	Production	Sales	MRP of the equipment (Rs.)
Last Year from.....to..... Current Year from..... to..... (estimate)			

6. (a) An application fee of Rupees One thousand ..... has been paid by D.D. No. ..... dated...../electronic mode.

(b) A Label Security Fee of Rupees One lakh..... has been paid by D.D. No. ..... dated...../electronic mode.

(c) I/We agree to pay the labelling fee of Rupees Thirty per label specified by the Bureau.

7. I/We agree to abide by all the terms and conditions specified by the Bureau and extend necessary assistance/co-operation to the Bureau in case of any enquiry to be made by it.

8. I/We authorise the Bureau of Energy Efficiency for selection of sample for verification and challenge testing and agree to abide by the directions of the Bureau in this regard.

9. I/We undertake that the information supplied in this application is accurate to the best of my knowledge, and if any of the information supplied be found to be incorrect; the application may be rejected forthwith.

Date this ..... day of ..... (Year)

Signature .....
Name .....
Designation .....
For and on behalf of.....
(Name of the firm)
SEAL OF FIRM

ANNEXURE

[Refer Para 3 of Form I]

Details of Information

1. Details of Equipment

Trade Mark(s)/Brand Name(s)

Type of Room Air Conditioner : Unitary/Split

Cooling Capacity (Watts)
Power Input of Room Air Conditioner (Watts)
Year of Manufacturing
Company Registration No.
ISI Certificate details (Attach copy of the certificate)
Quality System Certificate details (Attach copy of the certificate)

Sl. No.	*Model Name/ No.*	*Measured Values*				*Rated Values*				*Remarks*
		Cooling Capacity	*Power Input*	*EER*	*Star Level or Energy Efficiency Level measured*	*Cooling Capacity*	*Power Input*	*EER*	*Star Level or Energy Efficiency Level measured,*	

2. Details of the Company

Name of the Company	
Address	
Pin Code	
State	
Phone No.	
Fax No.	
E-mail	
Website	

3. Details of the Manufacturing facility

Name of the Company	
Address	
Pin Code	
State	
Phone No.	
Fax No.	
E-mail	
Website	
Any other details	

4. Certificate for Test details

Name of the Test standard, No. and Year	
Name of the Test Laboratory	
Accreditation Status (Attach copy of the accreditation certificate)	
Address	
Pin Code	
State	
Phone No.	
Fax No.	

E-mail	
Website	

5. Production details

Date of commencement	
Number of labels applied for BEE for the first year— For the second year— For the third year—	
Production Serial No.	From ..... to .....
Test report in the prescribed format	
Sample Label	

6. Label details

Energy Efficiency Ratio	
Type of Room Air Conditioner : Unitary/Split	
Model/Year	
Trade Mark(s)/Brand Name(s)	
Cooling Capacity (Watts)	
Power consumption (Watts)	
Variable Speed Compressor Yes/No	
Heat Pump Yes/No	

7. Payment details, if proposed to pay in advance (Optional)

No. of Labels	Labelling fee per unit	Total Amount/Details of Payment
		Amount:
		Crossed Demand Draft details:
		Date:

Date

Signature .....
Name .....
Designation .....
For and on behalf of .....
.....
(Name of the firm)
SEAL OF FIRM

FORM II

[Refer Regulation 7]

Permission/Renewal of Permission

No.

Bureau of Energy Efficiency

New Delhi, Dated.....

To
.....
.....
.....

1. Pursuant to the provisions of regulation 7 of the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Room Air Conditioners) Regulations, 2009, the Bureau hereby permits you to affix label as per details of approvals set out in the Annexure.

2. This permission is subject to—

(a) the star level displayed on the label of the Room Air Conditioner shall conform to energy consumption standards for Room Air Conditioner notified under clause (a) section 14 of the Act;

(b) the label shall be affixed only on such model of Room Air Conditioner for which permission has been granted;

(c) the label shall be printed and affixed on the Room Air Conditioner at the cost of the permittee;

(d) the permittee shall ensure that the star level displayed on the Room Air Conditioner shall be maintained at all time;

(e) the permittee shall pay the label fee of Rupees Thirty per label;

(f) the permittee shall furnish to the Bureau a statement containing details of production of labelled equipment and the accrued labelling fee due for each quarter within the following month of the close of each quarter of the financial year. The same details shall be furnished to the Bureau also through automated system;

(g) the permittee shall make available such other details of Room Air Conditioner as and when sought by the Bureau of which the permission has been granted.

3. This permission shall be valid from ..... to ..... and may be renewed as prescribed. You shall not withdraw the Room Air Conditioner from the market during the validity period of permission except with the prior approval of the Bureau.

4. The unique label series code for the equipment is..... and should appear on the label as per the approved design.

5. Where the star level plan or review is modified by the Bureau and the star level of the Room Air Conditioner stand modified, you shall seek the permission afresh.

6. Signed, sealed and dated this..... day of month..... year

(Secretary)
Bureau of Energy Efficiency

ANNEXURE

[Refer Para I of Form II]

Details of Approvals

1. Details of the Equipment
Trade Mark(s)/Brank Name(s)
Type of Room Air Conditioner : Unitary/Split
Cooling Capacity (Watts)
Power Input of Room Air Conditioner
Year of Manufacturing

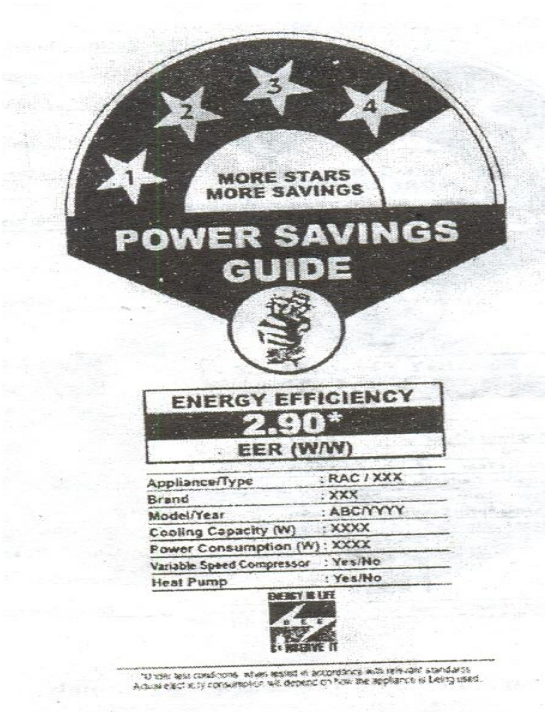
Sl. No.	*Model Name/ No.*	*Measured Values*				*Rated Values*				*Remarks*
		Cooling Capacity	*Power Input*	*EER*	*Star Level or Energy Efficiency Level*	*Cooling Capacity*	*Power Input*	*EER*	*Star Level or Energy Efficiency Level*	

					measured				*measured,*	

2. Label Details

Star Rating/Star level	
Energy Efficiency Ratio	
Type of Room Air Conditioner : Unitary/Split	
Model/Year	
Trade Mark(s)/Brand Name(s)	
Cooling Capacity (Watts)	
Power consumption (Watts)	
Variable Speed Compressor Yes/No	
Heat Pump Yes/No	
Unique label Series Code	

3. Approval specified of printed label to be affixed on the room air conditioner.



The unique label series code provided in the letter has to be mentioned in the label affixed on the room air conditioner.

4. The label design, size, colour scheme, material to be used for the label and the content of the label and colour scheme of the Bureau's logo shall be as specified in the Schedule to the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Room Air Conditioners) Regulations, 2009.

Date .....

Signature .....
Name .....
Designation .....
For and on behalf of.....
(Name of the firm)
SEAL OF FIRM

FORM III

[Refer regulation 7(2)]

Register of Permittees

Sl. No.	*Application No. and Date of Permission*	*Name and details of the permittee (Contact Person, Address, Pin Code, State, Phone No., Fax No., E-mail, Website)*	*Details of equipment for which the permission has been granted*	*Star level or Efficiency level declared*	*BEE permission number and unique label series*	*Period for which the permission has been granted*
1	*2*	*3*	*4*	*5*	*6*	*7*

Amount of Label Security Fee	Label Security Fee received by (Crossed Demand Draft (Details)/Electronic transaction (Details): Date:)	Application Fees details of Amount received (Crossed Demand Draft (Details)/Electronic transaction (Details) : Date :)
8	9	10

Number of labels affixed at the end of each financial year	Amount of labeling fee due	Labelling fee details of Amount received (Crossed Demand Draft (Details)/ Electronic transaction	Remarks

		(Details): Date:)	
11	12	13	14

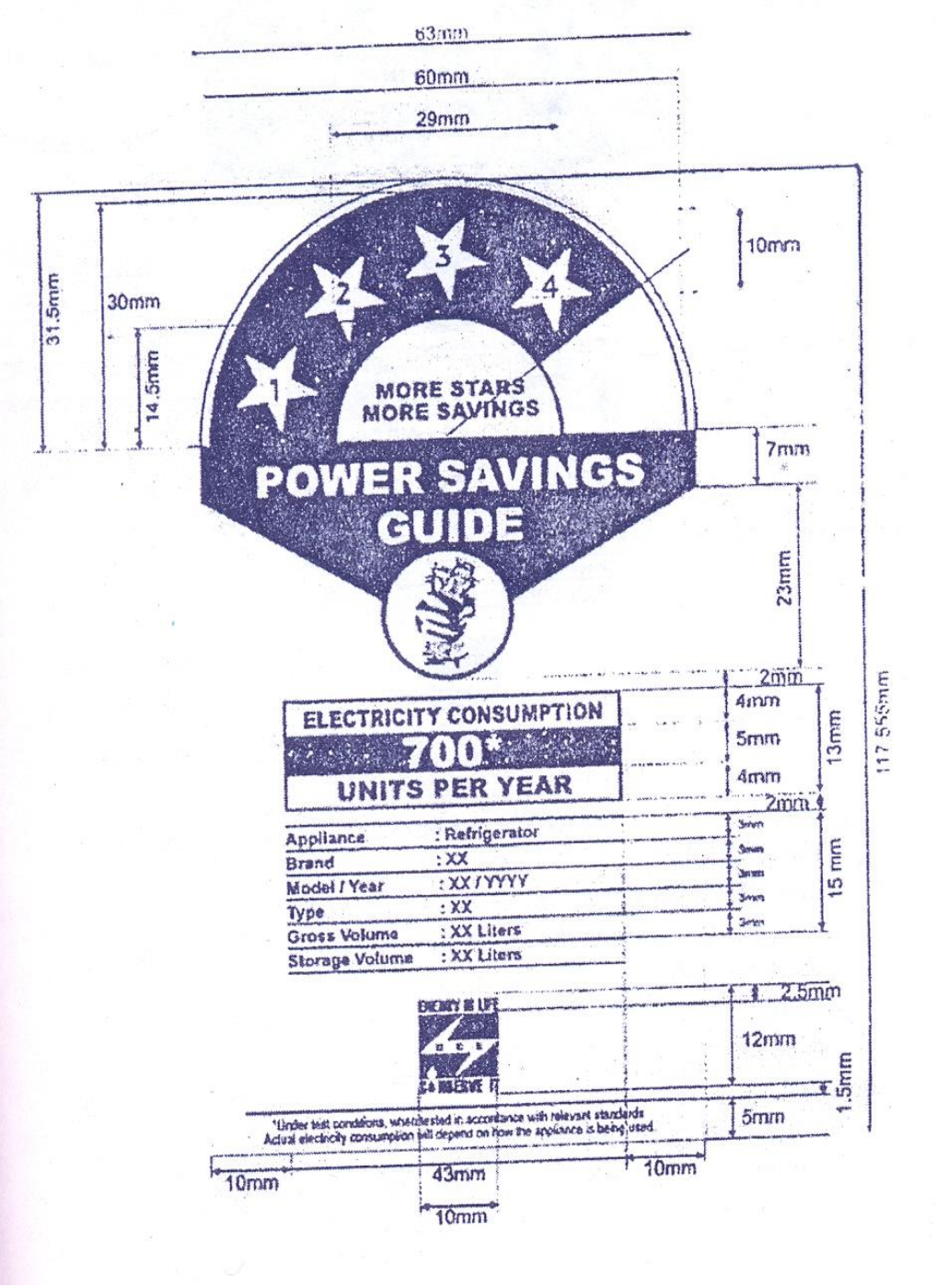
SCHEDULE

[Refer regulation 3(2)]

