

Preface

It is with some hesitancy that we publish this work in this form. It is not a book in the usual sense of what one may expect on energy conservation law. It is a documentation of the manner in which we went about the task of formulating an Energy Conservation Bill for India. On deeper reflections we feel that since this work involves the making of a possible law, presentation of the manner of its formulation is just as significant as the substantive matters concerning energy conservation. A law must have both inputs: of knowledge and of people's participation. Presentation of this work in this form, we believe, will clearly bring this out.

The formulation of a law with extensive background research is still a rare phenomenon in India. Democratization of the law-making process cannot do away with the serious intellectual input that must go into any legislation. We, therefore, greatly appreciate the government's efforts to seek alternative legislative strategies, wherein both the people's will and their expertise is involved. The work, we are hopeful, will be of interest not only to those engaged in the task of energy conservation planning and legislation, but also to the law people who wish to study natural resources law as well as alternative legislative methods and methods of legal research. This has been one of the major considerations in presenting this work in this form.

We are aware that the research for this work is not as comprehensive as it ought to be. There are numerous shortcomings. However, we are confident that the sample of industries surveyed and their interests are representative of the general industrial sector with which the research and the Bill deal. The making of such a law also demands taking into consideration the interest of the government and what is in national interest. The Bill, we believe, strikes a balance between these interests. Fortunately, energy conservation, unlike pollution control, is of direct economic benefit to the industries. The tentative law, therefore, is aimed mostly at facilitating the achievement of goals which both the industries and the state already desire.

If a welfare state has to plan for the nation, conservation of energy is certainly one of those matters which cannot be done without concentrated planning and effort by the state. The Bill provides a comprehensive scheme for such a plan. What is needed is the political will to bring such a plan into operation. The urgent need to conserve the huge amount of the waste of energy resources and thus improve the economy of India, can hardly be emphasized.

Energy conservation will be a major matter for national concern in the coming future. We are hopeful that even if the law suggested here is not accepted *in toto*, it will provide the foundational ground for any future contemplation of energy conservation law in India.

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