

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 section 14;
- (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;