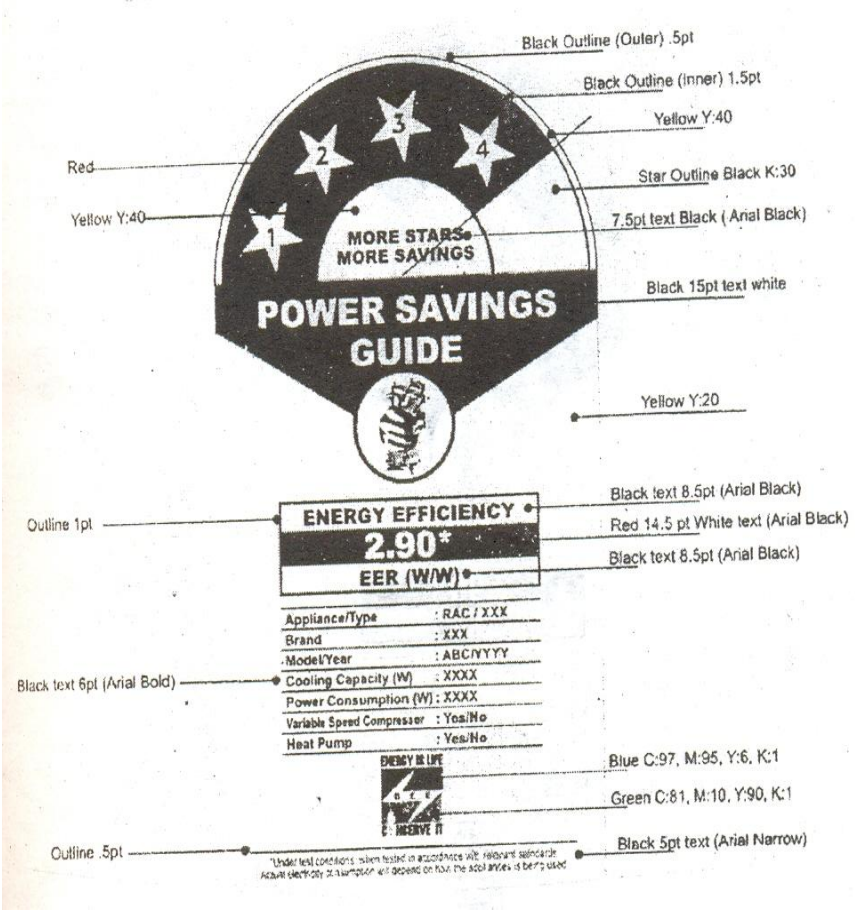
Details of particulars to be displayed on labels of Room Air-conditioners

(1) Label design, size, colour scheme and content of the label shall include—

(i) the following dimensional design of label, namely:—

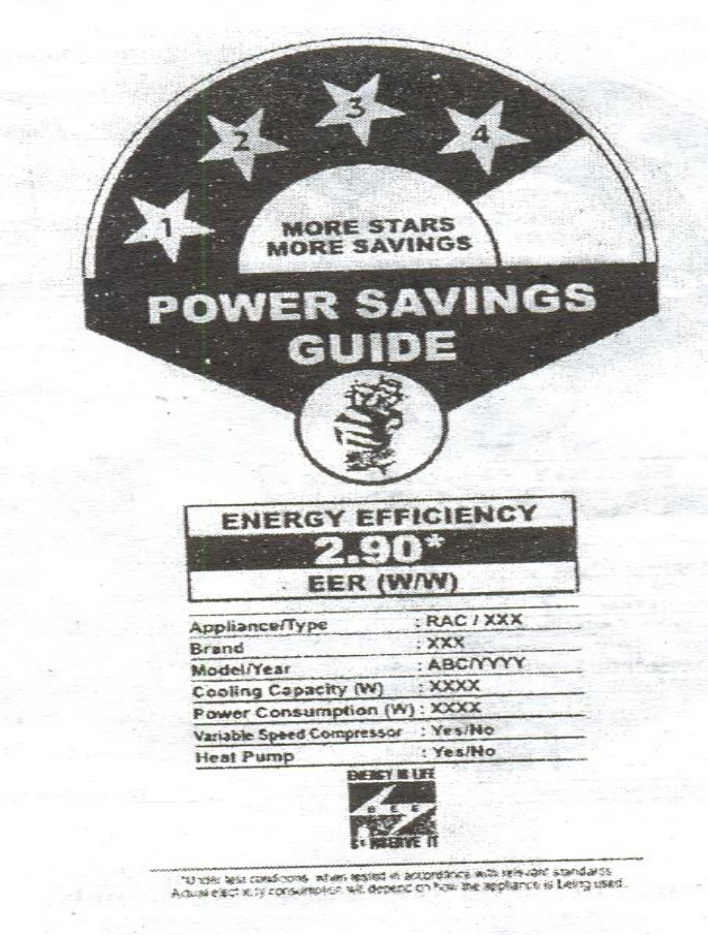


(ii) the following colour scheme for the label, namely:—



(iii) the following colour scheme for Bureau's logo, namely:—
BLUE
Hue (H) - 239<198> Saturation (S) : 64% Brightness (B): 59%
Luminance or lightness (L):28, chromatic components -a:24 b:54
Red (R): 54 Green (G): 55 Blue (B): 151
Cyan (C): 97% Magenta (M): 95% Yellow (Y): 6% Black (K): 1%
Web colour code - 363797
GREEN
Hue (H)-150<198> Saturation (S): 10% Brightness (B): 67%
Luminance or lightness (L): 61, chromatic components -a:-53 b:32
Red (R): 0 Green (G): 170 Blue (B): 87
Cyan (C): 81 Magenta (M): 10% Yellow (Y): 90% Black (K): 1%
Web colour code - 00AA56;

(iv) the following complete specimen of a printed label for room air conditioner, namely:—



(2) Material of the label shall be of durable cardboard, if it is to be attached as a swing tag or be self-adhesive.

THE BUREAU OF ENERGY EFFICIENCY (PARTICULARS AND MANNER OF THEIR DISPLAY ON LABELS OF DISTRIBUTION TRANSFORMERS) REGULATIONS, 2009

(Notification No. 2/11(5)/03-BEE-3, dt. 6-7-2009)

As amended vide Noti. No. 2/11(5)/03-BEE-3, dt. 5-1-2010, w.e.f. 5-1-2010

Whereas the draft regulations namely, the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Distribution Transformers) Regulations, 2009, were published vide notification number 2/11(5)/03-BEE-3, dated 12th January, 2009, in the Gazette of India, Extraordinary, Part III, section 4, dated the 12th January, 2009, as required under sub-section (1) of section 58 of the Energy Conservation Act, 2001 (52 of 2001), inviting objections or suggestions from persons likely to be affected thereby within the specified period of forty-five days from the date of publication of the said notification in the Official Gazette;

And Whereas copies of the said draft regulations were made available to the public on the 12th January, 2009;

And Whereas suggestions have been received with respect to the said draft regulations within the specified period aforesaid;

And Whereas the suggestions received in this regard have been taken into consideration;

Now, Therefore, in exercise of the powers conferred by clause (i) of sub-section (2) of section 58 read with clause (d) of section 14 of the said Act, the Bureau, with the previous approval of the Central Government, hereby makes the following regulations, namely:—

1. Short title and commencement

(1) These regulations may be called the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Distribution Transformers) Regulations, 2009.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

(1) In these regulations, unless the context otherwise requires,—

(a) "Act" means the Energy Conservation Act, 2001;

(aa) "Form" means a form appended to these regulations;

(b) "distribution transformer" means the transformer which is oil immersed, naturally air coolod, three phased, double wound, non-sealed, out door distribution transformer of standard ratings of 16, 25, 63, 100, 160 and 200 kVA of 11 kV which is manufactured or commercially purchased or sold in India;

(c) "label" means any written, printed, marked, stamped or graphic matter affixed to, or appearing upon, the distribution transformer;

(ca) "permitee" means a person to whom permission has been granted under Regulation 7;

(d) "section" means the section of the Act;

(e) "star rating or star level" means the level of energy efficiency displayed on the label of distribution transformer on the basis of relative energy efficiencies or loss standards which is the total losses, at fifty percent loading and hundred percent loading of the distribution transformer.

(2) Words and expressions used herein and not defined, but defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. Particulars to be displayed on the labels

(1) On every distribution transformer the following particulars shall be displayed on its label, namely:—

(a) the Logo of the Bureau of Energy Efficiency;
(b) that the equipment is a distribution transformer;
(c) that it is an oil filled, naturally cooled type;
(d) name of the manufacturer and brand;
(e) capacity in kVA as tested;
(f) voltage is upto 11kV;
(g) total losses at 50% loading in watts;
(h) total losses at 100% loading in watts;
(i) star level;
(j) model and year of manufacturing;
(k) Bureau's authorisation number.

(2) The design, colour, size and content of label shall be as specified in the Schedule annexed to these regulations.

4. Time limit for display of labels

A label containing particulars specified in regulation 3 shall be displayed on every distribution transformer within a period of six months from the date of coming into force of these regulations.

5. Manner of display of label

The label shall be affixed on the front base of the distribution transformer near the name plate, so as to be prominently visible.

6. Permission for display of label

(1) No label shall be affixed on a distribution transformer without obtaining the permission of the Bureau.

(2) For the purpose of obtaining permission under sub-regulation (1), an application shall be made in Form I or in electronic Form:

PROVIDED that separate application shall be made for each model of distribution transformer.

(3) Every application under sub-regulation (2) shall be accompanied by—

(a) an application fee of Rupees One thousand payable by demand draft drawn in favour of the Bureau of Energy Efficiency, New Delhi or by any electronic mode of payment;
(b) a Label Security Fee of Rupees One lakh payable by demand draft drawn in favour of the Bureau of Energy Efficiency, New Delhi or by any electronic mode of payment; and
(c) documents specified therein.

7. Grant of permission

(1) On receipt of an application under regulation 6 and after being satisfied that all requirements therein are complied with, the Bureau may, within a period of one month from the date of such receipt, grant, subject to such terms and conditions as are specified in regulation 8, permission for affixing label on distribution transformer in Form II or in electronic form.

(2) The Bureau shall maintain a register in Form III and enter the name of permittee therein.

(3) The permission so granted under sub-regulation (1) shall be valid for a period of three years and may be renewed for a further period of three years by the Bureau.

(4) An application for renewal of permission shall be made at least three months before its expiry and shall be accompanied by a fee of Rupees five hundred payable by demand draft drawn in favour of the Bureau of Energy Efficiency, New Delhi or by any electronic mode of payment.

(5) On receipt of application for renewal under sub-regulation (4) and after being satisfied that all requirements are complied with, the Bureau may, within a period one month from the date of such receipt, renew permission in Form II.

8. Terms and conditions for display of particulars on label

Every permittee shall comply with the following terms and conditions, namely:—

(a) the star level displayed on the label of the distribution transformer shall conform to energy consumption standards for distribution transformer notified under clause (a) of Section 14 of the Act;

(b) the label shall be affixed only on such model of distribution transformer for which permission has been granted;

(c) the label shall be printed and affixed on the distribution transformer at the cost of the permittee;

(d) the permittee shall ensure that the star level displayed on the label of distribution transformer shall be maintained at all time;

(e) the permittee shall pay the label fee as specified in regulation 9;

(f) the permittee shall furnish to the Bureau a statement containing details of production of labelled equipment and the accrued labelling fee due for each quarter within the following month of the close of each quarter of the financial year;

(g) the permittee shall comply with such other terms and conditions which the Bureau may specify.

9. Label Fee

(1) Every permittee shall pay to the Bureau a label fee of Rupees one hundred on each label affixed on the distribution transformer.

(2) The label fee specified under sub-regulation (1) shall be paid annually within one month from the date of closure of each financial year:

PROVIDED that on failure to pay the label fee within the period so specified, the Bureau may recover the amount due with interest thereon at ten percent from the Label Security Fee paid under clause (b) of sub-regulation (3) of regulation 6.

10. Refund of Label Security Fee

Subject to the proviso to sub-regulation (2) of regulation 9, a permittee shall be entitled to a refund of the Label Security Fee on ceasing to manufacture distribution transformer.

11. Verification by the Bureau

(1) The Bureau may, either *suo motu*, or on the complaint received by it, carry out verification to ensure that the distribution transformer conforms to the star level and other particulars displayed on its label and that it complies with the other terms and conditions of permission.

(2) Where upon a complaint received under sub-regulation (1), the Bureau is required to carry out verification by testing the distribution transformer in a laboratory, a notice shall be issued to the permittee for carrying out such testing and the complainant shall be called upon to deposit such expenses relating to testing, transportation and other incidental expenses with the Bureau, within such time, as may be determined by it.

(3) Where samples of distribution transformer used for testing fails the test, the permittee shall be afforded another opportunity and the Bureau shall conduct a second test with twice the quantity of distribution transformer used in the first test, at the cost of the permittee.

(4) Where the second test also fails, the Bureau shall direct that the permittee shall, within a period of two months—

(a) correct the star level displayed on the label of the distribution transformer or remove the defects and deficiencies found during testing;

(b) withdraw all the stocks from the market to comply with the directions of the Bureau; and

(c) change the particulars displayed on advertising material.

