



State Of Dairy Cattle- Rajasthan

A radical revelation of facts about the state's treatment of dairy cattle revealing the inhumane and torturous conditions in which they are kept in dairies across the state.

FIAPQ
Federation of Indian Animal Protection Organisations
fiapo.org



PREFACE

Farm to Freedom is one of the chief campaigns of FIAPO to improve the conditions of farmed animals in India. The campaign is focused on the need to regulate animal food industries that practice institutionalized cruelty. The dairy investigation of FIAPO is aimed at inspecting the condition of cattle used for the production of milk.

This investigation in the state of Rajasthan is based on understanding the animal welfare measures currently implemented by use of existing laws as a yardstick. Laws such as the Prevention of Cruelty to Animals (Registration of Cattle Premises) Rules, 1978 lay down the conditions for registration of premises used for the dairy business; these also provide a baseline for the primary conditions that need to be maintained in dairy cattle premises for the welfare of these animals.

Through the investigation, comprehensive information on dairies in the state of Rajasthan was collected. The investigation recorded evidences of cruel conditions prevalent in the dairies where cattle are kept for milking purposes and violation of various animal protection laws occur commonly. Apart from this, data on the registration, number of animals, welfare provisions, and management regime was also collected with an aim of bringing legislative reform for the welfare of dairy cattle.

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EXECUTIVE SUMMARY

The milk production in Rajasthan has increased by 308.3% from 1985 to 2015 (an increase from 41,46,000 tonnes to 1,69,34,000 tonnes). An increase in production of this scale requires a shift from conventional method of dairying to a more intensive and modern methodology wherein the animal is modified according to the requirements of the demand and supply chain. As a result, a massive inflow of foreign, exotic breeds in to the Indian dairy sector has been noticed in recent years. These cattle breeds have been reared for increased milk production with an average milk output of 20 liters per milking per day per animal! Such unnatural quantities of milk stem from a repeated cycle of impregnation and lactation, which reduce the average lifespan of the dairy cattle and increases the risk of reproductive diseases and udder infections.



The life of a dairy cow lasts for an average of 10 years in a dairy establishment as compared to 25 years naturally. It involves a cycle of repeated artificial inseminations, separation from calves, little to no veterinary care and being injected with illegal and banned drugs to increase and release huge quantities of milk at one time. Once the cattle has been subjected to this cycle of unending cruelty, the last step is either being sold to economically weaker farmers for their personal use or to slaughter houses- both at low prices to earn meager sums of money that can be derived from the final disposition.

The images of happy cows feeding on green pastures are the perfect façade for a truly cruel and increasingly intensive dairy industry. **Dairy cattle in the urban sector get no access to soft ground at any point in their lives and have to spend their entire lives in cramped, poorly ventilated and dark enclosures where fractures from slipping in their own excreta are a common occurrence.** Thus, an evident delinking of humane treatment of cattle, especially cows, as sentient beings is being noticed with an increased inflow of western technology and rising demand for milk and milk products.



Calves are not allowed any contact with their mothers.

FIAPO's dairy investigation in 49 dairies of four cities (Alwar, Bikaner, Jaipur and Jodhpur) in the state of Rajasthan reveals this ugly truth behind the production of the "liquid white gold" of India. The evidence shows indiscriminate use of banned and illegal drugs such as Oxytocin for increasing and releasing huge quantities of milk, lack of basic infrastructure, food and veterinary care for the cattle and violation of the Slaughter Rules, 2001 by selling calves as young as one month and old, infirm animals for slaughter. This situation persists mainly because all these methodologies are considered as normal and best practice in terms of economic gain and cost cutting for profits, by the dairy owners of the state.

This calls for an urgent and strict implementation of the existing laws of animal welfare and addition of better rules in areas that are not covered by the existing laws. This can be done by way of using the **Dairy Code** document devised by FIAPO as the guiding document to inculcate such rules which are better suited to introduce improved and humane standards in the upkeep of the dairy cattle. The introduction of dairy business as a major food production establishment and its regulation under the Food Safety and Standards Act, 2006 will also improve the standards used for the process of milking.

