

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

বৃহস্পতিবার, ডিসেম্বর ২৬, ২০১৯

Government of the People's Republic of Bangladesh
Ministry of Defence

NOTIFICATION

Dated : 23 December, 2019 A.D

S. R. O. No. 398-Law/2019.—In exercise of the powers conferred by section 31 of the Meteorological Act, 2018, the Government is pleased to publish the following Authentic English Test of the Act, and it shall be deemed to have taken effect from the date on which the Act comes into force pursuant to sub-section (3) of section 1 of this Act :

Act No. XXVIII of 2018

An act to make provisions for the purpose of issuing accurate meteorological and climate forecasts on timely basis, combating and reducing meteorological disaster, protecting public life and property, proper use of climate resources and making meteorological services strong, consolidated, target-oriented and updated, and for matters ancillary thereto

WHEREAS it is expedient and necessary to make provisions for the purpose of issuing accurate meteorological and climate forecasts on timely basis, combating and reducing meteorological disaster, protecting public life and property, proper use of climate resources and making meteorological services strong, consolidated, target-oriented and updated, and for matters ancillary thereto;

THEREFORE, it is hereby enacted as follows :—

(২৫৯৪৭)

মূল্য : টাকা ১৬.০০

Chapter 1

Preliminary

1. **Short title, application and commencement.**—(1) This Act may be called the Meteorological Act, 2018.

(2) It shall apply to the whole of Bangladesh.

(3) It shall come into force at once.

(2) **Definitions.**—In this Act, unless there is anything repugnant in the subject or context—

(1) **“Department”** means the Bangladesh Meteorological Department established under section 4;

(2) **“weather”** means an atmospheric condition that prevails in a particular time and place of the surface of earth subject to the temperature, rainfall, humidity, air-pressure, velocity and nature of wind, etc. of that time and place;

(3) **“meteorological phenomena”** shall include the following matters, namely :—

(a) atmospheric phenomena;

(b) terrestrial phenomena;

(c) hydro- meteorological phenomena;

(d) various events occurring outside the atmosphere which affect atmospheric phenomena, geological phenomena and hydro- meteorological phenomena;

(4) **“meteorological forecast”** means making prediction of future conditions of weather based on the results of meteorological observation;

(5) **“meteorological observation”** means the collection, measurement, study and analysis of meteorological phenomena and climate information and data in a scientific method;

(6) **“meteorological scientists”** means the employees of the Department holding the posts of 9th and above grades and engaging in the works of basic and applied research on meteorological phenomena, meteorological observation, scientific interpretation and forecasting of meteorological phenomena;

- (7) “**meteorological equipment**” means machine, tool, equipment used for meteorological observation and also includes necessary software and systems;
- (8) “**meteorological warning**” means a warning issued in order to safeguard public life and property and provide public safety on the basis of meteorological phenomena in fear of disaster;
- (9) “**meteorological service**” means observation of meteorological phenomena and climate including earthquake observation, issuing forecast and warning, and collecting information and studying results of research in this regard;
- (10) “**employee**” means any person appointed against the permanent post of the Department with regular pay-allowances;
- (11) “**mass media**” means radio, television, satellite television channel, print media, telecommunications network or electronic or cable network or broadcast or similar communication media based on information and technology;
- (12) “**hydro-meteorological phenomena**” means atmospheric and geological phenomena occurring under or above the surface of the sea, including water waves, ebbs and tides, tidal surges, tsunami occurring inside sea, river or other water bodies;
- (13) “**climate**” means the average condition of the meteorological phenomena of a particular place for a particular period of time;
- (14) “**climate change**” means long term natural changes in the physical elements of atmosphere at any place on the surface of the earth, of the global climate changes occurring on account of direct or indirect activities of human beings;
- (15) “**climate service**” means information and advice of the long-term climate condition of any region;
- (16) “**climate resources**” means the positive elements of climate of a region;
- (17) “**atmospheric phenomenon**” means various natural phenomena occurring the atmosphere, such as: maritime cyclone, thunderstorm, *kalboishakhis* (nor western), tornado, heavy rainfall, drought, landslide caused by heavy rainfall, etc;