(5) Where the permittee fails to comply with the directions issued by the Bureau under sub-regulation (4), the Bureau shall—

(a) withdraw the permission;

(b) notify the consumers in such manner as it deems fit;

(c) initiate adjudication proceedings against such permittee under section 27 of the Act.

12. Cancellation of Permission

The Bureau may cancel the permission granted under regulation 7 if the permittee—

(a) fails to comply with any of the terms and conditions specified under regulation 8.

(b) fails to pay label fee within the period specified under regulation 9.

FORM I

[Refer Regulation 6]

Application for permission to affix label on distribution transformer under the Bureau of Energy Efficiency (Particulars and Manner of their Display on Label of Distribution Transformers) Regulations, 2009

To,

The Director General
Bureau of Energy Efficiency
(Ministry of Power, Government of India)
4th Floor, Sewa Bhawan,
Sector-I, R.K. Puram
New Delhi - 110066
India

1. I/We are the manufacturers/importers of Distribution Transformer carrying on business at ..... (full business address) under the styl.....(full name of individual or firm) hereby apply for permission of affix label on Distribution Transformer as specified by the Bureau in the Bureau of Energy Efficiency (Particulars and Manner of their Display on the Label of Distribution Transformer) Regulations, 2009.
2. Manufacturing Facility : The above equipment is manufactured or imported by ..... (Name of the company) and is manufactured at ..... (Name and address of the factory).
3. Details of Information : The details of the information in respect of the equipment, company, manufacturing facility, certification for test, products, labels and payment is given in Annexure. A photocopy of the certificate of incorporation issued by the Registrar of Firms or Societies/ Director of Industries (in case of Small Scale Units) or similar other documents authenticating the name of the firm and its manufacturing premises is enclosed.

(a) Applicant : ..... (Name and Designation) is authorised to make this application on behalf of the company/firm etc. and will be responsible for accuracy of the information supplied with this application.

(b) Contact Person : ..... (Name and Designation) is authorised contact person for coordination with the Bureau in respect of this application and use of the label.

(c) I/We undertake to intimate to the Bureau of any change in the authorised persons defined in (a) or (b) above as soon as it takes place.

4. *Conformation to Quality Standards* : I/We conform to the Bureau of Indian Standard/other International Standards in respect of Quality System/ Other standards in accordance with IS/Others (name and number of the standard) ..... as specified in the Notification on ..... (title of the Notification) for the ..... (name of the equipment). A copy of the Licence/Certificate in respect of the above equipment is enclosed.

I/We have testing arrangements at ..... (Name and address of the laboratory) for ensuring consistency in quality of the equipment.

Lab details:

(a) Tests details: (Test procedures/name/number)

(b) Accreditation status:

(c) Bureau of Energy Efficiency approval:

5. Production and sales figures of the said equipment and the value thereof to the best of my/our knowledge and estimates are as follows:—

Year	Production	Sales	MRP of the equipment (Rs.)
Last Year from.....to..... Current Year from..... to..... (estimate)			

6. (a) An application fee of Rupees One thousand ..... has been paid by D.D. No. ..... dated...../electronic mode.

(b) A Label Security Fee of Rupees One lakh..... has been paid by D.D. No. ..... dated...../electronic mode.

(c) I/We agree to pay the labelling fee of Rupees one hundred per label.

7. I/We agree to abide by all the terms and conditions specified by the Bureau and extend necessary assistance/co-operation to the Bureau in case of any enquiry to be made by it.

8. I/We authorise the Bureau of Energy Efficiency for selection of sample for verification and challenge testing and agree to abide by the directions of the Bureau in this regard.

9. I/We undertake that the information supplied in this application is accurate to the best of my knowledge, and if any of the information supplied be found to be incorrect; the application may be rejected forthwith.

Date this ..... day of ..... (Year)

Signature .....
Name .....
Designation .....
For and on behalf of.....
(Name of the firm)
SEAL OF FIRM

ANNEXURE

[Refer Para 3 of Form I]

Details of Information

1. Details of Equipment

1.	Equipment/Type
2.	Make/Manufacturer/Importer
3.	Model Name/Number
4.	Transformer Capacity kVA
5.	Voltage
6.	Year of manufacturing/importing
7.	ISI Certificate details (Attach copy of the certificate)
8.	Quality System Certificate details (Attach copy of the certificate)
9.	Total losses at 50% loading ..... watts
10.	Total losses at 100% loading .....watts

Sr. No.	Model Name/No.	Measured Values				Rated Values		Star Rating
		No Load Loss (watts)	Load Loss (watt)	Total Losses		Total Losses		
				50% loading	100% loading	50% loading	100% loading	

2. Details of the Company

Name of the Company	
Address	
Pin Code	
State	
Phone No.	
Fax No.	
E-mail	
Website	

3. Details of the Manufacturing facility

Address	
Pin Code	
State	
Phone No.	
Fax No.	
E-mail	
Website	
Any other details	

4. Certification for test details

Name of the Test standard, No. and Year	
Name of the Test Laboratory	

Accreditation Status (Attach copy of the accreditation certificate)	
Address	
Pin Code	
State	
Phone No.	
Fax No.	
E-mail	
Website	

5. Product Details

Date of commencement	
Number of labels applied for BEE for the first year— For the second year— For the third year—	
Product Serial No.	From ..... to .....
Test report	
Sample Label	

6. Label Details

1.	Equipment
2.	Type
3.	Make/Manufacturer/Importer
4.	Model Name/Number
5.	Transformer Capacity kVA
6.	Voltage
7.	Year of manufacturing/importing
8.	Star Level
9.	Total losses at 50% loading ..... watts
10.	Total losses at 100% loading .....watts

7. Payment details, if proposed to pay in advance (Optional)

No. of Labels	Labelling fee per unit	Total Amount/Details of Payment
		Amount: Crossed Demand Draft details: Date:

Date

Signature .....
Name .....
Designation .....
For and on behalf of .....
.....
(Name of the firm)
SEAL OF FIRM

FORM II

[Refer Regulation 7]

Permission/Renewal of Permission

No.

Bureau of Energy Efficiency

New Delhi, Dated .....

To

.....

.....
.....

1. Pursuant to the provisions of regulation 7 of the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Distribution Transformer) Regulations, 2009, the Bureau hereby permits you to affix label as per details of approvals set out in the Annexure.
2. This permission is subject to—
   (a) the star level displayed on the label of the Distribution Transformer shall conform to energy consumption standards for distribution transformer notified under clause (a) section 14 of the Act;
   (b) the label shall be affixed only on such model of distribution transformer for which permission has been granted;
   (c) the label shall be printed and affixed on the distribution transformer at the cost of the permittee;
   (d) the permittee shall ensure that the star level displayed on the label of distribution transformer shall be maintained at all time;
   (e) the permittee shall pay the label fee of Rupees one hundred per label;
   (f) the permittee shall furnish to the Bureau a statement containing details of production of labelled equipment and the accrued labelling fee due for each quarter within the following month of the close of each quarter of the financial year. The same details shall be furnished to the Bureau also through automated system;
   (g) the permittee shall make available such other details of distribution transformer as and when sought by the Bureau of which the permission has been granted.
3. This permission shall be valid from ..... to ..... and may be renewed as prescribed. You shall not withdraw the distribution transformer from the market during the validity period of permission except with the prior approval of the Bureau.
4. The unique label series code for the equipment is..... and should appear on the label as per the approved design.
5. Where the star level plan or review is modified by the Bureau and the star level of the distribution transformer stand modified, you shall seek the permission afresh.
6. Signed, sealed and dated this..... day of month..... year

(Secretary)
Bureau of Energy Efficiency

ANNEXURE
[Refer Para I of Form II]
Details of Approvals

1. Details of the Equipment

1.	Equipment/Type
2.	Make/Manufacturer/Importer
3.	Model Name/Number
4.	Transformer Capacity kVA
5.	Voltage
6.	Year of manufacturing
7.	Total losses at 50% loading ..... watts

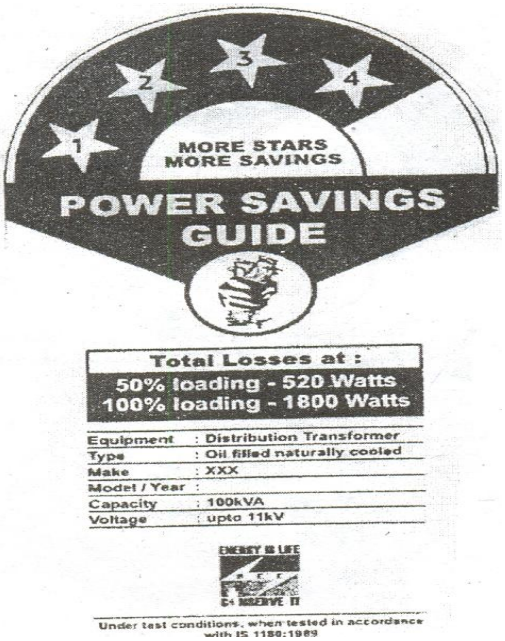
8.	Total losses at 100% loading .....watts

Sr. No.	*Model Name/No*	*Measured Values*				*Rated Values*		*Star Rating*
		No Load Loss (watts)	*Load Loss (watt)*	*Total Losses*		*Total Losses*		
				50% loading	*100% loading*	*50% loading*	*100% loading*	

2. Label details

1.	Equipment
2.	Type
3.	Make/Manufacturer/Importer
4.	Model Name/Number
5.	Transformer Capacity kVA
6.	Voltage
7.	Year of manufacturing/importing
8.	Star Level
9.	Total losses at 50% loading ..... watts
10.	Total losses at 100% loading .....watts
11.	Unique label series code

3. Approval specimen of printed label to be affixed on the distribution transformer.



The unique label series code provided in the letter has to be mentioned in the label affixed on the distribution transformer.

4. The label design, size, colour scheme, material to be used for the label and the content of the label and colour scheme of the Bureau's logo shall be as specified in the Schedule to the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Distribution Transformers) Regulations, 2009.

Date .....

Signature .....
Name .....
Designation .....
For and on behalf of.....
(Name of the firm)
SEAL OF FIRM

FORM III

[Refer regulation 7(2)]

Register of Permittees

Sl. No.	*Application No. and Date of Permission*	*Name and details of the permittee (Contact Person, Address, Pin Code, State, Phone No., Fax No., E-mail, Website)*	*Details of equipment for which the permission has been granted*	*Star level or Efficiency level declared*	*BEE permission number and unique label series*	*Period for which the permission has been granted*
1	2	3	4	5	6	7

Amount of Label Security Fee	*Label Security Fee received by (Crossed Demand Draft (Details)/ Electronic*	*Application Fees, details of Amount received (Crossed Demand Draft*

	transaction (Details): Date:)	*(Details)/Electronic transaction (Details) : Date :)*
8	9	10

Number of labels affixed at the end of each financial year,	*Amount of labeling fee due*	*Labelling fees details of Amount received (Crossed Demand Draft (Details)/ Electronic transaction (Details): Date:)*	*Remarks*
11	12	13	14

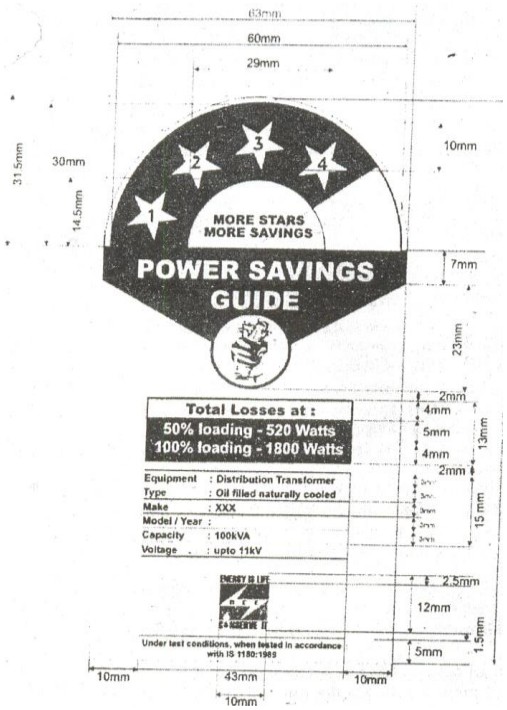
SCHEDULE

[Refer regulation 3(2)]

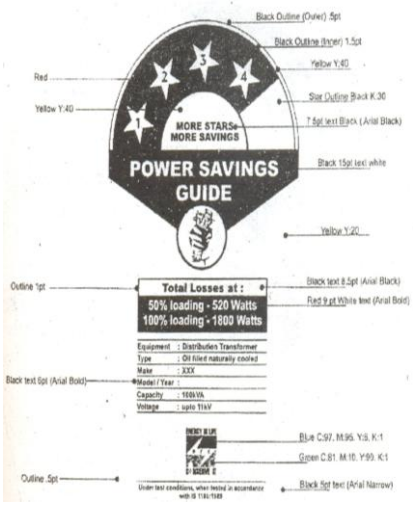
Details of particulars to be displayed on labels of Distribution Transformers

