

Item No. 60:— Formulation of Policy for Grant of Licenses under Section 417 of the DMC Act, 1957 for Running of Dairies (Cows/Buffaloes) within Rural Villages. Areas and Prohibition on keeping of a Cow/She-Buffalo in Urban Areas/ Limits.

1. Commissioner's letter No. B 33/D.V.S/1939/C&C dated 7-1-2010,

The department had put up a proposal/preamble vide No. F. 33/VO(Enf.)/3034/C&C dated 23-02-2009 before the Standing Committee for allowing releasing of seized Cattle (Cows & its progeny) to their rightful owner/claimants which was referred back by the Standing Committee vide its Resolution No, 1261 dated 13-3-2009,

2. Further, the department had also placed another proposal/preamble vide No. F. 33/VO(Enf.)/3285/C &C dated 6-3-2009 on formulation of a policy for grant of licenses under Section 417 of the DMC Act, 1957 for running of dairies in Delhi (Cattle/Buffaloes) wherein Standing Committee constituted a Sub-Committee under the Convener-ship of Ms. Rajni Abbi, Deputy Chairperson, Standing Committee with Shri Vijay Pandit, Shri Jai Bhagwan Yadav & Shri Khavinder Singh Captain as its Members. The Sub-Committee while submitting its report/recommendations on various issues of licensing policy, also inter-alia, recommended for releasing of seized cows and their progeny to their owners/rightful claimants i.e. first time against a minimum penalty of Rs. 5,000/- per animal and second time at an enhanced penalty of Rs, 10,000/- per animal with initiation of legal proceedings under Section 289 of IPC, 1860 and Section 98 of the D.P. Act. However, aforesaid proposal/preamble was also referred back by the Standing Committee vide its Resolution No, 127 dated 17-6-2009.

3. Thereafter, Standing Committee vide Private Resolution No. 473 dated 4-11-2009 has resolved for keeping of a cow or a She-buffalo for domestic use, which does not fall within the ambit of dairies and do not violate any court directions be allowed and if caught by MCD be released immediately by taking necessary compounding charges.

4. In this connection, it is stated that keeping of a cow or a she-buffalo in a family for domestic use or more cows/She-buffaloes within urban areas/limits/urbanized villages may not be allowed as these animals are left on the roads/streets by their owners after their milking adding/leading to the problem of stray cattle. At this juncture, the nuisance/insanitary conditions caused by a Cow/She-buffalo being kept for domestic purpose fall within the definition of dairy activities as caused by dairies (having more than one cow or she-buffalo) running in the city of Delhi. Further in face of the facts that when everybody is struggling for living space in Delhi, these domestic animals which come on the roads/streets invariably become the cause of insanitary conditions, road accidents apart from attacking the public putting their lives in danger, compelling the MCD to become a party to pay compensation to the kith & kin of the injured deceased victims in complying the Court orders.

5. It will not be out of place to mention here that the Hon'ble High Court in PIL titled CWP No. 3791/2000 (Common Cause Society Vs. UOI & Ors.) has

been reprimanding the MCD time & again for not dealing effectively with the menace of stray cattle /illegal dairies wherein MCD has filed an affidavit before the Hon'ble High Court of Delhi stating therein the schedule for removal of stray cattle/illegal dairies and relocation of eligible dairies under Ghogha Dairy Scheme and department is well behind the committed target/goal of removal of stray cattie/illegal dairies from the city of Delhi. As such, it shall not be appropriate for allowing/keeping of even a single cow or a she-buffalo in the city/urban areas/limits/ urbanized villages and thus requires prohibitory orders accordingly.

6. So far as licensing policy for grant of licenses under Section 417 of the DMC Act, 1957 is concerned, it is submitted that there is a provision for grant of such licenses to the owners of cattle or other quadruped animals kept in the Municipal jurisdiction, Sub-section (1)(C) of the above Section is reproduced herein below –

“(1) No person shall use or permit to be used any premises for any of the following purpose without or otherwise than in conformity with the terms of a license granted by the Commissioner in this behalf, namely—(C) keeping horses, cattle or other quadruped animals or birds for transportation, sale or hire or for the sale of the produce thereof”

7. Similarly Section 418 of the DMC Act, 1957, inter-alia, provides that if any horses, cattle or other quadruped animals or birds are kept on any premises in contravention of the provisions of Section 417, or are found abandoned and roaming or tethered on any street or public place or on any land belonging to the Corporation, the Commissioner or any officer empowered by him may seize them and may cause them to be impounded or removed to such place as may be appointed by the Government or the Corporation for this purpose and the cost of seizure of these animals or birds and of impounding, or removing them and of feeding and watering them shall be recoverable by sale by auction of these animals or birds.