KEY FINDINGS

The data from FIAP0's dairy investigation in Rajasthan reveals the following major evidences of cruelty in the dairy sector:

**49 Dairies
INVESTIGATED**

The floor of dairies in the 49 dairies investigated was mainly made of cement (32.14%), brick (12.77%), earth/ mud (4.26%) or both cement and bricks (51.06%)- except for mud floors or in cases where bedding is provided for cushioning- all other types of flooring cause wounds, infections and **increased possibility of fractures from slipping on floors full of excrement.**

01

02

The cattle, including calves, were tied to one place at all times on a short leash, only in 12.77% of dairies where the cattle are allowed to roam free within the dairy limits once a day. Older cattle that did not produce the desired quantities of milk anymore were also set free on the streets to fend for themselves.



ONLY IN
12.77%

of dairies where the
cattle are allowed to
roam free



**Unhygienic food is
given in inadequate
quantities.**

The range of fodder (dry grass, mustard pods, cluster beans, chick peas, readymade fodder and waste from commercial food outlets) was given to cattle in inadequate quantities and in unhygienic mangers or basins.

03

04

Dairy owners mostly consult veterinarians for vaccinations once a year and 57.45% left it for only when the animal was sick. There was no provision of a veterinarian in many areas. As a result medical problems of cattle arising due to improper infrastructure such as tumours, severe infections, open wounds and general vaccinations were left as is.

**Dairy owners do
not provide
veterinary care
to their cattle**

57.45%

- The male calves are sold to slaughter houses by the dairies, which is an illegal practice and a violation of the Prevention of Cruelty to Animals (Slaughter House) Rules, 2001. In 21 dairies none of the male calves survived as they were neglected since birth, eight establishments releases them on the road, two sell them to villagers for farming and one sends them to gaushalas. Older cattle (cows) which are not able to produce milk anymore are released on the road and buffalos are sold to slaughter houses.



- Rampant and indiscriminate use of banned hormones such as Oxytocin for increasing the milk production was observed in almost all dairies.

- All these findings indicate the outright violation of all existent laws, guidelines and rules meant for the protection of animal interests. Some of these are: The Prevention of Cruelty to Animals (Registration of Cattle Premises) Rules, 1978, Prevention of Cruelty to Animals (Transport of Animal Amendment - 2009) Act, 1978, Food Safety Act, 2006, Guidelines of the sub-scheme Special Programme for Dairy Development as a part of National Mission for Protein Supplements under Rashtriya Krishi Vikas Yojana (RKVY), Government of India, Ministry of Agriculture and Department of Animal Husbandry advisory dated 2nd December, 2014 on use of antibiotics on food producing animals, Technical guidelines to states for implementation of various components of centrally sponsored scheme "Livestock health and Disease Control" by the Ministry of Animal Husbandry, Dairying and Fisheries and the Rajasthan Municipal Act, 2009.

INTRODUCTION

A dairy is a business enterprise established for the harvesting or processing (or both) of animal milk—mostly from cows or goats, but also from buffaloes, sheep, horses, or camels— for human consumption. A dairy is typically located on a dedicated dairy farm or in a section of a multi-purpose farm (mixed farm) that is concerned with the harvesting of milk. From the point of view of size and nature, five broad typologies of dairy systems can be derived in the Indian context:

- Large commercial dairies
- Urban dairies
- Government breeding farms and research facilities
- Small holders (both, within the cooperative framework as well as outside it)
- Gaushalas (or cattle shelters)

For the purpose of this investigation in Rajasthan we chose to collect evidences of animal welfare violations from urban and small holder dairies, these can be defined as:

Urban Dairies

Mainly concentrated in and around cities and are oriented towards meeting the high milk demand of urban centres. These facilities vary in size and are often limited because of space constraints in urban areas. There are overlaps between dairies classified as large commercial dairies and these. The essential difference between the two is the nature of entrepreneurial outlook. The urban dairies typically are focussed on quick short term profit and hence severely compromise not only animal welfare and health but also environment pollution and milk quality. In fact these dairies are the progenitors of “synthetic milk” and food safety is a key area of concern with their operations.