(1) Label design, size, colour scheme and content of the label shall include—

(i) the following dimensional design of label, namely:—

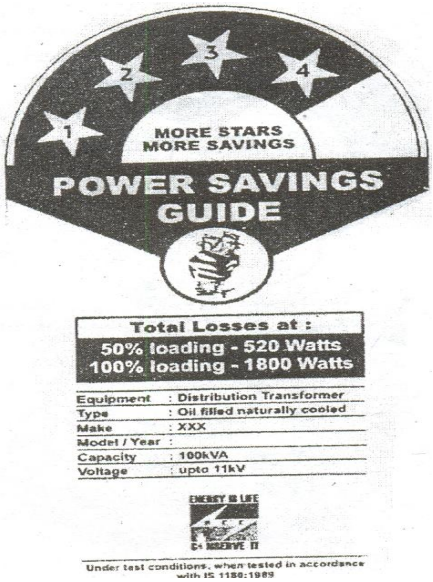


(ii) the following colour scheme for the label, namely:—



(iii) the following colour scheme for Bureau's logo, namely:—
BLUE
Hue(H) - 239^0 Saturation(S) : 64% Brightness(B): 59%
Luminance or lightness (L): 28, chromatic components -a:24 b:54
Red (R): 54 Green (G): 55 Blue (B): 151
Cyan (C): 97% Magenta (M): 95% Yellow (Y): 6% Black (K): 1%
Web colour code - 363797
GREEN
Hue (H)-150^0 Saturation (S): 10% Brightness (B): 67%
Luminance or lightness (L): 61, chromatic components -a:53 b:32
Red (R): 0 Green (G): 170 Blue (B): 87
Cyan (C): 81% Magenta (M): 10% Yellow (Y): 90% Black (K): 1%
Web colour code - 00AA56;

(iv) the following complete specimen of a printed label for distribution transformer, namely:—



(2) Material of the label shall be of non-detachable weather proof type.

THE BUREAU OF ENERGY EFFICIENCY (QUALIFICATIONS FOR ACCREDITED ENERGY AUDITORS AND MAINTENANCE OF THEIR LIST) REGULATIONS, 2010

[Notification No. 02/11(7)/09-BEE, dt. 31.3.2010]

Whereas certain draft regulations namely, the Bureau of Energy Efficiency (Qualifications for Accredited Energy Auditors and Maintenance of their List) Regulations, 2009, were published vide Bureau of Energy Efficiency notification number 2/11(2)/07-BEE, dated the 22nd December, 2009 in the Gazette of India, Extraordinary, Part III, Section 4, dated the 26th December, 2009 as required under sub-section (1) of Section 58 of the Energy Conservation Act, 2001 (52 of 2001) inviting objections and suggestions from all persons likely to be affected thereby within forty-five days from the date of publication of the said notification in the Gazette;

And Whereas the said draft regulations were published in the Official Gazette on the 26th December, 2009;

And Whereas no objection or suggestion has been received in respect of the said draft regulations within the specified period;

Now, Therefore, in exercise of the powers conferred by clauses (n), (o) and (p) of sub-section (2) of section 13, clauses (d), (e) and (f) of sub-section (2) of section 58 and section 8 of the said Act, the Bureau of Energy Efficiency with the previous approval of the Central Government, hereby makes the following regulations, namely:—

1. Short title and commencement

(1) These regulations may be called the Bureau of Energy Efficiency (Qualifications for Accredited Energy Auditors and Maintenance of their List) Regulations, 2010.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

(1) n these regulations, unless the context otherwise requires,—

(a) "Act" means the Energy Conservation Act, 2001;

(b) "Accreditation Advisory Committee" means a committee constituted by the Bureau under regulation 5;

(c) "energy auditor" includes a certified energy manager as defined in clause (d) of sub-regulation (1) of regulation 2 of the Bureau of Energy Efficiency (Certification Procedures for Energy Managers) Regulations, 2010;

(d) "Energy Intensive Industries" means the Energy Intensive Industries specified in the Schedule to the Act;

(e) "Form" means a form appended to these regulations;

(f) "Schedule" means the Schedule appended to these regulations.

(2) Words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Qualifications for accredited energy auditor

An energy auditor shall be qualified to become an accredited energy auditor if, he—

(a) has passed the examination in "Energy Performance Assessment for Equipment and Utility Systems" conducted by the Bureau on the subjects specified in the Schedule;

(b) has an experience of five years in energy audit out of which at least three years' shall be in any of the Energy Intensive Industries; and

(c) has been granted a certificate of accreditation by the Bureau under regulation 6.

4. Application for grant of certificate of accreditation

(1) The Bureau may, for the purpose of accreditation of energy auditors possessing qualifications specified in clauses (a) and (b) of regulation 3, call for applications from qualified persons.

(2) The application referred to in sub-regulation (1) shall be made in Form I and be accompanied by—

(a) five detailed energy audit reports in any of the Energy Intensive Industries undertaken by the energy auditor in an individual capacity or as a leader or associate or active team member of the energy audit team;

(b) feed back on energy audit received from Energy Intensive Industries;

(c) fee of rupees one thousand payable by demand draft drawn in favour of the Bureau of Energy Efficiency, New Delhi or any electronic mode of payment.

5. Constitution of Accreditation Advisory Committee

(1) The Bureau may, for the purpose of grant of certificate of accreditation, constitute an Accreditation Advisory Committee.

(2) The Accreditation Advisory Committee shall consist of a Chairperson and not more than three members to be nominated by the Bureau from amongst members of the Advisory Committee constituted under regulation 3 of the Bureau of Energy Efficiency (Advisory Committees) Regulations, 2008.

(3) The Accreditation Advisory Committee shall assess the energy audit experience and competence of the energy auditor who has applied for a certificate of accreditation under regulation 4 on the basis of an oral interview on the following criteria, namely:—

(a) evaluation of five detailed energy audit reports submitted alongwith the application;

(b) the number of and the kind of Energy Intensive Industries in which detailed energy audits have been made;

(c) association of applicant with number of and kind of experts including full time energy auditors or part time energy auditors or consultants with expertise in thermal, electrical utilities and processes and nature of such association;

(d) possession of at least four up-to-date basic instruments namely, clip-on-type, power measuring instruments, flue gas analyser, temperature and lux measuring instruments which are duly calibrated by a laboratory accredited by the National Accreditation Board for Testing and Calibration Laboratories and expertise in using such instruments for conduct of energy audit;

(e) manner of work followed in energy audit;

(f) training experience;

(g) quality of field studies including observations, probing skills, collection and generation of data, depth of technical knowledge and analytical abilities;

(h) quality of recommendations for improving energy efficiency or for conserving energy;

(i) capacity to undertake cost benefit analysis of recommended measures for improving energy efficiency or for conserving energy and preparation of action plan for implementation of recommendations for reduction of energy consumption; and

(j) quality of energy audit reports.

(4) On the basis of assessment made under sub-regulation (3), the Accreditation Advisory Committee shall make recommendation to the Bureau for accreditation of energy auditor.

6. Certificate of accreditation

(1) If the recommendation made by the accreditation advisory committee under sub-regulation (4) of regulation 5 is accepted by the Bureau, the name of the applicant shall be entered in the register of List of accredited energy auditors maintained under regulation 7 and a certificate of accreditation in Form II shall be granted to the energy auditor on payment of annual accreditation free of rupees one thousand payable by demand draft drawn in favour of the Bureau of Energy Efficiency, New Delhi or by any electronic mode of payment.

(2) The Bureau may, for reasons to be recorded in writing, reject the application for accreditation made by an energy auditor and intimate the same to him within a period of one month. (3) The certificate of accreditation shall be valid until
it is cancelled under regulation 9.

7. Maintenance of list of accredited energy auditors, their offices and firms

(1) The Bureau shall maintain a register containing list of accredited energy auditors in Form III.

(2) The accredited energy auditor or a firm of such accredited energy auditor shall, before opening an office in the trade name or firm name, apply to the Bureau for approval to use the trade name or the firm name and on such approval, the Bureau shall maintain the register of offices and firms of accredited energy auditors in Form IV.

(3) The Bureau shall cause to be published the first list of accredited energy auditors and list of offices and firms of accredited energy auditors as soon as they are finalised and thereafter these lists shall be updated and published regularly and uploaded on the Bureau's official website namely, www.bee-india.nic.in and energy professionals
website on www.energymanagertraining.com.

(4) Every accredited energy auditor shall submit to the Bureau any change in the information given in the application for accreditation for the purpose of updating the list.

(5) A copy of the updated list of accredited energy auditors shall be sent to the designated agencies of the States and designated consumers on the first day of April every year through electronic mail.

8. Removal and restoration of names in the register of list of accredited energy auditors

The Bureau may remove the name of the accredited energy auditor from the register of list of energy auditors on the following grounds, namely:—

(a) the Bureau, after giving an opportunity of hearing to the person concerned, is satisfied that such certificate of accreditation has been granted on the basis of incorrect, misleading or false information;

(b) on the person ceasing to be an energy auditor or on his failure to undertake energy audit of an Energy Intensive Industries in accordance with the Bureau of Energy Efficiency (Manner and Intervals of Time for Conduct of Energy Audit) Regulation 2010;

(c) if the person is guilty of professional misconduct or fraud;

(d) if the person has failed to pay annual accreditation fee.

(2) Where the name of the accredited energy auditor is removed on the grounds specified in clause (b) or clause (d) of sub-regulation (1), his name in the register shall be restored on an application made by him after restarting the work of energy audit or on payment of annual accreditation fee, as the case may be.

(3) Where the name of the accredited energy auditor is removed on any other grounds, no restoration of name in the register shall be made by the Bureau.

9. Cancellation of certificate of accreditation

(1) On removal of the name from the register under regulation 8, the Bureau may cancel the certificate of accreditation granted under regulation 6.

(2) Before issuing an order of cancellation of accreditation, the Bureau shall give an opportunity of hearing to the energy auditor holding such certificate.

(3) Where the certificate of accreditation is cancelled, the Bureau shall communicate its order to the holder of such certificate and the concerned designated consumer and shall also publish the same and upload necessary changes on its official website.

(4) The certificate of accreditation shall stand cancelled with effect from the date of publication of the order of cancellation.

(5) On cancellation of certificate of accreditation, the holder of such certificate shall surrender the same to the Bureau within fifteen days.

10. Issue of duplicate certificate

(1) Where an accredited energy auditor has lost the certificate of accreditation, the Bureau may, on an application made in this behalf, duly accompanied by a copy of first information report lodged with the concerned police station, issue a duplicate certificate on payment of a fee of rupees five hundred by demand draft drawn in favour of the Bureau of Energy Efficiency, New Delhi or by any electronic mode
of payment.

(2) Where the certificate issued by the Bureau is damaged, the Bureau may on an application made in this behalf and on surrendering of the damaged certificate, issue a duplicate certificate on receipt of a fee of rupees five hundred by way of demand draft drawn in favour of Bureau of Energy Efficiency payable at New Delhi or by any electronic mode of payment.

11. Information relating to accredited energy auditors

(1) The Bureau may call upon accredited energy auditors to furnish—

(a) information relating to sector-wise details of energy audit conducted, and the energy saving potential identified and achieved; and

(b) such additional information as it considers necessary.

(2) The Bureau may make available the information received by it under sub-regulation (1) to the general public through its website or through any of its publication.

FORM I

[Refer regulation 4(2)]

To

The Secretary
The Bureau of Energy Efficiency
New Delhi

Dear Sir,

I am working as energy auditor/certified energy manager at ..... (full address of the place of work) .....
and hereby apply for certificate of accreditation.

2. The self-attested photocopies of the following documents are enclosed:—

(a) Certificate of Certified Energy Manager;

(b) Certificate for passing the examination in Energy Performance Assessment for Equipment and Utility Systems;

(c) Five detailed energy audit reports of Energy Intensive Industries;

(d) Feedback on study reports referred to in (c) received from such energy industries.

3. The details of work experience of five years are as under:—
.....

4. I am enclosing/have paid the following fees by demand draft No. ..... dated ..... drawn in favour of Bureau of Energy Efficiency, New Delhi/electronic mode:—

(i) application fee of rupees one thousand; and

(ii) annual accreditation fee of rupees one thousand.

5. I request that the certificate of accreditation may be issued to me.

I hereby state that information furnished above is true and correct to the best of my knowledge.
Dated this ..... day of ..... 20.....

Place ..... Yours faithfully,
Signature .....

Name .....
Designation .....
For and on behalf of .....