8. In pursuance of Section 418 of the DMC Act, 1957, "Registration of Cow and She Buffalo Bye-laws-1965" were framed and notified which provides registration of a cow of a she-buffaloe in a family for domestic use **(ANNEXURE-A)**. Proviso 3(1) of the aforesaid Bye-laws provides as under:—

“Every person claiming exemption from payment of tax in respect of a cow or a she-buffaloe under the provision of clause (d) of the second proviso to Section 137 shall register such cow or she-buffaloe with the Commissioner and for this purpose submits an application in the form prescribed by the Commissioner.”

9. The Hon'ble High Court of Delhi vide orders dated 31-5-2007 in CWP No. 3791/2000 title 'Common Cause Society Vs. VOL & Ors.', inter-alia, directed the MCD to grant the license for running of dairies and enforce the provisions of Section 417 of the DMC Act, 1957.

10. Thereafter, terms and conditions for issuance of licensees for running the dairies in the authorized dairy colonies as well as rural areas in Delhi under Section 417 of the DMC Act, 1957 were circulated to the Zonal authorities vide letter No.1802/VO(HQ)/2007 dated 08th October, 2007 for ensuring strict compliance thereof in letter and spirit **(ANNEXURE-B)**.

11. Consequently, a Public Notice No.552/VO(Enf.)(HQ)2008 dated 20th June, 2008 was got published in the leading, Newspapers of English, Hindi and Urdu whereby all dairy owners, running their dairies in urbanized areas within the jurisdiction of the MCD were requested to remove their illegal dairies immediately to check the menace of stray cattle on the city roads failing which MCD shall remove the illegal dairies/stray cattle to comply the directions of Hon'ble High Court of Delhi. The dairies running in urbanized areas are not removed, the names of all such illegal dairy owners will be sent to the SHOs of the concerned Police Stations to prosecute them for defiance of the orders of the Hon'ble High Court.
12. Besides this, vide another Public Notice No. 551/VO(Enf.)/2008 dated 20-6-2008, all dairy owners of authorized dairy colonies as well as those dairy owners, running their dairies in the rural areas within the jurisdiction of the MCD were requested to apply with the respective Zonal Veterinary Officers of Municipal Zones of the MCD within a fortnight of publication of the Public Notice for seeking licenses under Section 417 of the DMC Act, 1957 for running of dairies, failing which MCD shall be bound to contemplate suitable action against them as per rules.
13. Further, vide subsequent Public Notice No. 933/VO/Enf./2008 dated 6-8-2008 which was also got published in the three leading Newspapers of English, Hindi and Urdu, all dairy owners running their dairies in urbanized areas in the jurisdiction of the MCD were once again requested to remove their illegal dairies immediately to check the menace of stray cattle on the city roads failing which MCD shall remove the illegal dairies/stray cattle to comply with the directions of Hon'ble High Court. If the dairies running in urbanized areas are not removed, the names of all such illegal dairy owners will be sent to the SHOs of the concerned Police Stations to prosecute them for defiance of the orders of Hon'ble High Court.
14. In pursuance of directions dated 17-9-2008 of the Hon'ble High Court of Delhi, Hon'ble High Court of Delhi directed the Chief Secretary, Delhi to convene a Meeting of all concerned and file a Joint Status Report by the GNCTD, MCD and Police within a period of 4 weeks so as to deal with the menace of stray cattle effectively,
15. Consequently, Chief Secretary, Delhi convened a meeting of all concerned on 1-10-2008, after detailed discussions. The Chief Secretary, Delhi, inter-alia, directed MCD to furnish the status with regard to formulation of a specific licensing policy towards issuance of licenses to the dairy owners.
16. Subsequently, a detailed proposal on the aforesaid subject was placed before the Corporation, routed through the Standing Committee for its approval, however, the case was referred back by the Standing Committee vide its Resolution No. 127 dated 17-6-2009.
17. That before a specific Policy for licensing of dairies within the jurisdiction of the Municipal Corporation of Delhi is framed and approved, it has to be taken into consideration that following types of cattle rearing activities or running of dairies are being undertaken by the different sections of the Society for different purposes legally or illegally :—

(A) Dairy activities in the authorized dairy colonies:

There are 10 authorized dairy colonies. All the dairy owners of these authorized dairy colonies will be asked to obtain dairy licenses through the Veterinary Services Department of the MCD. A table showing the authorized dairy colonies is given as below:-

S.No.	Name of the authorized dairy colonies.	Municipal Zones where they are situated.
1.	Kakrola dairy	Najafgarh Zone
2.	Goela dairy	Najafgarh Zone
3.	Nangli Shakrawati dairy	Najafgarh Zone
4.	Jharoda dairy	Civil Lines Zone
5.	Bhaleswa dairy	Civil Lines Zone
6.	Gharoli dairy	Shahdara(South) Zone
7.	Ghazipur dairy	Shahdara(South) Zone
8.	Shahbad Daulatpur dairy	Rohini Zone
9.	Madanpur Khadar dairy	Central Zone
10.	Masoodpur dairy	South Zone

It is, therefore, proposed that registration/licensing of the individual dairy units in the aforesaid authorized Dairy Colonies may be carried-out by the Veterinary Services Department as per the above animal tax regimen according to section 136 of DMC Act and complete data about the type, species, age, sex of the animals shall be kept by the offices of the Zonal Veterinary Officers. The licenses of the dairies shall be issued to the applicant upon submission of the related documents with a processing fee of Rs. 250/- and after satisfying the terms & condition of the license and deposition of license fee of Rs. 500/ only.