- (18) "rules" means rules made under this Act;
- (19) "terrestrial phenomenon" means events of earthquake and volcano, including other events occurring on or under the surface of the earth;
- (20) "earthquake" means natural earthquake or vibration of earth caused by a sudden extreme subterranean dereliction, or an artificial earthquake or artificial energy, such as: vibration of earth caused by nuclear test or heavy explosion;
- (21) "Director General" means the Director General of Bangladesh Meteorological Department appointed under section 9; and
- (22) "tsunami" means huge unusual tidal surge caused by earthquake occurring under sea.

3. **Act to override other laws.**—Notwithstanding anything contained contrary in any other law for the time being in force, the provisions of this Act shall prevail.

Chapter II

Establishment of the Department, Functions, Institutional Framework related to Meteorological Services

4. **Establishment of the Department, etc.**— (1) For carrying out the purposes of this Act, there shall be a Department to be called the Bangladesh Meteorological Department.

(2) Upon the commencement of this Act, the existing Bangladesh Meteorological Department under the Ministry of Defence shall, in accordance with the provisions of this Act, be deemed to be the Bangladesh Meteorological Department for the purpose of sub-section (1).

5. **Head Office of the Department, etc.**— (1) The Head office of the Department shall be situated in Dhaka.

(2) The Government may, if necessary, establish its regional or branch office at any place outside of Dhaka.

6. Functions of the Department.— (1) For carrying out the purposes of this Act, the duties and functions of the Department shall be as follows, namely:—

(a) meteorological service related activities—

- (i) ensuring the development and supply of meteorological services as well as conducting basic research on weather and climate and, in perspective of Bangladesh, technical research thereon;
- (ii) taken record of continuous observation in scientific method on atmospheric, terrestrial, hydrological and earthquake and geomagnetic meteorological phenomena;
- (iii) operating and maintaining meteorological radars, seismographs and geomagnetic observatories used for meteorological services;
- (iv) collecting images through land-satellite for day-to-day instant information and data to be used in meteorological forecasting centers for cyclonic warning and safe aviation;
- (v) preparing all weather maps based on meteorological information and data and providing detailed explanation with data-analysis;
- (vi) taking measures for extraction, calculation, quality control, analysis, storage, archiving and retrieval of weather and climate related data including publication thereof;
- (vii) establishing and supervising meteorological observatories and collecting and installing technical equipment;
- (viii) supervising and developing meteorological equipment and computer programme;
- (ix) recording updating and supervising the meteorological data recived through observation in accordance with international standard;
- (x) taking necessary measures to give subscription as a member of various international organizations;

(b) mutual co-operation—

(i) providing expert opinion and information and data, in such manner as may be prescribed by rules, to the concerned Ministries, Divisions, Departments and Agencies, interested stakeholders, research institutions and agencies, including the Ministry of Defence as per their requirements;

(ii) exchanging information and data related to meteorological services with national and international organizations as per national needs and international liability;

(iii) preparing and providing astronomical information;

(iv) providing notifications as to observation of meteorological services, forecasts and warnings, as soon as may be;

(c) meteorological forecasts and warnings—

(i) issuing forecasts and special notices or, as the case may be, preparing and giving warnings or signals in advance about atmospheric phenomena, terrestrial phenomena and hydro-meteorological phenomena;

(ii) issuing meteorological forecasts for use of the public, agriculture or tourism, or for safe movement of water vessels, ships and aircrafts;

(d) international communication, co-ordination and representation, etc.—

(i) corresponding with all national and international development partner organizations, including the World Meteorological Organization for the development of meteorology;

(ii) developing appropriate and necessary plants in consistence with the standard set by the World Meteorological Organization (WMO), and in order to make meteorological services of Bangladesh effective, collecting and installing modern equipment, adopting them for meteorological services, and implementing relevant policies;

(iii) co-ordinating with the Regional Association and the Technical Commission of WMO;

(iv) representing Bangladesh in international level as to exchange of information and data, meteorological services and matters ancillary thereto.