FORM II

[Refer regulation 6(1)]

Bureau of Energy Efficiency (Emblem)

CERTIFICATE OF ACCREDITATION

This is to certify that Mr./Ms./M/s. ..... having his/her/its registered office at ..... has been given accreditation as accredited energy auditor. The certificate shall be effective from ..... day of ..... 20.....

The certificate is subject to the provisions of the Bureau of Energy Efficiency (Qualifications for Accredited Energy Auditors and Maintenance of their List) Regulations, 2010.

This certificate shall be valid until it is cancelled under regulation 9 of the Bureau of Energy Efficiency (Qualifications for Accredited Energy Auditors and Maintenance of their List) Regulations, 2010.

On cancellation, the certificate of accreditation shall be surrendered to the Bureau within fifteen days from the date of receipt of order of cancellation.

Your name has been entered at Sl. No. .....in the register of list of accredited energy auditors. Your name shall be liable to be struck out on the grounds specified in regulation 8 of the Bureau of Energy Efficiency (Qualifications for Accredited Energy Auditors and Maintenance of their List) Regulations, 2010.

Given under the seal of the Bureau of Energy Efficiency, Ministry of Power, this ..... day of ....., 20.....

Signature and Seal
Secretary, Bureau of Energy Efficiency
Date:.....
New Delhi

FORM III

[Refer regulation 7(1)]

Bureau of Energy Efficiency

REGISTER CONTAINING LIST OF ACCREDITED ENERGY AUDITORS

Serial Number	As on ..... (DD/MM/20YY)		
A.	Accreditation information in respect of accredited energy auditor		
1	Name of accredited energy auditor		Photograph
2	Father's name		
3	Date of certification as Energy Manager		
4	Date of passing the examination in "Energy Performance Assessment for Equipment and Utility Systems"		

5	Examination Registration Number of (i) Energy Manager (ii) "Energy Performance Assessment for Equipment and Utility Systems"		
6	Certificate Registration Number of (i) Energy Manager (ii) "Energy Performance Assessment for Equipment and Utility Systems"		
7	Date of issue of accreditation certificate		
8	Professional postal address with Pin Codes of the accredited energy auditor		
9	E-mail address		
10	Telephone numbers with STD Code (R) (O) Mobile No.		
11	Remarks		

FORM IV

[Refer regulation 7(2)]

Bureau of Energy Efficiency

REGISTER CONTAINING NAMES OF OFFICES AND FIRMS OF ACCREDITED ENERGY AUDITORS

Serial Number	As on ..... (DD/MM/20YY)		
A.			
1	Name of accredited energy auditor		Photograph
2	Father's name		
3	Date of certification as Energy Manager		
4	Date of passing the examination in "Energy Performance Assessment for Equipment and Utility Systems"		
5	Examination Registration Number of (i) Energy Manager (ii) "Energy Performance Assessment for Equipment and Utility Systems"		
6	Certificate Registration Number of (i) Energy Manager (ii) "Energy Performance Assessment for Equipment and Utility Systems"		
7	Date of issue of accreditation certificate		

B	Information in respect of trade name or firms' name		
8	Trade name/firms name under which energy audit is proposed to be conducted		
9	Date of accreditation as accredited energy auditor		
10	Type of firm/private/Government/ NGO etc.		

11	Name of contact person along with designation, address, telephone, mobile and fax number along with STD codes and e-mail address		
12	Professional postal address with Pin Code of the accredited energy auditor		
13	E-mail address		
14	Telephone numbers with STD Code (R) (O) Mobile No.		
15	Year of establishment of the trade name/firms' name for undertaking the energy audit		
16	Year of commencement of energy audit of the firm		
17	Whether any certificate to support the excellence in the system has been obtained (ISO etc.)		
18	No. of branch offices (List of complete addresses including heads of all branch offices with telephone, fax and e-mail addresses)		
C.	Details of Associated Energy Experts		
19.	Number of resource persons available		
20.	I. Number of full-time energy auditors in position with work experience of all energy auditors associated with the firm		
	II. No. of part-time energy auditors in position during the current year/previous year associated with the accredited energy auditor/ accredited energy auditor's firms		
21.	Sectors in which the accredited energy auditor/accredited energy audit firm has conducted energy audits since inception		
22.	Subject-wise expertise (a) Energy audit process system (list sectors) - if no energy audit has been carried out of the process system and parameters, please list nil. Bureau of Energy Efficiency will be calling for detailed information in case agency has listed its energy audit expertise in the process systems		
	(b) Energy audit thermal utility system (list sectors)		
	(c) Energy audit electrical utility system (list sectors)		
23.	Instruments available (a) Electrical (list the name of the instruments)		
	(b) Thermal (list the name of the instruments)		
24.	(i) Details of training programme/ seminars/ workshops conducted during the last 3 years in the field of energy efficiency/energy audit (ii)		

	(iii)		
D.	Remarks		

Note : Responsibility of the authenticity of the above information rests with the concerned energy auditing agency.

SCHEDULE

[Refer regulation 3(1)]

Subjects for examination in Energy Performance Assessment for Equipment and Utility Systems

1. Boilers, furnaces
2. Cogeneration, turbines (gas, steam)
3. Heat exchangers
4. Electric motors, variable speed drives
5. Fans and blowers
6. Water pumps
7. Compressors
8. Heating ventilation and air-conditioning (HVAC) systems
9. Performing financial analysis
10. Energy Performance assessment in power plants
11. Energy Performance assessment in steel industry
12. Energy Performance assessment in process industry (cement, textiles)
13. Energy Performance assessment in buildings and commercial establishments

THE BUREAU OF ENERGY EFFICIENCY (CERTIFICATION PROCEDURES FOR ENERGY MANAGERS) REGULATIONS, 2010

[Notification No. 2/11(2)/07-BEE, dt. 15-10-2010]

Whereas the draft of regulations namely, the Bureau of Energy Efficiency (Certification Procedures for Energy Managers) Regulations, 2009 were published vide Notification Number 2/11(2)/07-BEE, dated the 15th July, 2009 in the Gazette of India, Extraordinary Part III, Section 4 dated the 15th July, 2009, in exercise of the powers conferred by clause (h) of sub-section (2) of section 58 and section 8 of the Energy Conservation Act, 2001 (52 of 2001);

And Whereas Gazette copies of the said draft regulations inviting objections or suggestions from all persons likely to be affected thereby within forty-five days from the date on which copies of the Gazette containing the said notification were made available to the public on the 16th July, 2009;

And Whereas a suggestion has been received with respect to the said draft regulations within the specified period aforesaid;

And Whereas the suggestion received in this regard has been taken into consideration; Now, Therefore, in exercise of the powers conferred by clause (b) and clause (h) of sub-section (2) of section 58 of the said Act, the Bureau of Energy Efficiency with the previous approval of the Central Government, hereby makes the following regulations, namely:—

PART 1

PRELIMINARY

1. Short title and commencement

(1) These regulations may be called the Bureau of Energy Efficiency (Certification Procedures for Energy Managers) Regulations, 2010.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

(1) In these regulations, unless the context otherwise requires,—

(a) "Act" means the Energy Conservation Act, 2001;

(b) "Advisory Committee" means a committee constituted by the Bureau under sub-regulation (1) of regulation 13;

(c) "agency" means the agency appointed by the Bureau for holding National Examination for certification of energy managers under clause (b) of sub-rule (1) of rule 2 of the Energy Conservation (Minimum Qualification for Energy Managers) Rules, 2006;

(d) "Certified energy manager" means a person who has been issued a certificate under regulation 8;

(e) "Form" means a form appended to these regulations;

(f) "National Examination" means a National Examination defined in clause (g) of sub-rule (1) of rule 2 of the Energy Conservation (Minimum Qualification for Energy Managers) Rules, 2006 and conducted accordingly under regulation 3;

(g) "Register" means a Register of Certified Energy Managers maintained by the Bureau under sub-regulation (1) of regulation 9;

(h) "Schedule" means the Schedule appended to these regulations;

(i) "Section" means section of the Act.

(2) Words and expressions used herein and not defined but defined in the Act or the rules made thereunder shall have the meanings respectively assigned to them in the said Act or rules.

PART II

NATIONAL EXAMINATION

3. Conduct of National Examination

(1) For the purpose of certification of energy managers, the Bureau shall, either by itself or through agency, conduct National Examination.

(2) The Bureau shall, by publication in the newspaper, notify the date, time and place where such National Examination shall be conducted.

(3) The National Examination shall be conducted in English medium.

4. Eligibility for appearing in National Examination

No person shall be eligible to appear for National Examination unless he possesses qualifications specified in sub-rule (2) of rule 3 of the Energy Conservation (Minimum Qualification for Energy Managers) Rules, 2006.

5. Application for admission to National Examination

(1) A person who is eligible to appear for the National Examination under regulation 4 shall seek admission for such examination by making an application to the Bureau in Form-I.

(2) Each application shall be accompanied by the following amount of fee payable by demand draft drawn in favour of the Bureau of Energy Efficiency, New Delhi, namely:—

(a)	Application fee—	
(i)	for general candidates	rupees five hundred;
(ii)	for candidates belonging to the Scheduled Castes or the Scheduled Tribes	rupees two hundred and fifty;
(iii)	for candidates belonging to Backward Classes having annual income of less than rupees four lakh and fifty thousand per annum	Other rupees two hundred and fifty;
(b)	Certification fee including Examination fee,—	
(i)	for general candidates	rupees ten thousand;
(ii)	for candidates belonging to the Scheduled Castes or the Scheduled Tribes	rupees five thousand;
(iii)	for candidates belonging to Other Backward Classes having annual income of less than rupees four lakh and fifty thousand per annum	rupees five thousand;
(iv)	for company sponsored candidates	rupees twenty thousand.

(3) Subjects for National Examination shall be as specified in the Schedule.

(4) A prospectus containing scheme and modalities for the National Examination including eligibility, syllabus and reference material for such examination, shall be made available by the Bureau at least three months before the actual date of examination.

6. Admission for the National Examination

(1) The Bureau, or the agency, as the case may be, shall, after scrutiny of application form and being satisfied that the applicant is eligible to appear for the National Examination, admit him for the National Examination by issuing him an admission card stating the place, date and time of the National Examination at least fifteen days before the date of the National Examination.

(2) Where on scrutiny of the application under sub-regulation (1), an applicant is found ineligible to appear for National Examination, his application shall be rejected for reasons to be recorded in writing and he shall be intimated accordingly.

7. Passing of National Examination

(1) A candidate shall be declared to have passed the National Examination if he secures a minimum of fifty per cent. marks in each paper for the National Examination.

(2) An unsuccessful candidate shall be allowed to take a maximum of three attempts per paper within six consecutive examinations held by the Bureau or the agency, as the case may be, on payment of supplementary fee of rupees one thousand five hundred per paper in the case of general candidates and rupees seven hundred and fifty per paper for candidates belonging to the Scheduled Castes and the Scheduled Tribes and also for Other Backward Classes candidates having annual income of less than four lakh and fifty thousand per annum, by means of demand draft drawn in favour of Bureau of Energy Efficiency, payable at New Delhi.

PART III

CERTIFICATION OF ENERGY MANAGERS

8. Certification of energy managers

For the purpose of certification of energy managers, the Bureau shall issue a certificate to the person who has passed the National Examination in Form II.

9. Register of certified energy managers

(1) The Bureau shall maintain a Register of Certified Energy Managers in Form-III and include the name of persons to whom certificates have been issued under regulation 8 in the said register.

(2) On being registered as certified energy manager under sub-regulation (1) of regulation 9, the certified energy manager shall be issued an identity card in Form-IV.

(3) Each certified energy manger shall be eligible to be designated or appointed as energy manager by the designated consumer under clause (l) of section 14.

10. Validity of certification

The certification made under regulation 8 shall be valid for a period of five years and renewable after every five years on an application made to the Bureau in Form-V:

PROVIDED that no such renewal shall be made unless the certified energy manager has attended a short-term refresher training course conducted by the Bureau or the agency, as the case may be, and has produced a certificate of participation issued in that behalf.

11. Cancellation of certification

(1) The Bureau may cancel the certification of an energy manager on a complaint made against him for—

(a) any commission or omission amounting to professional misconduct;

(b) any misrepresentation of facts, data or reports on energy consumption;

(c) any act amounting to fraud;

(d) failure to attend the refresher course:

PROVIDED that no such cancellation shall be done by the Bureau without giving an opportunity of being heard to such energy manager.

(2) On cancellation of certification of certified energy manager under sub-regulation (1), his name shall be removed from the register referred to in regulation 9 and thereafter, the certified energy manager shall not be eligible for designation or appointment as energy manager by the designated consumer.