(B) Dairy activities in the urbanized areas:

Under "Registration of Cow and She Buffalo Bye-laws-1965", there is a provision for registration of a cow or a she-buffalo in a family for domestic use. It is added that if we allow keeping of cow or a she-buffalo in a family for its domestic purpose then there will be innumerable number of such applicants with ownership of one cow or even more animals/cows. It is clear that the nuisance of stray cattle is contributed by the owned cattle only, i.e., owners milk their cattle in the morning/evening and leave them to stray on the roads/streets. At this juncture, we cannot differentiate between nuisances created by the stray cattle left on the roads/streets by their owners in the city/urban areas or cows/she-buffaloes even kept for domestic purpose left to roam on street after their milking.

Since there is space constraint in the urbanized areas and keeping of animals create water and air pollution, insanitary conditions as a result whereof neighbours are also being affected, it is, therefore, proposed that these "Registration of Cow and buffaloes Bye-laws, 1965" may be repealed forthwith and no licensing/registration of cow/she-buffalo or dairy activities may be allowed in the city/urban areas and prohibitory orders in this respect that no individual/family can rear even a single cow/she-buffalo in the city/urban areas, urban limits may be issued.

(C) Dairy activities in the Urbanized Villages:

All the urbanized villages within the jurisdiction of the MCD have become congested and practically no space is left for dairy activities in these urbanized villages as well because other commercial activities are being performed by the residents of these urbanized villages. As such, allowing dairy activities in these urbanized villages will again create problem of insanitary conditions, water & air pollution etc. Besides this, there is every possibility of some zoonotic diseases to the densely populated human beings who shall likely to come in contact with the diseased animals through their secretions, excretions and also their products.

It is specifically stated that the Hon'ble High Court of Delhi has been reprimanding the MCD time and again for its delay in removing stray cattle from the roads/streets of Delhi. The detailed directions have been issued in the year 2002 and again on 31.05.2007 asking the Commissioner, MCD for removal of stray cattle and relocation of illegal dairies from the city of Delhi by August, 2008 and we are falling short of achieving our target despite continuous efforts.

It explicitly implies that MCD has to ensure removal of each and every cattle whether owned or un-owned from inside the private premises as well outside, in all the city/urban areas including urbanized villages and relocate them either to the Ghogha Dairy Colony Project or to the Gosadans/Gaushalas.

Since there is no physical boundary existing between urbanized villages and city/urban areas we can not restrict by any means the movement of animals in/around the urbanized villages just on the presumption/assurance that owners in urbanized villages will keep their cattle inside their private premises in face of the facts that there is already space crunch in whole of Delhi and therefore there is no point of allowing any dairy activities in the urbanized villages as well.

It is, therefore, proposed that no licensing/registration of cattle or dairy activities may be allowed to be carried-out in the urbanized Villages.

(D) Dairy activities in the Rural Villages:

Rearing of cattle/buffaloes in the rural villages is one of the main sources of livelihood of the villagers. It may be appreciated that the rural economy is dependent largely on associated activity of rearing milch animals. The Union Territory of Delhi had about 365 rural villages of which 135 have

already got urbanized. The rural villages retain the culture of a typical village even though they are provided with services by the Municipal Corporation of Delhi. The urbanized villages also have the same set up and way of life even as urbanization has taken place all around them. The ground level realities, therefore, need to be kept in mind while deciding a policy for licensing of cattle/dairies in rural villages of Delhi.

Any licensing Policy will invite taxation in the form of yearly milk tax from the dairy owners. Since rearing of animals is one of the primary activities of the village folk, therefore, it would not be unreasonable to charge a small amount Of Rs, 30/- per cow per annum and Rs. 50/- per buffalo per annum as animal tax as per the provisions under Section 136 of DMC Act, 1957. However, for the purpose of keeping proper records by the Veterinary Services Department so as to implement any scheme and proposed future planning in the interest of dairy owners as well as cattle, we need to have the yearly data of the number of milch cattle and their progeny reared by these dairy owners,

It is, therefore, proposed that registration/licensing of these dairy owners belonging to the rural villages may be carried-out by the Veterinary Services Department as per the above animal tax regimen according to Section 136 of DMC Act and complete data about the type, Species, age, sex of the animals Shall be kept by the offices of the Zonal Veterinary Officers, The licenses of the dairies shall be issued to the applicant upon submission of the related documents with a processing fee of Rs, 250/- and after satisfying the terms & conditions of the license and deposition of license fee of Rs. 500/-,

(E) Dairy activities outside the purview of Rural Villages:

Unauthorized dairy activities in the areas outside the laldora limits of the rural villages i.e Unauthorized colonies (regularized /un-regularized) have created insanitary and unhygienic conditions for those residents of these areas, who are not doing dairy activities to live in unhygienic conditions.