(2) For carrying out the purposes of this Act, the Department shall perform such other functions as may be determined by the Government.

7. Duties regarding meteorological services.— (1) The Department shall, in discharging its duties, act as the only reliable organization of the Government having jurisdiction to conduct events related to meteorological services of Bangladesh and activities related thereto.

(2) No person or organization, other than the Department, shall issue any notification as to observation, forecast and warning related to meteorological services.

(3) Other Ministries, Divisions or Agencies may, in line with the forecast issued by the Department, prepare and issue, with necessary adaptation, notifications as to warnings for their respective fields.

8. Establishment of Research and Training Centre.—(1) For carrying out the purpose of this Act, the Government may, if so required, establish a National Weather Research and Training Centre, under the supervision of the Department, to undertake related activities, including the research of the meteorological services, and to enhance the capacity of forecasting and warning system.

(2) The centre established under sub-section (1)—

(a) shall impart training on meteorological services and matters related to public awareness to the employees of organizations using meteorological services, including in-house training of the meteorological scientists and other employees of the Department;

(b) the functions and management procedures of the centre and the matters ancillary thereto shall be prescribed by rules;

(c) shall, from time to time, inform the Department of the results arising out of research on meteorological services and related matters conducted by any higher research institute or educational institution; and

(d) may take necessary measures to award degrees, in such manner as may be prescribed by rules, on meteorological services and related matters, in association with any higher research institute or educational institution.

Chapter III**Director General, other Employees, Management, etc.**

9. **Director General.**—(1) There shall be a Director General of the Department who shall be the Chief Executive of the Department.

(2) The Director General shall be appointed by the Government on such terms and conditions as may be prescribed by rules.

10. **Interim duties of the Director General.**—If the post of the Director General becomes vacant or the Director General is unable to discharge his duties on account of his absence, illness or any other reason, then unless the Government otherwise directs, the person senior in rank and service, amongst the employees working in the head office of the Department shall discharge the interim duties of the Director General until the newly appointed Director General takes over his office or the Director General resumes the functions of his office.

11. **Duties of the Director General, etc.**—(1) The duties of the Director General shall be as follows, namely :—

- (a) to perform the functions specified in section 6;
- (b) to conduct all administrative and financial activities of the Department; and
- (c) to supervise the activities of the employees of the Department and issue guidance to them.

(2) The Director General shall, subject to the provisions of this Act, perform such functions, exercise such powers and discharge such duties, and comply with such instructions as may be conferred by the Government, from time to time.

12. **Other employees.**—For the efficient performance of the functions of the Department, there shall be such number of employees as may be required as per the organizational framework of the Department approved by the Government, and their salaries, allowances and other terms and conditions of service shall be prescribed by rules :

Provided that until such rules are made, the salaries, allowances and other terms and conditions of the employees shall be determined by the Government.

Chapter IV
Establishment of Observatory, Management
and Maintenance of Network

13. **Establishment of observatory.**—(1) The Department may, if so required, with the approval of the Government, set up observatory or establishment, as the case may be, at any place for collecting information and data related to meteorological services.

(2) The standard of the observatory or the establishment, as the case may be, set up under sub-section (1), shall be determined by the Department.

(3) The area of the observatory, or the establishment, as the case may be, shall be demarcated according to the standard fixed up by the Department, with the approval of the Government, and it shall be integrated with the plans of the town, village or city where it is established.

14. **Meteorological observation through observation networks.**—(1) The Department may, with the approval of the Government, maintain observation networks among the observation stations, observatories or, as the case may be, establishments set up for the purpose of collecting information and data on meteorological services.

(2) In case of issuing necessary meteorological forecast and warning notification for the safe movement of water vessels and aircrafts, the Department may, give instruction to any water vessel, ship and aircraft equipped with meteorological instruments and radio communications to provide observation information; and may, in this behalf, install modern equipment to identify meteorological forecasts according to the requirements of water vessels, ships and aircrafts in such manner as may be prescribed by rules.

15. **Maintenance of observatory and establishment.**—(1) The Department shall maintain observatories or establishments, as the case may be, for meteorological observation under this Act.