12. Issue of duplicate certificate or identity card

(1) Where the certificate or identity card issued respectively under regulation 8 and sub-regulation (2) of regulation 9 has been lost by the certified energy manager, the Bureau may, on an application made by him in this behalf, duly supported by a copy of first information report lodged with the concerned police station, issue a duplicate certificate or identity card, as the case may be, on payment of a fee of rupees one hundred by demand draft drawn in favour of the Bureau of Energy Efficiency, payable at New Delhi.

(2) Where any certificate or identity card issued by the Bureau is damaged, the Bureau may on an application made in this behalf and on surrender of damaged certificate or identity card, issue a duplicate certificate or identity card on payment of a fee of rupees one hundred by demand draft drawn in favour of the Bureau of Energy Efficiency, payable at New Delhi.

PART IV

ADVISORY COMMITTEE

13. Constitution of Advisory Committees

(1) The Bureau may, for the purpose of these regulations, national examination for energy managers and for their certification and registration constitute an Examination Advisory Committee, a Technical Advisory Committee and a Certification and Registration Advisory Committee.

(2) Each Advisory Committee shall consists of a Chairperson and not more than six other persons to be nominated by the Bureau from amongst members of the Advisory Committees constituted under regulation 3 of the Bureau of Energy Efficiency (Advisory Committees) Regulations, 2008.

FORM-I

[Refer regulation 5(1)]

APPLICATION FOR NATIONAL EXAMINATION

1. Examination you are appearing for: Energy Manager
2. Candidature : ( ) Company Sponsored
   ( ) Self-sponsored

Name of the Applicant*

(First Name) …… …… ……..
(First Name) (First Name) (First Name)

4. Father's Name*

*Present Address	Permanent Address
.....	.....
.....	.....
.....	.....
5. City*..... Pin Code*	City*.....Pin Code.....
6. State	State .....
7. Date of Birth*	Nationality : Indian (Others specify) .....
8. Community* ( ) General ( ) SC ( ) ST ( ) OBC ( )Sex	
9. Employment Status : Employed ( ) Self Employed ( ) Unemployed	
10. Present Company Address	12. Contact Telephone, Fax, E-mail
Designation	Office Phone .....
Company Name	Fax .....
.....	Res. Phone .....
.....	E-mail* .....
City ..... Pin Code	Mobile .....
State	

11. Total Work Experience :.....Years ..... Months
13. Examination Centre preferred:
    (a) Written Examination Centre .....
14. Requisite Educational Qualification:

Sl. No.	Name of Degree/ Diploma	Subjects/Branch	Year of Passing (e.g. 1988)	Board/ University
1.*				
2.				
3.				

4.				

Sl. No.	Name of Employer/ Organisation	Designation,	Year		Name of Work (Max. 50 characters Only)
			From	To	
1.					
2.					
3.					
4.					
5.					
6.					

16. DD. No.:* ..... Amount (Rs.):* .....Date:* .....
Bank Name:* .....

17. I agree to forward my name to any Training Agency conducting preparatory Training Courses

( ) Yes ( ) No

DECLARATION BY THE CANDIDATE

I hereby declare that all the information given in the application form and enclosures are true to the best of my knowledge. I agree to the condition that if any information or any statement is found to be incorrect, my admission to the examination would be cancelled. I also understand that it is my responsibility to cross check information from the websites as mentioned in the prospectus for the allotted examination centre and issue of hall admission card. I shall inform the Bureau, or the agency, as the case may be, about any change in my mailing address, telephone number and e-mail ID, if any, at the earliest. I also abide by the examination scheme and conditions as mentioned in the prospectus.

Place: .....

Date: .....

FORM-II

[Refer regulation 8]

Bureau of Energy Efficiency

Examination Registration No.: .....Serial Number: .....

Certificate Registration No.: .....

CERTIFICATE FOR CERTIFIED ENERGY MANAGER

Photograph

This is to certify that Mr./Mrs./Ms. .....

Son/Daughter of ..... who has passed the National Examination for certification of energy manager held in the month of ..... (Year) is qualified as certified energy manager subject to the provisions of Bureau of Energy Efficiency (Certification Procedures for Energy Managers) Regulations, 2010.

This certificate shall be valid for five years with effect from the date of award of this certificate and shall be renewable subject to attending the prescribed refresher training course once in every five years.

His/Her name has been entered in the Register of certified energy manager at Serial Number ..... being maintained by the Bureau of Energy Efficiency under the aforesaid regulations.

Mr./Mrs./Ms. ..... is deemed to have qualified for appointment or designation as energy manager under clause (l) of section 14 of the Act.

Given under the seal of the Bureau of Energy Efficiency, this.....day of ..... 20 .....

(Signature and Seal)
Secretary
Bureau of Energy Efficiency

Dates of attending the refresher course	Secretary's signature	Dates of attending the refresher course	Secretary's signature

FORM-III

[Refer regulation 9(1)]

Bureau of Energy Efficiency

REGISTER OF ENERGY MANAGERS

		As on ..... (DD/MM/YYYY)	
A.	Certification Information		
1.	Name of certified energy manager		Photograph
2.	Father's name		
3.	Examination Registration No.		
4.	Certificate Registration No.		
5.	Date of entry in the Register		
6.	Date of issue of Certificate		
7.	Date of re-validation of Certificate		
8.	Revalidation record	1.	
		2.	
		3.	

B.	Communication Links	
1.	Postal address with Pin Code	
2.	E-mail address,	
3.	Telephone numbers with STD Code (R) (O) Cell phone	

C.	Work experience from the date on which the eligibility criteria has been fulfilled						
	From		To		Brief details of work experience,		
	Month	Year	Month	Year	Employer's name and address	Self employment	Job content/ experience
1.							
2.							
3.							
4.							

D.	Personal Information	
1.	Date of birth	DD/MM/YYYY
2.	Nationality	
3.	Educational qualification (record only after schooling)	

	Educational course	Institution/University	Year of passing
1.			
2.			
3.			
4.			

E.	Remarks

FORM -IV

[Refer regulation 9(2)]

FORMAT FOR IDENTITY CARD

Bureau of Energy Efficiency,

New Delhi

CERTIFIED ENERGY MANAGER

Photograph

Examination Registration No.: .....
Certificate Registration No.....
Name: .....
Son/Daughter of: .....
Address:.....
.....

Signature of Certified Energy Manager

(Backside of Identity Card)

Date of Issue: ..... Validity up to : .....
Issuing Authority
Name: .....
Designation:.....
Office address:

OFFICE SEAL

Signature: .....

FORM-V

[Refer regulation 10]

APPLICATION FOR RENEWAL OF CERTIFICATION

Date: .....
From
Mr./Mrs./Ms. .....
Registration No.: .....
Postal Address: .....
To
The Secretary

Bureau of Energy Efficiency

Address: .....

Dear Sir/Madam,

Subject: Renewal of certification as energy manager

This is to inform you that I have attended the short-term refresher training course and enclose here with the certificate of participation issued in this behalf.

I hereby apply for renewal of my certification as energy manager. The certificate for doing the needful is enclosed.

Yours faithfully,

(Signature) .....

(Name) .....

SCHEDULE

[Refer regulation 5(3)]

SUBJECTS FOR NATIONAL EXAMINATION

1. General Aspects of Energy Management and Energy Audit

1.1 Energy Scenario: Commercial and Non-commercial energy, primary energy resources, commercial energy production, final energy consumption, Indian energy scenario, Sectoral energy consumption (domestic, industrial and other sectors), energy needs of growing economy, energy intensity, long-term energy scenario, energy pricing, energy security, energy conservation and its importance, energy strategy for the future.

1.2 Energy Conservation Act 2001 and related policies: Energy Conservation Act 2001 and its features, notifications under the Act, Schemes of Bureau of Energy Efficiency (BEE) including Designated consumers, State Designated Agencies, Electricity Act 2003, Integrated energy policy, National action plan on climate change.

1.3 Basics of Energy and its various forms: Electricity basics—Direct Current and Alternative currents, electricity tariff, Thermal basics—fuels, thermal energy contents of fuel, temperature and pressure, heat capacity, sensible and latent heat, evaporation, condensation, steam, moist air and humidity and heat transfer, units and conversion and Metric Ton Oil Equivalent (MTOE) conversions.

1.4 Energy Management and Audit: Definition, energy audit, need, types of energy audit, Energy management (audit) approach-understanding energy costs, bench marking, energy performance, matching energy use to requirement, maximizing system efficiencies, optimizing the input energy requirements, fuel and energy substitution, energy audit instruments and metering, precautions to be taken in the sampling and measurements, thermography, smart metering.

1.5 Material and Energy balance: Facility as an energy system, methods for preparing process flow, material and energy balance diagrams.

1.6 Energy Action Planning: Key elements, force field analysis, Energy policy purpose, perspective, contents, formulation, ratification, Organizing - location of energy management, top management support, managerial function, roles and responsibilities of energy manager, accountability. Human resource development techniques, Information system-designing: barriers, strategies; Marketing and communicating-training and planning.

1.7 Financial Management: Investment-need, appraisal and criteria, financial analysis techniques-simple pay back period, return on investment, net present value,

internal rate of return, cash flows, risk and sensitivity analysis; financing options, energy performance contracts and role of Energy Service Companies (ESCOs).

1.8 Project Management: Definition and scope of project, technical design, financing, contracting, implementation and performance monitoring. Implementation plan for top management, Planning Budget, Procurement Procedures, Construction, Measurement and Verification.

1.9 Energy Monitoring and Targeting: Defining monitoring & training, elements of monitoring and targeting, data and information-analysis, techniques- energy consumption, production, cumulative sum of differences (CUSUM), Energy Management Information Systems (EMIS).

1.10 Energy, Environment and Climate change: Energy and environment, air pollution, climate change United Nations Framework Convention on Climate Change (UNFCC), sustainable development, Kyoto Protocol, Conference of Parties (COP), Clean Development Mechanism (CDM), Sample Procedure case of CDM - Bachat Lamp Yojna and industry; Prototype Carbon Fund (PCF).

1.11 New and Renewable Energy Sources (NRES): Concept of renewable energy, solar energy, wind energy, biomass boilers and gasifiers, biogas, bio-fuels, hydro, fuel cells, energy from wastes, biomethanation, wave, tidal, and geothermal.

2. Energy Efficiency in Thermal Utilities

2.1 Fuels and Combustion: Introduction to fuels, properties of fuel oil, coal and gas, storage, handling and preparation of fuels, principles of combustion, combustion of oil, coal and gas. Agro-residue/biomass handling, preparation and combustion.

2.2 Boilers: Types, combustion in boilers, performances evaluation, analysis of losses, feed water treatment, blow down, energy conservation opportunities. Boiler efficiency calculations for coal, oil and gas, evaporation ratio, soot blowing and soot deposit reduction, reasons for boiler the failures, start up, shut down and preservation, thermic fluid heaters, and super critical boilers.

2.3 Steam System: Properties of steam, steam pipe insulation, assessment of steam distribution losses, steam leakages, steam trapping, condensate pumping, and flash steam recovery system, thermo-compressors, steam utilization, steam dryers, performance assessment of steam system, and identifying opportunities for energy savings.

2.4 Furnaces: Classification, Forging furnace, cupola, non ferrous melting, induction furnace, hot air generators, excess air, heat distribution, temperature control, draft control, waste heat recovery, heat balance and performance evaluation of a furnace, general fuel economy measures in furnaces.

2.5 Insulation and Refractories: Insulation-types and application, cold insulation, economic thickness of insulation, heat savings and application criteria, Refractory-types, selection and application of refractories, and heat loss assessment.

2.6 Fluidized bed combustion (FBC) boilers: Introduction, mechanism of fluidized bed combustion, advantages, types of FBC boilers - Biomass based fluidized bed combustion boilers, Atmospheric fluidized bed combustion boilers, Circulating fluidized bed combustion boilers, Pressurized fluidized bed combustion boilers, application and operational features, retrofitting FBC system to conventional boilers, saving potential.

2.7 Cogeneration: Definition, need, application, advantages, classification, heat balance, steam turbine efficiency, tri-generation, micro turbines and saving potentials.

2.8 Waste Heat Recovery: Classification, advantages and applications, commercially viable waste heat recovery devices, saving potential.

2.9 Heat Exchangers: Types, networking, pinch analysis, multiple effect evaporators, condensers, and distillation column.

3. Energy Efficiency in Electrical Utilities

3.1 Electrical system: Electricity billing, electrical load management and maximum demand control, maximum demand controllers, power factor improvement and its benefit, selection and location of capacitors, performance assessment of PF capacitors, automatic power factor controllers, energy efficient transformers, Star labeled distribution transformers, assessment of transmission, distribution and transformer losses. Demand side management, and losses due to harmonics and voltage unbalance.

3.2 Electric motors: Types, squirrel cage and slip ring induction motors and their characteristics, motor history sheet (new, 1st rewind, 2nd rewind), rewinding and motor replacement issues, Star operation, voltage unbalance, energy efficient motors, losses in induction motors, motor efficiency, Star labeled energy efficient motors, factors affecting motor performance, soft starters with energy saver option, variable speed drives, and energy saving opportunities.