It is, therefore, proposed that strict licensing policy may be enforced in the above areas only after submission of a report by the area SDM that the dairy premises for which the individual has applied for a license fall under rural area/belt or Lal Dora and only such dairy owners who fulfil the other laid-down terms and conditions may be allowed for grant of licenses for running of dairy activities under regular monitoring of Zonal Wings of the Veterinary Services Department of the MCD on payment of processing fee of Rs, 250/- after satisfying the terms & condition of the license deposition of license fee of Rs. 500/-. The Milch tax from cow/she-buffaloes shall be charged as per provisions of Section 136 of DMC Act, 1957. The illegal dairies/cattle of those dairy owners who shall not be able to fulfil laid-down terms and conditions shall, however, be removed by the MCD and relocated either in the authorized dairy colonies and/or such dairy owners shall be asked to close-down their legal dairy activities at their own.

(F) Rearing of cows/running of dairies at the religious places:

It has been observed that many Temples/Ashrams are keeping cows not only for the purpose of getting milk but also for worship by a large section of Society/Hindus who consider holy cows as their Mother and feed and worship on many pious occasions just like Pooranmashi, Ekadshi, Gopashtmi, etc.

It is relevant to mention here that after prolonged discussions in the Meeting of the Corporation held on 28-7-2008, Hon'ble Mayor of Delhi, inter-alia, directed MCD not to remove any cattle/cow from Temples/Ashrams. As such, taking into account traditional and religious sentiments of a large section Of society, it is proposed that licensing of maximum four Cows or its progeny may be allowed in a Temple/ Ashram subject to fulfillment of laid-down licensing terms and conditions at an annual fee of Re. 1/-without any processing fee. However, the Milch-tax as specified under Section 136 of the DMC Act, 1957 Schedule of taxes) shall be charged from the Temples/Ashram Trusts. Those Temples/Ashrams who do not fulfill laid-down parameters/terms & conditions for issuance of licenses shall be requested to remove their cattle/cows at their own failing which MCD shall be bound to remove them. For the convenience of the general public, a Public Notice shall also be got issued in the leading Newspapers of different languages apprising them about the temples/Ashrams to whom licenses granted by the MCD enabling them to perform worships and other rituals on different pious occasions. If any Temple/Ashram is found keeping cattle beyond prescribed limit of four Cows/Cows progeny, MCD shall be free to remove excess number of cattle/cows and deport them to the Gosadans/Gaushalas.

18. GENERAL CONDITIONS TO BE FOLLOWED FOR GRANT OF LICENSE TO DAIRIES:

- a. No person shall start/run any dairy or any dairy farming activity in the area falling within the jurisdiction of the MCD unless he/she is the holder of the appropriate license granted under Section 417 of the DMC Act by the Corporation.
- b. Every person who proposes to start/run or already running the dairy shall apply in the application form (**ANNEXURE – C**) to the Zonal Veterinary Officer of the concerned Municipal Zone for obtaining valid Municipal license.
- c. The applicant shall, inter-alia, furnish the documents of the ownership/legal occupancy of the dairy premises, key plan, site plan with dimensions etc., alongwith the application for grant of license.

STANDARDS AND REQUIREMENTS OF DAIRY PREMISES:

A license shall not be granted in respect of any premises unless the Zonal Veterinary Officer is satisfied that –

- a. The dairy premises should be of adequate size to keep dairy animals in a comfortable housing which require sufficient space for milking, feeding and cleaning operation is available besides availability of floor area, manger and water trough space as per the Table given below:-

Animal	Floor Area (In Sq. Mtrs.)		Manger (In Cms).	Water Trough (In Cms).
	COVERED	OPEN		
Calf (Upto 8 weeks)	2.0	4.0	44 to 60	30 to 45
Cow	3.5	7.0	60 to 70	45 to 65
Buffaloe	4.0	8.0	60 to 70	60 to 70

- b. The floor of the cattle shed should not be slippery so as to cause injury to udder or feet of animals. It should have adequate slope for drainage and efficient removal of manure. In contrast, concrete floor, brick floor should be preferred.
- c. Building and fittings should not have any projection to catch or tear the skin, leg or udder of animals.
- d. The roof and walls and other portions of the milking shed should be of material that is capable of being washed down frequently to keep it clean.
- e. The premises should have electric connection and regular supply of potable water for drinking of animals.
- f. Adequate supply of sufficient clean water for cleansing of shed or other cleansing purpose should be available.
- g. The cattle/dairy shed should have adequate ventilation system to prevent high humidity during humid season and heat up during the summer. Wherever required, sufficient number of ceiling/exhaust fans should be provided with the provision of sufficient natural/artificial light in cattle sheds.
- h. The height of shed/roof should be 10 to 12 feet to reduce amount of heat load of radiation on animals.