Key characteristics of such dairies are:

- Typically setup to make short term profit
- Located in and around urban areas that have a large market for milk.
- High yielding animals, including buffalos.
- Some mechanisation may be seen. However, in order to keep input costs extremely low, by and large, mechanisation will, at best, be rudimentary.
- Poor or no quality control
- Little investment in animal health
- Lactating animals purchased and sold off after a lactation ends
- Poor environmental management
- Average herd size 20 upwards

Smallholder backyard

These are dairies which still operate outside of the cooperative framework and mainly functional in outskirts of cities. We have also found a number of cases of hybrid operations where small holders would opportunistically sell to cooperatives or to the unorganised sector depending upon the returns available.

- Mainly as a livelihood support activity; this often complements the basket of livelihood options of the family.
- Mostly indigenous breeds that are often buffalos.
- No mechanisation, other than at cooperative collection centres.
- No quality control by individuals. However, cooperatives may impose some form of quality control upon individual members.
- Little or no veterinary support. Again, cooperative members will be an exception and may have access to animal health services.
- Replacement usually through progeny of existing animals.
- Waste management does not pose a challenge because of small herd size and free grazing regimes.
- Small herd size - 2 to 6 animals



Example of a general smallholder backyard dairy

Existing legal framework to regulate dairies

There also exist several laws and guidelines to assist dairy owners in implementing the best and humane practices of milk production and animal care such as: **(Annexure 3 to 7)**

- The Prevention of Cruelty to Animals (Registration of Cattle Premises) Rules, 1978
- Prevention of Cruelty to Animals (Transport of Animal Amendment - 2009) Act, 1978
- Food Safety Act, 2006
- Guidelines of the sub-scheme Special Programme for Dairy Development as a part of National Mission for Protein Supplements under Rashtriya Krishi Vikas Yojana (RKVY).
- Government of India, Ministry of Agriculture and Department of Animal Husbandry advisory dated 2nd December, 2014 on use of antibiotics on food producing animals.
- Technical guidelines to states for implementation of various components of centrally sponsored scheme "Livestock health and Disease Control" by the Ministry of Animal Husbandry, Dairying and Fisheries.
- Rajasthan Municipal Act, 2009

But sadly these are violated to ease the process of increasing the milk production in order to meet the rising demand for milk and milk products. The results of this investigation expose the dark side of the dairy industry, the cruelty meted to the dairy cattle and the unsanitary conditions of milk production. By collating this data, FIAPPO aims to work towards bringing reform in the dairy sector on the lines of ensuring implementation of adequate standards of health, infrastructure and milking practices in the dairy industry of Rajasthan.

INVESTIGATION METHODOLOGY

Why the state of Rajasthan?

Rajasthan is located in the north-western part of the Indian subcontinent and has a geographical area of 3,42,239 sq. km, which is 10.4% of the country's geographical area. The livestock population of the state as per 2012 livestock census is 577.32 lacs. Rajasthan has only 7% share of India's cattle population and contributes 11% to the total milk production, 30% to mutton and 31% to wool production in the country.

Therefore it is evident that the use of cattle for dairy purposes is increasing and this is one industry which is flourishing in the state despite the economic recession in other spheres.

Rajasthan is the second highest milk producer in India

Cities of Rajasthan:

We considered the following measures while choosing cities for the dairy investigation:

- Population of dairy cattle in the city
- Milk production in the city
- Presence of Animal Husbandry research base in the city
- Urban dairy population
- Animal welfare groups in the city
- Number of cooperative dairies in city
- On the basis of these criteria we finalised Alwar, Bikaner, Jaipur and Jodhpur as suitable cities for the investigation.

Partners for the investigation:

We were able to complete this investigation in a total of **49 dairies** in four cities of the state (Alwar- 10, Bikaner- 8, Jaipur- 15 and Jodhpur- 17) due to the extensive and active volunteer base. This investigation was spearheaded by the collaborative work of the Jaipur Federation of Animal protection Organisations (J-FAPO), Jodhpur Goraksha Dal, Panna Lal Goshala- Jodhpur, Jiv Jantu Kalyan Seva Kendra – Bikaner and Alwar Goraksha Dal.