(2) The Government may prohibit, under this Act, erection of any high-rise building or establishment likely to cause explosion at any place near to the establishment set up for recording meteorological observation, and doing any such activity as is likely to cause damage to high-frequency electromagnetic radiation machine or meteorological measuring instrument, observatory or establishment.

Chapter V
Standardizing Observation, Developing Plans
Part- A

16. **Observation to be standardized.**—(1) The Department shall, for the purpose of standardizing the meteorological observation, formulate and implement policies for collection of accurate meteorological information and data as per the WMO guidelines.

(2) According to the standard recognized by the WMO, the Department shall publish the following specifications on meteorological instruments, namely :—

- (a) the ideal place for establishing observatory;
- (b) the type, description and number of equipment to be installed in the observatory;
- (c) the value of the unit of data accepted in the observatory;
- (d) the standard of the last unit of data received in the observatory; and
- (e) the standard of a specialized observatory.

(3) Save as the Armed Forces, the users of meteorological equipment shall be required to obtain the Factory Calibration Certificate issued by the manufacturer, and shall have to take prior permission of the Department before collection of meteorological observation equipment.

(4) The Department shall ensure the use of the format prescribed by rules, for the collection and exchange of information and data related to meteorological services.

Part-B

17. **Developing plan and implementation thereof.**—(1) The Department shall, considering the following matters, make and implement the development plan for inclusion thereof in the short, medium and long-term plans regarding meteorological services and matters related thereto to be undertaken by the Government, namely :—

- (a) strategy and development plan declared by the WMO and collection of modern equipment;
- (b) strategy and development plan of the Government;

- (c) regional strategy and development plan for meteorological service;
- (d) strategy and development plan declared by the Intergovernmental Oceanographic Commission (IOC) and the International Civil Aviation Organization (ICAO);
- (e) strategy and development plan declared by the International Maritime Organization (IMO).

(2) The Department shall ensure the implementation of annual development programme and plan approved by the Government.

Chapter VI

Meteorological Forecasts and Warnings

18. **Establishment of Meteorological Forecasting Centre.**—(1) The Department may, with the approval of the Government, establish Meteorological Forecasting Centre at any place, if so required, to issue forecasts based upon meteorological observation information.

(2) The standard of the meteorological Forecasting Centre established under sub-section (1) shall be determined by the Department.

(3) Upon approval of the Government and according to the standard determined by the Department, the area of the Meteorological Forecasting Centre shall be demarcated and be integrated with the plan of village, town or city where it is established.

19. **Issuance of meteorological forecast and warning notifications.**—(1) The Department shall issue necessary notifications of the forecast and warning related to meteorological services for use of the public.

(2) The Department shall send the notifications of forecast and warning related to meteorological services issued under sub-section (1) to the concerned Ministries, Divisions, Agencies and the mass media:

Provided that the Department shall, after issuing the signal-3 of cyclone warning, maintain close communication with the Ministry of Disaster Management and Relief.

(3) The types and detailed description of the notifications of the forecast and warning related to meteorological services specified in sub-section (1), shall be uploaded in the website of the Department.

20. Meteorological forecast and warning for the water vessels, ships and aircrafts.—(1) The department shall issue necessary forecast and warning notifications for the safe movement of the water vessels, ships and aircrafts.

(2) The types and detailed description of the forecast and warning notifications specified in sub-section (1), shall be prescribed by rules.

21. Provisions regarding issuance or withdrawal of warning notification.—In case of issuance or withdrawal of warning notifications specified in sub-section (1) of section 19 and sub-section (1) of section 20, the Department shall forthwith inform it to the concerned Ministries and Agencies:

Provided that, in case of aviation, it shall directly inform the concerned aviation organization only.

22. Publicity of meteorological forecasts.—(1) The mass media and the Post and Telecommunication Division shall ensure the publicity of the latest meteorological forecasts, warnings and special notifications issued by the Department.

(2) The mass media shall, along with other ongoing news or programmes, arrange to make publicity of any of the inclement weather warnings or supplementary or amended weather forecasts which appears to have direct impact on national economy and the public.