- i. Milking area should be roofed and screened to prevent contamination by flies, insects, dust and rain.
- j. The fodder storage room should be provided with sufficient size in the premises.

ISSUANCE OF LICENCE:

- a. The licenses to the dairies shall be issued on yearly basis only.
- b. Upon receipt of an application, Miltch Tax Inspector (MTI) alongwith Zonal Veterinary Officer of the concerned Municipal Zone shall inspect the premises/dairy for which the license is to be issued.
- c. On receipt of the report, Zonal Veterinary Officer may –
 - i. grant a license upon payment of the prescribed license fee;
 - or
 - ii. refuse to grant a license.
- d. The Zonal Veterinary Officer shall issue a license for the use of premises as a dairy only after completion of all documentation. The licenses to the dairy/cattle in a Temple/Ashram premises is to be issued only to Trust/Society or any registered Organization running a Temple/Ashram in the name of Head of the Organization.
- e. The allottees as well as existing occupiers of the dairy plots shall also be granted the licenses, provided that they submit the relevant documents in support of their legal occupancy/tenancy.
- f. Where the applicant is refused for grant of license under this Policy, Zonal Veterinary Officer shall inform the applicant, in writing, stating the reasons thereof.
- g. Wherever the Corporation deems fit and proper, it may, by notice in writing, require an applicant for a license to provide within such period as may be specified in the Notice such information or document as it may specify.
- h. A license shall be issued as per Form 2 (**ANNEXURE-D**).

Validity and Renewal of the License:

Each license shall,

- a. unless sooner cancelled, be valid from the date on which it is issued to 31st March of that year.
- b. be renewed on 1st of April every year. There shall, however, be one month grace period for renewal of the licenses, i.e, upto 30th April.
- c. If any license fails to get his license renewed within the stipulated period of 30 days such dairy owners will be challaned by the department. Besides, the license holders will also pay the late fee @ Rs. 10/- for each subsequent month, if they do not get their licenses renewed within the grace period of one month, i.e, upto 30th April of every year.

- d. be nontransferable in respect to a license holder or location.
- e. remain in full force upto its full term, i.e., 31st March of that year even if the license holder expires it shall be transferable in the name/names of his/her legal heirs provided that the proof of the legal occupancy of the dairy premises is submitted by his/her legal heirs in his/her/their names.

Refusal for Grant of License:

The Corporation may refuse to issue a license under this policy if,

- a. The issuance of the license would not be in the public interest, having regard to such factors as the Corporation considers.
- b. Where an application contains or is based on a false or misleading representation or information.
- c. The applicant is under the age of eighteen years.
- d. The applicant has been convicted during the period of five years immediately preceding the application of an offence.

Surrender of a License:

If a license holder notifies the Zonal Veterinary Officer, in writing, that he intends to cease the operation of a dairy activity for which he is licensed for the period stated in the notice, he may do so by surrendering the license to the Zonal Veterinary Officer of the concerned Municipal Zone. In that case, the license shall not be transferable to any other person except the legal heirs if the license holder desires so.

Revocation of the License :

The MCD may at any time revoke the license of any dairy unit if it is satisfied that-

- a. The owner of a licensed dairy has left his animals abandoned and roaming on the roads/ streets or any other public place or on any land belonging to the Corporation/ Government such animals shall be seized by the Corporation and shall be treated as per the provisions contained under Section 418 of the DMC Act, 1957 besides revocation of his license; or
- b. The license has been obtained by false information or by misrepresentation (whether fraudulent or innocent), or
- c. There has been any contravention (whether by commission or omission) of any provision of this Policy or of any Regulation made there under; or
- d. The holder of a license has not, within a reasonable time, complied with the requirements of a notice served to him.
- e. A license holder has ceased to comply with the provisions of this Act or any regulations made in relation to the dairy activity.
- f. Before revoking the license, the Deputy Commissioner of the Zone/Veterinary Officer(Enf.) Zonal Veterinary Officer shall, by at-least 15 days notice, in writing, notify the holder of the license of his intention to revoke the license mentioning therein reasons thereof.