Investigation design: once the cities and their volunteer base were finalized, an investigation guidelines kit (**Annexure 1&2**) with the basic information on the procedure to conduct the investigation was sent to each of them.

This included details on the actions to be undertaken before, during and after the investigation, samples of the type of evidence (photographic, video, data, etc.) to be collected and a questionnaire designed to understand the violations occurring in dairy establishments relating to the cattle used for milking.

In each city, investigation training was conducted to build up the skill and understanding of dairy functioning and other significant details like collecting quality video graphic and photographic evidences.

INVESTIGATION RESULTS

A total of 49 dairies were visited in four cities of Rajasthan where an approximate of 1382 cattle were being used for the purpose of milk production. In all these urban and smallholder dairies visited, violations of various aspects of animal welfare standards were noticed and the relevant evidences collected. These violations were considered on the basis of the existing laws and also the possible areas where improvement in these laws is required. The violations have been tabulated as follows:

Key observations and violations collated from all dairies in Rajasthan:

OBSERVATIONS	VIOLATIONS
A. Housing	
Animals tied on extremely short leashes for extended time periods without exercise	Prevention of Cruelty to Animals (PCA) Act, 1960- Chapter 3, section 11 If any person- 1 (f) keeps for an unreasonable time any animal chained or tethered upon an unreasonably short or unreasonably heavy chain or cord
Large numbers of calves and old animals kept in small rooms with inadequate space for movement	Prevention of Cruelty to Animals (PCA) Act, 1960- Chapter 3, section 11 If any person- 1 (e) keeps or confines any animal in any -cage or other receptacle which does not measure sufficiently in height, length and breadth to permit the animal a reasonable opportunity for movement
Flooring mainly made of cement leading to wounds and bruises, in many cases fractures occurred due to the floor becoming slippery because of irregular cleaning of excreta	Prevention of Cruelty to Animals (PCA) Act, 1960- Chapter 3, section 11 If any person- 1 (h) being the owner of (any animal) fails to provide such animal with sufficient food, drink or shelter;

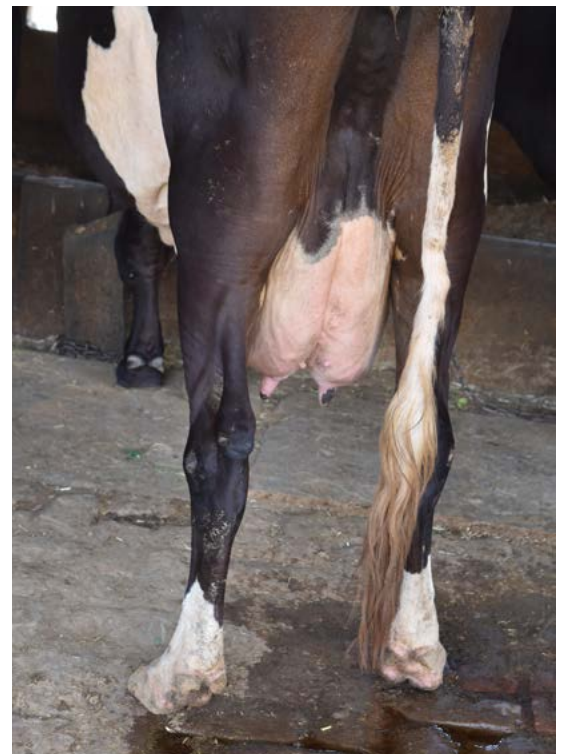
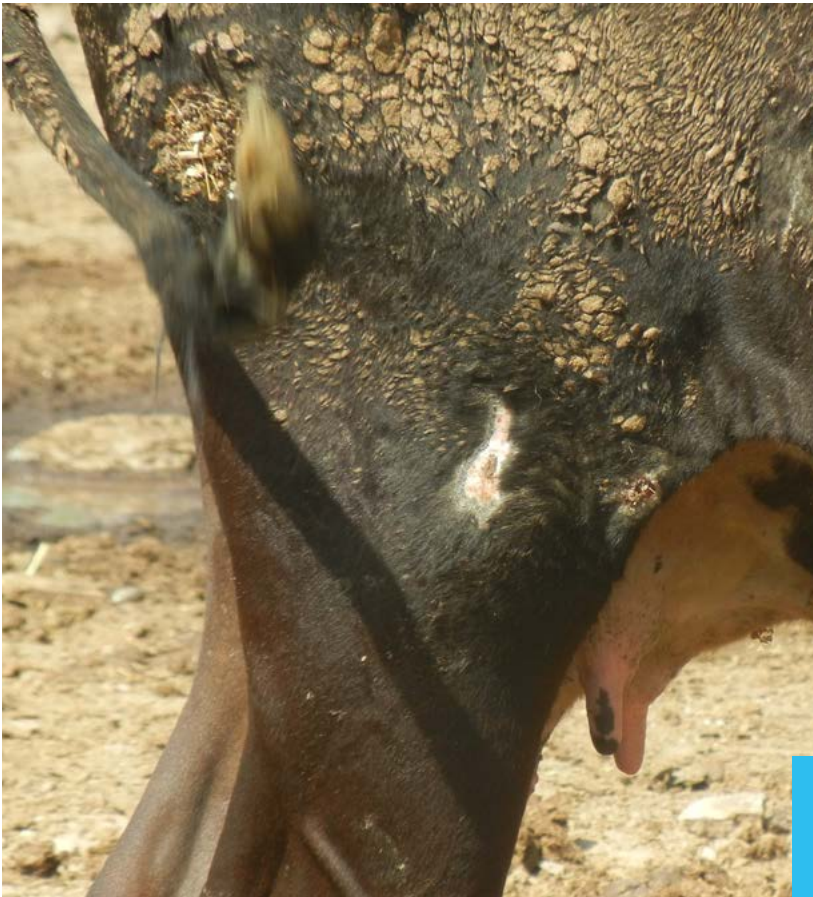