3.3 Compressed Air System: Types of air compressors, reciprocating vs screw, compressor efficiency, efficient compressor operation, compressed air system components, air driers, capacity assessment, leakage test, factors affecting the performance and savings opportunities.

3.4 Heating, Ventilation, Air Conditioning (HVAC) and Refrigeration System: Introduction of Psychometrics, Vapor compression refrigeration cycle, refrigerants, coefficient of performance, capacity, ice bank system, performance assessment of window and split room air conditioners, factors affecting refrigeration and air conditioning system performance and savings opportunities, ventilation system, cold storage refrigeration, humidification system, Vapor absorption refrigeration system: Working principle, types and comparison with vapor compression system and saving potential, heat pumps and their applications.

3.5 Fans and blowers: Types, pressure drop assessment, performance evaluation, efficient system operation, flow control strategies and energy conservation opportunities.

3.6 Pumps and Pumping System: Types, performance evaluation, efficient system operation, flow control strategies and energy conservation opportunities. Energy conservation opportunities in-boiler feed water pumps, pumping systems for municipal drinking water, sewerage, and agriculture pump sets, Star labeled pumps.

3.7 Cooling Tower: Types, fan-less cooling tower, natural draft cooling tower, performance evaluation, efficient system operation, cooling water treatment, flow control strategies and energy saving opportunities assessment of cooling towers.

3.8 Lighting System: Light source, Light Emitting Diodes (LEDs), metal halides, fluorescent tube lights, Compact fluorescent lamps (CFL), choice of lighting, luminance requirements, energy efficient street lighting, electronic ballast, occupancy sensors, energy efficient lighting controls, labeling scheme, and energy conservation avenues.

3.9 Diesel/Natural Gas Power Generating Systems: Factors affecting selection, waste heat recovery, energy performance assessment of diesel/natural gas power generating systems.

3.10 Energy Conservation in Buildings and Energy Conservation Building Codes (ECBC): About Energy Conservation Building Codes (ECBC), building envelope, insulation, lighting, heating, ventilation, air conditioning (HVAC), fenestrations, water pumping, inverter and energy storage/captive generation, elevators and

escalators, star labeling for existing buildings, Energy Service Companies based case studies.

THE BUREAU OF ENERGY EFFICIENCY (MANNER AND INTERVALS OF TIME FOR CONDUCT OF ENERGY AUDIT) REGULATIONS, 2010

[Noti. No. 02/11(6)/05-BEE, dt. 28-4-2010]

Whereas certain draft regulations namely, the Bureau of Energy Efficiency (the Manner and Intervals of Time for Conduct of Energy Audit) Regulations, 2009, were published vide Bureau of Energy Efficiency Notification Number 02/11(6)/05, dated the 22nd December, 2009 in the Gazette of India, Extraordinary, Part III, Section 4, dated the 26th December, 2009 as required under sub-section (1) of section 58 of the Energy Conservation Act, 2001 (52 of 2001) inviting objections and suggestions from all persons likely to be affected thereby within forty-five days from the date of publication of the said notification in the Gazette; And Whereas the said draft regulations were published in the Official Gazette on the 26th December, 2009;

And Whereas no objection or suggestion has been received in respect of the said draft regulations within the specified period;

Now, Therefore, in exercise of the powers conferred by clause (g) of sub-section (2) of section 58, read with clause (q) of sub-section (2) of section 13 of the said Act, the Bureau of Energy Efficiency with the previous approval of the Central Government, hereby makes the following regulations, namely:—

1. Short title and commencement

(1) These regulations may be called the Bureau of Energy Efficiency (Manner and Intervals of Time for Conduct of Energy Audit) Regulations, 2010.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

(1) In these regulations, unless the context otherwise requires,—

(a) "Act" means the Energy Conservation Act, 2001;

(b) "energy audit report"means the report of energy audit submitted under regulation 3 and signed by the accredited energy auditor;

(c) "Form" means a form appended to these regulations;

(d) "specific energy consumption"means the average of energy consumed per unit of product or product-mix for the completed financial year.

(2) Words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Intervals of time for conduct of energy audit

(1) Every designated consumer shall have its first energy audit conducted, by an accredited energy auditor within 18 months of the notification issued by the Central Government under clause (i) of section 14 of the Act.

(2) The interval of time for conduct and completion of subsequent energy audits shall be three years with effect from the date of submission of the previous energy audit report by the accredited energy auditor to the management of the designated consumer.

4. Manner of energy audit

Every energy audit under the Act shall be conducted in the following manner:—

(1) Verification of data of energy use

The accredited energy auditor shall—

(a) verify the information submitted to the designated agency under the Energy Conservation (the Form and Manner for Submission of Report on the Status of Energy Consumption by the Designated Consumers) Rules, 2007 for the previous two years through examination of energy bills, production data, inspection of

energy-using equipment, production-processes, and systems, spot measurements, discussion or interview with the officers and staff regarding operation of plants, energy management procedures, equipment maintenance problems, equipment reliability, projected equipment needs, improvements undertaken or planned, establish validated data on annual energy consumption and prepare a report in Form 1 for the year preceding to the year for which energy audit report shall be prepared and submitted;

(b) establish specific energy consumption for the year referred to in clause (a);

(c) disaggregate the energy consumption data and identify major energy using equipment, processes and systems.

(2) Scope of energy audit

The accredited energy auditor jointly with the energy manager of the designated consumer shall—

(a) develop a scope of work for the conduct of energy audit required under the Act with a view to ensuring adequate coverage in terms of the share of total energy use that is covered in the energy audit;

(b) select energy intensive equipment or processes for energy auditing;

(c) agree on best practice procedures on measuring the energy efficiency performance of selected equipment and on algorithm to estimate energy performance and energy savings;

(d) collect energy consumption, and production data for the equipment and processes covered within the scope of energy audit, operating data, and schedule of operation, non-proprietary process flow charts, production level disaggregated by product, if applicable, and such other historical data as may be considered essential by the accredited energy auditor for achieving the purpose of energy audit.

(3) Monitoring and analysis of use of energy data for energy audit

The accredited energy auditor shall—

(a) verify the accuracy of the data collected in consultation with the energy manager, appointed or designated by the designated consumer in terms of the Notification Number SO 318(E), dated the 2nd March, 2007, as per standard practice to assess the validity of the data collected;

(b) analyse and process the data with respect to—

(i) consistency of designated consumers' data monitoring compared to the collected data;

(ii) recommendations to reduce energy consumption and improve energy efficiency;

(iii) summary overview of energy consumption in plant or establishment by fuel type and by section;

(c) conduct equipment energy performance measurements with due diligence and caution.

(4) *reparation of recommendations on energy saving measures, their cost benefit analysis*

The accredited energy auditor having regard to the overall efficiency of the production process, techno-economic viability of energy saving measures, site conditions and capacity of the designated consumer to invest for their implementation, shall prepare a list of recommendations to save energy and the list shall include—

(a) a brief description of each recommended measure;

(b) the estimated energy saving as well as energy cost reduction potential over a reasonable technical or economic life of the measure;

(c) any known or expected technical risk associated with each measure;

(d) a preliminary assessment of financial attractiveness of each measure or assessment of maximum investment feasible based on the estimated energy cost saving potential over the life of the measure;

(e) tabulated summary of recommendations listed as per their implementation schedule (short, medium and long-term);

(f) where different alternatives for implementation of an energy efficiency measure are available, the accredited energy auditor shall examine and discuss such options and recommend the techno-financially better option;

(g) where the installation or implementation of any recommended energy saving measure affects procedures for operation and maintenance, staff deployment and the budget, the recommendation shall include discussion of such impacts including their solutions.

5. Prioritisation and preparation of action plan

(1) The accredited energy auditor jointly with the energy manager shall select from the energy audit report such recommended measures as are included in sub-regulation (4) of regulation 4 which in the opinion of the designated consumer are technically viable, financially attractive and within its financial means, prioritise
them and prepare plan of action for their implementation and this action plan shall include—

(a) preparation of detailed techno-economic analysis of selected measures;

(b) a monitoring and verification protocol to quantify of annual basis the impact of each measure with respect to energy conservation and cost reduction for reporting to Bureau and the concerned State designated agency;

(c) a time schedule agreed upon by the designated consumer of selected measures taking into consideration constraints such as availability of finance and availability of proposed equipment.

(2) The accredited energy auditor based on the activities undertaken under sub-regulation (4) of regulation 4 and regulation 5 shall submit a report in Form 2 to the management of the designated consumer.

(3) The accredited energy auditor shall evaluate the implementation of each recommended energy saving measure in the previous audit report and submit a report in Form 3 to the management of the designated consumer.

6. Structure of the energy audit report

(1) The energy audit report structure shall be jointly decided by the accredited energy auditor and designated consumer.

(2) The energy audit report shall highlight, details of specific energy consumption, list of recommendations to reduce energy consumption and costs, monitoring and evaluation of impact of selected measures and conclude with certification by accredited energy auditor stating that—

(a) the data collection has been carried out diligently and truthfully;

(b) all data monitoring devices are in good working condition and have been calibrated or certified by approved or authorised agencies and no tampering of such devices have occurred;

(c) all reasonable professional skill, care and diligence have been taken in preparing the energy audit report and the contents thereof are a true representation of the facts;

(d) adequate training provided to personnel involved in daily operations after implementation of recommendations; and

(e) the energy audit has been carried out in accordance with these regulations, and the format for the preparation of energy audit report is given in Form 4 for guidance.

(3) The accredited energy auditor shall highlight the strengths and weaknesses of the designated consumer in the management of energy and energy resources in the energy audit report

and recommend necessary action to improve upon method of reporting data, energy management system in detail along with their underlying rationale, and improving energy efficiency and reducing energy consumption in the designated consumer.

(4) The accredited energy auditor shall sign the energy audit report under the seal of its firm giving all the accreditation details along with details of manpower employed in conducting the energy audit.

(5) The energy audit report shall include a work schedule sheet duly signed by accredited energy auditor and energy manager of the designated consumer.

FORM 1

DETAILS OF VALIDATED DATA ON ENERGY CONSUMED AND SPECIFIC ENERGY CONSUMPTION PER UNIT OF PRODUCTION

[Refer Regulation 4(1)(a) and (b)]

1.	Name of the Unit	
2.	The sector in which unit falls (Refer Annexure-1)	
3.	(a) Complete address of Unit's location (including Chief Executive's name and designation) with mobile	
	(b) Year of establishment	
4.	Registered office address with telephone, fax numbers and e-mail,	
5.	Name, designation, address, mobile, telephone, fax numbers, and e-mail of energy manager	

6.	Production and capacity utilisation details						
	Year	Main products	Units (Please specify)	Installed capacity (a)	Actual production (b)	% Capacity utilisation (b/a) x 100	Specific energy consum-ption
		Product 1 Product 2 Other products					
	20...20...						

7.	Energy consumption and cost,	
7.1	Electricity consumption and cost	
	(A) Purchased electricity (i) Units (Millions kWh/year) (ii) Total cost (Rs. Millions/year)	

	(iii) Plant connected load (kW) (iv) Contract demand (kVA) with utility (v) Connected load (kW)	
	(B) Own generation (a) Through diesel generating sets (i) Annual generation (Millions kWh/year) (ii) Total cost (Rs. Million/year) (iii) Fuel used (HSD/LDO/LSHS/LSFO (Refer Annexure-2), (iv) Gross calorific value (kCal/kg) (v) Annual fuel consumption (tonne) (vi) Total annual fuel cost (Rs. Million) (b) Through steam turbine/generator (i) Annual generation (Millions kWh/year) (ii) Fuel used, state which type of fuel was used (C=coal, B=biomass, E=electricity). If coal was used,, state which grade i.e.,C/I=imported or C/F=Coal of grade F, (c) Through gas turbine (i) Annual generation (Millions kWh/year) (ii) Fuel used (state which type of fuel was used Natural Gas (NG), Piped Natural Gas (PNG), Compressed Natural Gas (CNG), Naphtha) (iii) Gross calorific value (kCal/SCM) (iv) Annual fuel consumption (SCM) (v) Total annual fuel cost (Rs. Million)	
(C)	Total generation of electricity (Millions kWh/year) 7.1(B) [a(i)+b(i)+c(i)]	
(D)	Electricity supplied to the grid/others (specify Millions kWh/year)	
(E)	Total Electricity consumed (Millions kWh/year) 7.1 [A(i)+C-D)	
7.2	Fuel consumption and % cost for process heating	
	(A) Coal (i) Gross calorific value (kCal/kg) (ii) Quantity purchased (tonne/year) (iii) Quantity used for power generation (tonne/year) (iv) Quantity used as raw material,, if any (tonne/year) (v) Quantity used for process heating (tonne/year) (vi) Total coal cost for process (Rs. Million/year)	
	(B) Lignite (i) Gross calorific value (kCal/kg) (ii) Quantity purchased (tonne/year) (iii) Quantity used for power generation (tonne/year) (iv) Quantity used as raw material,, if any (tonne/year) (v) Quantity used for process heating (tonne/year) (vi) Total lignite cost for process (Rs. Million/year)	
	(C) Bio mass Other purchased solid fuels (please specify) bagasse, rice husk, etc.	