Appeal against Refusal/Revocation of the License:

- (a) A person who is aggrieved by the decision of the Zonal Veterinary Officer not to grant a license or to revoke such license may appeal to the Deputy Commissioner of the concerned zone within one month of the date of the decision.
- (b) The notice of appeal shall set out clearly the grounds of the appeal and there shall be attached to such notice copies of any correspondence, document or statement relevant to the appeal.
- (c) The Deputy Commissioner of the Zone shall, within one month of the receipt of a notice of appeal furnish him with a statement in writing setting out the reasons for its decision.
- (d) On hearing of an appeal, the Deputy Commissioner may do whatever appears to him to be just and proper may either—
 - (i) Dismiss the appeal; or
 - (ii) Allow the appeal and direct the Zonal Veterinary Officer to consider the application for grant/renewal of the license.

Removal of Dung/Manure, Etc.

- a. A dairyman or the user or occupier of a dairy premises/farm, shall ensure that dung manure is gathered up from the floor of the milking shed and the area surrounding it and is cleared away regularly to prevent noxious smell in the area/inconvenience to the other persons.
- b. Dairy premises and its surrounding areas should be properly sanitized and disinfected regularly.

Preventive Vaccinations and Deworming:

- a. Licensee should ensure timely and regular vaccinations of his dairy animals and its progeny against Foot and Mouth Disease (FMD), Hemorrhagic Septicemia (HS), Black Quarter (BQ), Anthrax and Brucellosis.
- b. Licensee should ensure bi-annual, i.e, at the outset of the Monsoon and at the end of the Monsoon de-worming against internal external parasites.
- c. Licensee should ensure testing of dairy animals and their progeny against TB (tuberculosis), brucellosis and JD (Johnnie's disease) annually besides, reactors should be deported to Gosadans under intimation to the authorities and further strict hygienic measures should be adopted (152)
- d. Licensee should ensure proper and timely treatment of sick and injured animals through a qualified veterinary doctor or nearest Veterinary Hospital.
- e. Any contagious disease noticed in the animals should immediately be brought to the notice of the Zonal Veterinary Officer of the MCD/Incharge of the Veterinary Hospital of GNCTD for taking effective measures for its control.

Inspection:

- a. For the purposes of this policy, the Zonal Deputy Commissioners /Director (Veterinary Services) or Zonal Veterinary Officer or an officer authorized by the Corporation, may at all reasonable times-
 - (i) Enter and inspect the premises of a dairy farming units; and
 - (ii) Examine any animal on a dairy farm.

- b. A person who in any way directly or indirectly hinders or obstructs a person in exercise of powers shall be guilty of an offence.

Miscellaneous:-

- (i) if a dairy owner is transporting his animals from the states other than Delhi to his dairy situated in Delhi, he shall, on asking by the authorities shall produce the Health Certificate issued by a Veterinary Doctor or the place from where the animals are being transported.
- (ii) If any dairy owner wants to shift his dairy to any other address within or outside Delhi, he shall do so only after obtaining the prior permission of the Zonal Veterinary Officer.
- (iii) No person shall use the premises other than the dairy purpose. If on inspection, any person is found running the business other than the dairy, his license shall be revoked by the Corporation and that act on the part of the dairy owner/occupant of the dairy premises shall be treated as an offence and will be punishable as per the provisions mentioned under the penalty clause of this policy.
- (iv) That the land/plot of the dairy will not be sold, mortgage or given on rent by the allottee(s), without permission of the Corporation.
- (v) That the allottees will not keep cattle dairy animals more than the prescribed limit/numbers mentioned in the application form/license.
- (vi) That no unauthorized construction will be carried out on the dairy premises and the different dairy premises will not be amalgamated.
- (vii) That the allottees shall pay all the taxes/fees/dues to the Corporation as applicable from time to time.
- (viii) The dairy animals shall be identified through Micro-chips/ tags by an agency approved by the Corporation and the expenses of micro-chipping/tagging as decided by the Corporation shall be borne by the dairy owner/license holder.
- (ix) The license holder shall keep his/her animals only in the premises for which he/she has been granted the licenses.
- (x) If the person/dairy owner is in possession of more than one dairy premises/plots in the authorized dairy colonies of the Corporation/DDA, he shall have to deposit the license fee in respect to all dairy plots alongwith milch tax as per rules.
- (xi) The License holder shall not bring / keep his dairy animals in the city/urban areas. If found his license shall be revoked by the Corporation and the animals shall be seized by the Corporation.
- (xii) That the allottees shall take individual water & electricity connections & pay the charges to the respective agencies.