This calf that is already infected with skin disease on the chest has been tied on an extremely short leash. As can be seen, she is entangled in the leash and as a result can be seriously injured.





All the images above show how the enclosures for keeping cattle are extremely unhygienic and overcrowded. The excreta is not cleaned at regular intervals which can lead to slipping of animals in their own waste and cause fractures or serious surface wounds and infections.



As seen in these images, cattle is mainly kept on concrete flooring which causes injuries to them when they sit and stand



B. Food and Water

Mangers were found either empty or contaminated; certain cases also had sharp objects lying in the mangers. The amount of food was also not according to the recommended healthy diet.

Prevention of Cruelty to Animals (PCA) Act, 1960- Chapter 3, section 11 If any person- 1 (h) being the owner of (any animal) fails to provide such animal with sufficient food, drink or shelter;

Guidelines of the sub-scheme Special Programme for Dairy Development as a part of National Mission for Protein Supplements under Rashtriya Krishi Vikas Yojana (RKVY)



Water is not replaced after it becomes dirty and is full of dry husk and dead leaves



Only dry non nourishing straw is usually fed to the cattle

C. Breeding and Milking including milk hygiene

<p>Indiscriminate use of banned and illegal hormones to increase milk production</p>	<ul style="list-style-type: none"> - Prevention of Cruelty to Animals (PCA) Act, 1960- Chapter 3, section 11 If any person- 1 (c) wilfully and unreasonably administers any injurious drug or injurious substance to 14 (any animal) or wilfully and unreasonably causes or attempts to cause any such drug or substance to be taken by 15 (any animal) - Government of India, Ministry of Agriculture and Department of Animal Husbandry advisory dated 2nd December, 2014 on use of antibiotics on food producing animals
<p>Use of painful methods of milk extraction leading to infections and wounds in the udder or teats.</p>	<p>Prevention of Cruelty to Animals (PCA) Act, 1960- Chapter 3, section 11 If any person- 1 (a) beats, kicks, over-rides, over-drives, over-loads, tortures or otherwise treats any animal so as to subject it to unnecessary pain or suffering or causes, or being the owner permits, any animal to be so treated; (b) 13 (employs in any work or labour or for any purpose any animal which, by reason of its age or any disease) infirmity; wound, sore or other cause, is unfit to be so employed or, being the owner, permits any such unfit animal to be employed</p>