Chapter VII

Climate

23. Observation of climate and services.—(1) No person or organization shall, without prior permission of the Department, issue any kind of climate warning; and if the person or organization undertakes any programme related to climate, it shall be informed to the Department.

(2) The Department shall co-ordinate all efforts related to the observation, analysis and evaluation of climate, and shall continuously ensure the collection, preservation and international exchange of data through meteorological observatories accredited by the WMO.

(3) The Department shall prepare the periodic projection by month, year and century, and shall deliver it in such manner as may be prescribed by rules.

(4) The Department shall discharge the overall duties of climate survey and zoning throughout the country, and shall regularly publish bulletins on climate conditions at specified intervals.

24. Climate change and protection of climate resources, etc.—(1) The Department shall provide various types of services related to climate and changes thereof.

(2) The Department shall study the impact and result of climate changes, make climate forecast, from time to time, and give necessary advice to the Government or concerned Ministries, Divisions or offices in making assessment of the adverse impact of climate changes, in such manner as may be prescribed by rules.

(3) The Department shall submit to the Government the proposal for protection and use of climate resources in the light of research, and shall study the outcome of plans taken by the Government for protecting and using climate resources.

Chapter VIII

Earthquake

25. Establishing national earthquake observatory, maintaining observation network and regulating operational activities.—(1) The Department may establish or install such number of observatories or equipment, as may be necessary, for regular observation of earthquake, flood caused by earthquake, tidal surge or tsunami and for any other research related thereto.

(2) The Department may conduct operational activities through the network and the national earthquake observatory established or installed under sub-section (1).

(3) No person or organization shall, without prior permission of the Department, establish any observatory or install any equipment as specified in sub-section (1) and (2) or conduct any activity for observation of earthquake, flood caused by earthquake, tidal surge or tsunami and for any research related thereto within the territorial limits of Bangladesh.

26. Notifications regarding earthquake and tsunami observation.—

(1) The Department shall issue notifications on earthquakes and floods caused or likely to be caused by earthquakes, tidal surge or tsunami occurring in Bangladesh and in the areas adjacent thereto.

(2) The Department shall send the notifications referred to in sub-section (1) to the concerned Ministries, Organizations and mass media.

(3) The Department shall arrange to circulate the notifications regarding the occurrence of earthquake and tsunami referred to in sub-section (1), in the form of warnings.

(4) The Department shall, in accordance with the guidelines of the World Meteorological Organization (WMO) and the Intergovernmental Oceanographic Commission (IOC), send to the Government its opinion for formulating necessary policies for the purpose of conducting activities related to tsunami occurred or likely to occur in the Bay of Bengal, in the Indian Ocean and in the Arabian Sea, and for forecast, exchange of information and data, improvement of observation and development of human resources.

(5) If any information on earthquake or tsunami occurred that relates to disaster is circulated, in writing or orally, by the Department to the mass media or the public, it shall be deemed to be reliable official information.

27. Collection and management of information on earthquake and tsunami.—The Department shall collect and preserve information and data on earthquake, flood caused by earthquake, tidal surge or tsunami; and shall publish the statistics of information related thereto, at such times as may be prescribed by rules.

Chapter IX

Miscellaneous

28. Meteorological Authority.—The Director General shall, in accordance with the Annex-3 of the International Civil Aviation Organization (ICAO), be the meteorological Authority for Bangladesh; and the address of the Director General shall be stated in the Aeronautical Information Publication (AIP) of Bangladesh Civil Aviation Authority.

29. Delegation of powers.—For carrying out the purposes of this Act, the Director General may, subject to conditions, delegate his powers to any meteorological scientist to inspect any place.

30. **Power to make rules.**—For carrying out the purposes of this Act, the Government may, by notification in the *official Gazette*, make rules.

31. **Publication of Authentic English Text.**—(1) After the commencement of this Act, the Government shall, by notification in the *official Gazette*, publish an authentic English Text of this Act.

(2) In the event of conflict between the Bangla and the English texts, the Bangla text shall prevail.

By order of the President

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