- (xiii) Dairy owner can only buy & sell cattle with the prior permission of the Zonal Veterinary Officer of the Municipal Zone concerned, as the new dairy animals to be replaced by old must be identified through Micro chips/tags by the Corporation.
- (xiv) Information regarding the birth/death of a dairy animal must be conveyed by the applicant licensee to the concerned Zonal Veterinary Officer of the MCD.
- (xv) Licenses to the dairies shall be granted by the Corporation subject to availability of a space of 12 sq meters for each cattle. All licensed cattle/buffalo shall be identified through Micro-chipping/tagging, the cost of which shall be borne by the cattle/dairy owners.

Penalty :

If a person/dairy license holder who—

- a. violates any condition of this policy; or
- b. willfully hinders or obstructs the Veterinary Officer acting in the execution of his duties under this policy; or
- c. refuses to disclose his true name and place of residence; or
- d. gives a false information in his application form; or
- e. assaults, threatens, or intimidates, or uses threatening language or behaves in a threatening manner to any employ of the Corporation while he is acting in the exercise of his powers or the discharge of his duties; or
- f. falsifies or amends any information contained in a license; or
- g. let loose his animals roaming on the streets/roads/public land/Corporation land/private land/Govt. land;

Commits an offence and shall be liable to a fine-

- i) not exceeding five thousand rupees.
- ii) taking back the possession of the land/dairy plots) by the Corporation; and or
- iii) the animals shall be released to its owner first time against a minimum penalty of Rs. 5,000/- per animal through the Cattle Ponds/Gosadans/Gaushalas concerned on the basis of the orders issued through the Zonal Veterinary Officers of the respective Municipal Zones on realization of requisite penalty/fine and depositing thereof in the Municipal treasury and subsequently second time at an enhanced penalty of Rs. 10,000/ per animal, If even after second time fine such cattle are still found straying on the roads of Delhi, legal proceedings under Section 289 of IPC, 1860 and Section 98 of DP Act in pursuance of directions dated 31-5-2007 of the Hon'ble High Court of Delhi will be initiated against their rightful claimants/owners and thereafter such cattle will not be released further from the Cattle Ponds/Gosadans/Gaushalas and the Corporation shall be at liberty to cancel the cattle/dairy license without serving any Notice in this regard.

The matter may, therefore, be placed before the Corporation, routed through the Standing committee, for according approval to the policy for grant of licenses under Section 417 of the DMC Act, 1957 for rearing of cattle /running of dairy farming units in rural villagers /areas including authorized dairy colonies and issuing prohibitory orders for rearing/keeping of even a single cow/she-buffalo in the city/urban areas/urbanized villages in Delhi.

(ii) Constitution of Sub-Committee in the meeting dated 17-2-2010,

The matter be again referred to the earlier Sub-Committee consisting of the following members to look into the matter and to submit its report.

- | | | |
|----|------------------------------|----------|
| 1. | (Mrs.) Rajni Abbi | Convener |
| 2. | Shri Vijay Pandit | Member |
| 3. | Shri Jai Bhagwan Yadav | Member |
| 4. | Shri Khavinder Singh Captain | Member |

(iii) Report of the Sub-Committee,

After through discussion on the subject, the Sub-committee in its Meetings held on 03.03.2010 & 08.03.2010 hereby resolves and recommends to the Standing Committee following basic criteria towards registration/licensing for keeping of one cow/buffalo for domestic use as well as licensing of dairies in rural areas/authorized dairy colonies as under :—

1. There should be minimum space of 12 square meters (130 square feet) for the cow/ buffalo shed so as to have required space for feeding, milking, water and cleaning activities.
2. The floor of the cow shed should be Pucca with proper arrangement of ventilation, air, light, water and drainage.
3. (a) It shall be the sole responsibility of cow/buffalo owner to dispose off the manure/dung properly without causing any unhygienic conditions/ nuisance to the neighborhood.

(b) If the cow/ buffalo is found of causing unhygienic conditions in around the neighbourhood, the department may initiate the proceedings against the owner including revocation of registration /license and impounding, of cow/ buffalo thereof with its calf, if any.
4. The owner has to ensure and give affidavit to the effect that the cow calf or buffalo calf would be kept with the cow/she-buffalo only upto one year and would not be kept in his/her house beyond one year and this would comprise one of the conditions for granting of registration/license. In case of violation by the owner, the license will be cancelled and animal would be impounded without provision of release.
5. The owner should also ensure Proper veterinary care of his/her cow or buffalo in case of animal being sick.
6. The cow/ buffalo would be properly identified via micro-chipping /ear tagging/any other permissible means of identification, The microchip number would also be mentioned in the license. If the owner of the cow who intends to get the license refuses to get his cow/buffalo micro-chipped, no license will be issued to him.
7. The owner has to give an affidavit that his cow/buffalo will not roam in the open road/ parks/ street/public land and if found roaming, may be impounded by the MCD without serving any Notice in this behalf and action be taken against the owner including cancellation of license.
8. If the cow/buffalo which is registered with MCD goes outside its premises/house on its own and let loose by the owner and injures any person(s) or involved in damaging life and property of public, the owner shall be held solely responsible and he/she would indemnify the loss to the victim (s) as decided by the competent authority or court of law.
9. The MCD would give only one license in a premises subject to the fulfillment of the criteria irrespective of the fact that the space for cow shed is larger and can accommodate more than one cow/buffalo as well as irrespective of the fact that the cow/buffalo is owned by a nuclear family/joint family/Hindu undivided family (HUF).