	(i) Average moisture content as fired (%) (ii) Average gross calorific value as fired (kCal/kg) (iii) Quantity purchased (tonne/year) (iv) Quantity used as raw material, if any (tonne/year) (v) Quantity used for process heating (tonne/year) (vi) Total bagasse cost for process (Rs. Million/year)	

7.3	Liquid	
	(A) Furnace Oil (F.O.) (i) Gross calorific value (kCal/kg) (ii) Quantity purchased (kL/year) (iii) Quantity used for power generation (kL/year) (iv) Quantity used as raw material,, if any (kL/year) (v) Quantity used for process heating (kL/year) (vi) Total F.O. cost for process heating (Rs. Million/year)	
	(B) Low Sulphur Heavy Stock (LSHS) (i) Gross calorific value (kCal/kg) (ii) Quantity purchased (tonne/year) (iii) Quantity used for power generation (tonne/year) (iv) Quantity used as raw material,, if any (tonne/year) (v) Quantity used for process heating (tonne/year) (vi) Total LSHS cost for process heating (Rs. Million/year)	
	(C) High Sulphur Heavy Stock (HSHS) (i) Gross calorific value (kCal/kg) (ii) Quantity purchased (tonne/year) (iii) Quantity used for power generation (tonne/year) (iv) Quantity used as raw material,, if any (tonne/year) (v) Quantity used for process heating (tonne/year) (vi) Total HSHS cost for process heating (Rs. Million/year)	
	(D) Diesel Oil (a) High Speed Diesel (HSD) (i) Gross calorific value (kCal/kg) (ii) Quantity purchased (kL/year) (iii) Quantity used for power generation (tonne/year) (iv) Quantity used as raw material, if any (kL/year) (v) Quantity used for process heating (kL/year) (vi) Total HSD cost for process heating (Rs. Million/year) (b) Light Diesel Oil (LDO) (i) Gross calorific value (kCal/kg) (ii) Quantity purchased (kL/year) (iii) Quantity used for power generation (kL/year) (iv) Quantity used as raw material, if any (kL/year)	

	(v) Quantity used for process heating (kL/year) (vi) Total LDO cost for process heating (Rs. Million/year)	
7.4	Gas	
	(A) Compressed Natural Gas (CNG) (i) Gross calorific value (kCal/SCM) (Refer Annexure-2) (ii) Quantity purchased (million SCM/year) (iii) Quantity used for power generation (million SCM/year) (iv) Quantity used as raw material, if any (million SCM/year) (v) Quantity used for process heating (million SCM/year) (vi) Total cost of natural gas for process heating (Rs. Million/year)	
	(B) Liquefied Petroleum Gas (LPG) (i) Gross calorific value (kCal/SCM) (ii) Quantity purchased (million SCM/year) (iii) Quantity used for power generation (million SCM/year) (iv) Quantity used as raw material, if any (million SCM/year) (v) Quantity used for process heating (million SCM/year) (vi) Total cost of LPG for process heating (Rs. Million/year)	
	(C) Gas generated as by-product/waste in the plant and used as fuel (i) Name (ii) Gross calorific value (kCal/SCM) (iii) Quantity used for process heating (million SCM/year) (iv) Total cost of by-product gas for process heating (Rs. Million/year)	
7.5	Solid waste	
	Solid waste generated in the plant and used as fuel (i) Name (ii) Gross calorific value (kCal/kg) (iii) Quantity used for process heating (tonne/year) (iv) Total cost of solid waste for process heating (Rs. Million/year)	
7.6	Liquid waste	
	(A) Liquid effluent/waste generated in the plant and used as fuel (i) Name (ii) Gross calorific value (kCal/kg) (iii) Quantity used for process heating (tonne/year) (iv) Total cost of liquid effluent for process heating (Rs. Million/year)	
7.7	Others	

	(i)	Name	
	(ii)	Average gross calorific value (kCal/kg)	
	(iii)	Quantity used for power generation (tonnes/year)	
	(iv)	Quantity used for process heat (tonnes/year)	
	(v)	Annual cost of the others source	

Signature

Name of the energy manager
Name of the company
Full address
Seal

Signature

Name of the accredited energy auditor
Accreditation deals
Seal

ANNEXURE-1

NAME OF SECTORS

Aluminum, cement, chemicals, chlor-alkali, fertilizers, gas crackers, iron and steel, naphtha crackers, pulp and paper, petrochemicals, petroleum refineries, sugar, textile.

ANNEXURE-2

NOMENCLATURE

HSD	High Speed Diesel
LDO	Light Diesel Oil
LSHS	Low Sulphur Heavy Stock
LSFO	Low Sulphur Furnace Oil
C	Coal
B	Biomass
E	Electricity
C/I	Coal Imported
C/F	Indian Goal grade F
NG	Natural Gas
PNG	Piped Natural Gas
CNG	Compressed Natural Gas
FO	Furnace Oil
LPG	Liquefied Petroleum Gas
SCM	Standard Cubic Metre (15^0C and
KL	Kilo Litre
Million	Ten (10) lakh

FORM 2

DETAILS OF ENERGY SAVING MEASURES RECOMMENDED IN THE ENERGY AUDIT REPORT (YEAR)

[Refer Regulation 5(2)]

S. No.	Energy saving measures (Suggested categories of areas of improvement and modifications for obtaining details of energy saving See Annexure-3)	Investment Million Rs.	Reasons for not implementing the measure	Date of completion of measure/likely completion	Life cycle years	Annual energy savings				
						Oil	Gas	Coal	Electricity	Other
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1.										
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										

Signature
Name of the energy manager
Name of the company
Full address
E-mail address
Telephone/Fax numbers
Plant address

Signature
Name of the accredited energy auditor
Accreditation details
Seal Contact person

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1. Estimate the predicted life of the measure, meaning the number of years the level of first year energy savings or even larger amounts will materialize.
2. Life commercial units of litre, kg., tones, normal cubic metre, kWh or MWh and indicate the unit. Indicate the anticipated potential in energy savings.

ANNEXURE-3

SUGGESTED CATEGORIES OF AREAS OF IMPROVEMENT AND MODIFICATIONS FOR OBTAINING DETAILS OF ENERGY SAVINGS

1. Better house keeping measures
2. Installation of improved process monitoring and control instrumentation, or software
3. Fuel Handling System
4. Steam Generation System
5. Steam Distribution System
6. Electricity Generation System
7. Hot Water System
8. Compressed Air System
9. Raw/Process Water System
10. Cooling Water System
11. Process Cooling/Refrigeration System
12. Heating, Ventilation and Air Conditioning System
13. Electrical System
14. Lighting System
15. Melting/Heating/Drying Equipment (e.g. Furnaces, Heaters, Kilns, Ovens, Dryers, Evaporators, etc.
16. Heat Exchangers
17. Pumps, Compressors, Fans, Blowers, Piping, Ducting
18. Process Equipment (e.g., Reactors, Separation Equipment, Material, Handling Equipment, etc.)
19. Transformers
20. Electric Motors and Drives
21. Process Technology
22. Process Integration
23. Process Control and Automation
24. Other Non-equipment Measures (e.g., Plant Operation/Scheduling, Tariff Schedule, etc.)
25. Recovery of waste heat for process heat or power generation
26. Retrofitting, modification or sizing of fans, blowers, pumps, including duct systems
27. Other

FORM 3

[Refer Regulation 5(3)]

DETAILS OF ENERGY CONSERVATION MEASURES IMPLEMENTED, INVESTMENT MADE AND SAVINGS IN ENERGY ACHIEVED AND PROGRESS MADE IN THE IMPLEMENTATION OF OTHER RECOMMENDATIONS

A. Implemented

Sl. No.	Description of energy	Category	Investment (Rupees)	Verified savings	Verified energy	Units	Fuel	Remarks

	efficiency improvement measure			(Rupees)	savings			
1.								
2.								
3.								

B. Under implementation

Sl. No.	Description of energy efficiency improvement measure	Category	Investment (Rupees) estimated	Verified savings (Rupees) estimated	Verified energy savings estimated	Units	Fuel	Status of imple-mentation
1.								
2.								
3.								

Signature
Name of the energy manager
Name of the company
Full address
Contact person
E-mail address
Telephone/Fax numbers
Plant address

Signature
Name of the accredited energy auditor
Accreditation details
Seal

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1. Use "C. No." column of form 2 as reference – See Annexure "3" for adoption.
2. First Year
3. Use conventional energy, volume or mass units with proper prefix K = 10^3, M = 10^6, G=10^9

FORM 4

[Refer Regulation 6(2)]

GUIDELINES FOR PREPARATION OF ENERGY AUDIT REPORT

Each energy audit report shall include—

(1) Title page
— Report title
— Client name
— Location of the plant/establishment
— Date of report
— Name of the accredited energy auditors

(2) Table of contents

(3) Acknowledgement

(4) Executive summary
— Company's profile
— Goals and objectives of the energy management programme
— Major challenge and goals for the upcoming year
—Major activities to meet challenges and goal

—Summary and classification of energy
— Conservation measures - should be in Form 2

1.0 Introduction about the plant/establishment
1.1 General plant/establishment details and descriptions
1.2 Energy audit team
1.3 Component of production cost (raw materials, energy, chemicals, manpower, overhead, others)
1.4 Major energy use areas

2.0 Production process description
2.1 Brief description of manufacturing process
2.2 Process flow diagram and major unit operations
2.3 Major raw material inputs, quantity and costs

3.0 Energy and utility system description
3.1 List of utilities
3.2 Brief description of each utility
3.2.1 Electricity
3.2.2 Steam
3.2.3 Water
3.2.4 Compressed air
3.2.5 Chilled water
3.2.6 Cooling water
3.2.7 Others

4.0 Detailed process flow diagram and energy and material balance
4.1 Flow chart showing flow rate, temperature, pressures of all input-output streams
4.2 Water balance for entire industry
4.3 Energy balance of the designated consumer in the tabular form

5.0 Performance evaluation of major utilities and process equipments/systems
5.1 List of equipments and process where performance testing was done
5.2 Results of performance testing

6.0 Energy efficiency in utility and process system
6.1 Specific energy consumption
6.2 Boiler efficiency assessment
6.3 Thermic fluid heater performance assessment
6.4 Furnace efficiency analysis
6.5 Cooling water system performance assessment
6.6 Diesel Generator set performance assessment
6.7 Refrigerator system performance
6.8 Compressed air system performance
6.9 Electric motor load analysis
6.10 Lighting system
6.11 Others

7.0 Evaluation of energy management system
7.1 Energy management policy
7.2 Energy management monitoring system
7.3 Bench marking
7.4 Development and establishment of procedures include energy efficiency possibilities
7.5 Training to staff responsible for operational and associated processes
7.6 General audit review
7.7 Conform to Act, rules and regulations framed thereunder
7.8 Strength and weaknesses of the designated consumer

8.0 Energy conservation measures and recommendations

8.1 The report shall provide existing energy profile of the designated consumer with percentage share of major equipment/processes, utilities etc., so that it becomes a basic document for future monitoring.

8.2 Details of energy saving measures recommended in Form 2.

8.3 Cost benefit analysis of each recommended energy saving measures as per standard practice.

8.4 The investment proposals shall be backed with technical and economic viability and prioritization of energy conservation measures based on financial analysis of various options taking into account the capacity of the designated consumer to make investment in such measures.

8.5 The energy auditor may also consider the substitution of existing energy use by any other form of techno-commercially viable form of energy.

8.6 Details of energy saving measures implemented, investment made and saving in energy achieved together with progress made in the implementation of the remaining energy saving measures in Form 3.

9.0 Certification

This part shall indicate certification by accredited energy auditor stating that—

(i) the data collection has been carried out diligently and truthfully;

(ii) all data monitoring devices are in good working condition and have been calibrated or certified by approved agencies authorised and no tampering of such devices has occurred;

(iii) all reasonable professional skill, care and diligence had been taken in preparing the energy audit report and the contents thereof are a true representation of the facts;

(iv) adequate training provided to personnel involved in daily operations after implementation of recommendations; and

(v) the energy audit has been carried out in accordance with the Bureau of Energy Efficiency (Manner and Intervals of Time for the Conduct of Energy Audit) Regulations, 2010.

Signature
Name of the accredited energy auditor
Accreditation details Seals