10. The policy for registration of one cow/one buffalo shall come into force only after the department ensures the city of Delhi free from stray cattle and illegal dairies by way of either relocation under Ghogha Dairy Colony Scheme &/or deportation of stray cattle thereofto various Gosadans/Gaushalas.
11. While doing registration of one cow/she-buffalo in city/urban areas/urbanized villages, the department may charge only a notional fee of Re.1/- per annum with no process fee while milch tax shall be realized as per prevailing rates.
12. The annual license fee of Rs. 500/- per dairy license (for minimum five animals) processing fee of its. 250/- proposed for issuance of dairy license in rural villages areas falling under rural limits is recommended to be waived off as these are the main sources of livelihood of the villagers and rural economy is based on activity of rearing milch animals. However, the department may undertake registration of cattle/buffaloes kept by their owners in the rural villages by way of survey in above areas for the purpose of keeping proper records and may realize milch tax per annum as per prevailing rates; whereas while granting dairy licenses in the authorized dairy colonies according to the laid-down/proposed parameters, the department may charge a license fee of Rs.500/- per annum with processing fee of Rs.250/- The rates of milch tax per annum would be realized as per prevailing rates in respect of cows/buffaloes kept in authorized dairy colonies.

Sd/-
(Khavinder Singh Captain)
Member

Sd/-
(Jai Bhagwan yadav)
Member

Sd/-
(Vijay Pandit)
Member

Sd/-
(Dr. (Mrs.) Rajni Abbi)
Convener, Sub - Committee

(iv) Resolution No.962 of the Standing Committee dated 31.03.2010

Having considered the proposal of the Commissioner as contained in his letter No.F.33/DVS/1939/C&C dated 07.01.2010, resolved that it be recommended to the Corporation that the aforesaid proposal be approved alongwith the report/recommendations made by the Sub-Committee constituted by the Standing Committee in its meeting dated 17.02.2010.

Resolution No.77 Resolved that as recommended by the Standing Committee vide its Resolution No.962 dated 31.03.2010, the proposal of the Commissioner as contained in his letter No.F.33/DVS/1939/C&C dated 07.01.2010 be approved alongwith the report/recommendations made by the Sub-Committee constituted by the Standing Committee.

**MUNICIPAL CORPORATION OF DELHI
DEPARTMENT OF VETERINARY SERVICES**
_____ **Zone**

FORM NO. 1

APPLICATION FORM FOR GRANT OF DAIRY LICENSE

1. Name of the Applicant _____
 2. Father's name _____
 3. Date of Birth _____ Age _____
 4. Residential Address _____
 5. Telephone Nos. Resi _____ Mobile _____
 6. Address of the dairy for which the license is required _____
 7. Total no. of cattle kept in the dairy for which license is required _____
 8. Whether address of the dairy comes under Rural Villages & /or authorized dairy colony _____
 9. Whether applicant is the owner or tenant of the dairy premises _____
 10. Details about depositing of processing fee of Rs.250/- per applicant in the form of bank draft _____
- (a) Name of the issuing Bank & branch _____
- (b) Bank Draft No. _____

Signature of the applicantZonal Veterinary Officer**DECLARATION**

1. That information provided above by me is true and correct in all aspects. If information is found incorrect and false, then my application for grant of dairy license may be rejected. In case the license has been issued, the same may be cancelled/revoked by the MCD.
2. That I do possess no other dairy plot in any authorized dairy colony allotted by MCD /DDA/any other govt. body.
3. That I shall not abandon my dairy cattle outside my dairy premises & shall also not tether/milking thereof on road, park, Govt. land, street, etc.
4. That I shall not flow cattle dung in the Sewer/Drainage.
5. That I shall ensure that dung/manure is gathered up from the floor of the milking shed and the area surrounding is deared away to prevent noxious smell in the area/inconvenience to the persons.

Signature of the applicant

**MUNICIPAL CORPORATION OF DELHI
DEPARTMENT OF VETERINARY SERVICES
_____Zone**

DAIRY LICENSE

FORM NO. 2

License No._____

Date of issue:-_____

1. Name & Father's name
of the license holder _____

2. Address of residential _____
3. Address of dairy premises _____
4. Valid Upto _____
5. Size of dairy plot in sqm. _____
6. No. of dairy animals allowed _____
7. Date of renewal of license _____

(Veterinary Officer)
_____Zone