<p>Milk is extracted in unhygienic conditions and sometimes from cows infected with Mastitis or other infectious diseases.</p> <p>Employment of unskilled labour that resort to cruel practices of managing a dairy.</p>	<ul style="list-style-type: none"> - Food Safety and Standards Act, 2006 Chapter 3,4 (1) (a) endeavour to achieve an appropriate level of protection of human life and health and the protection of consumer's interests, including fair practices in all kinds of food trade with reference to food safety standards and practices (f) in cases where there are reasonable grounds to suspect that a food may present a risk for human health, then, depending on the nature, seriousness and extent of that risk, the Food Authority and the Commissioner of Food Safety shall take appropriate steps to inform the general public of the nature of the risk to health, identifying to the fullest extent possible the food or type of food, the risk that it may present, and the measures which are taken or about to be taken to prevent, reduce or eliminate that risk;

	<p>20. Contaminants, naturally occurring toxic substances, heavy metals, etc. No article of food shall contain any contaminant, naturally occurring toxic substances or toxins or hormone or heavy metals in excess of such quantities as may be specified by regulations.</p> <p>21. Pesticides, veterinary drugs residues, antibiotic residues and microbiological counts 1) No article of food shall contain insecticides or pesticides residues, veterinary drugs residues, antibiotic residues, solvent residues, pharmacological active substances and micro-biological counts in excess of such tolerance limit as may be specified by regulations. 2) No insecticide shall be used directly on article of food except fumigants registered and approved under the Insecticides Act, 1968 (46 of 1968).</p> <p>- Prevention of Cruelty to Animals (PCA) Act, 1960- Chapter 3, section 11 If any person- 1 (b) 13 (employs in any work or labour or for any purpose any animal which, by reason of its age or any disease) infirmity; wound, sore or other cause, is unfit to be so employed or, being the owner, permits any such unfit animal to be employed.</p>
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These images show the unhygienic, overcrowded and poorly lit areas where the cattle are milked. The air is filled with the smell of ammonia, methane and carbon dioxide from the excreta of the cattle which is not cleaned even before milking the animals.



Banned and illegal hormones for increasing milk production are used indiscriminately in excessive quantities. The use of such high quantities of drugs leads to severe side effects in the health of the cattle, reducing their age and increasing the chances of contracting teat and udder infections.





A cow with infected teats is still used for milking. This causes extreme pain and discomfort to the animal and leads to the addition of infectious bacteria and viruses in the milk.

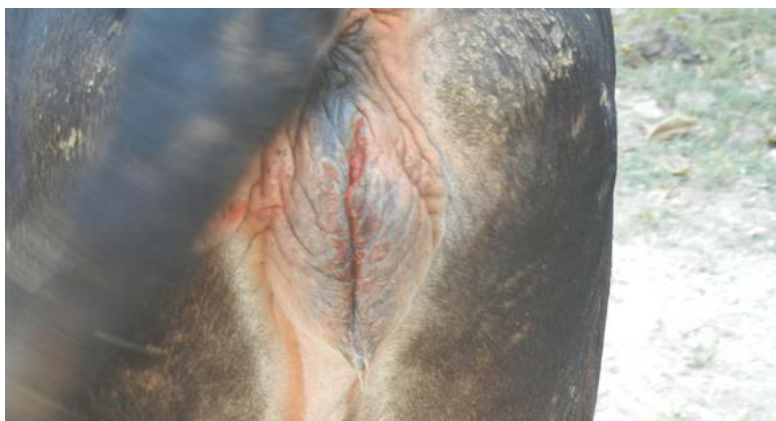
D. Veterinary Assistance

Irregular veterinary assistance even for administration of periodic vaccinations

Technical guidelines to states for implementation of various components of centrally sponsored scheme "Livestock health and Disease Control" by the Ministry of Animal Husbandry, Dairying and Fisheries.

Cattle are not treated for visible wounds and infections

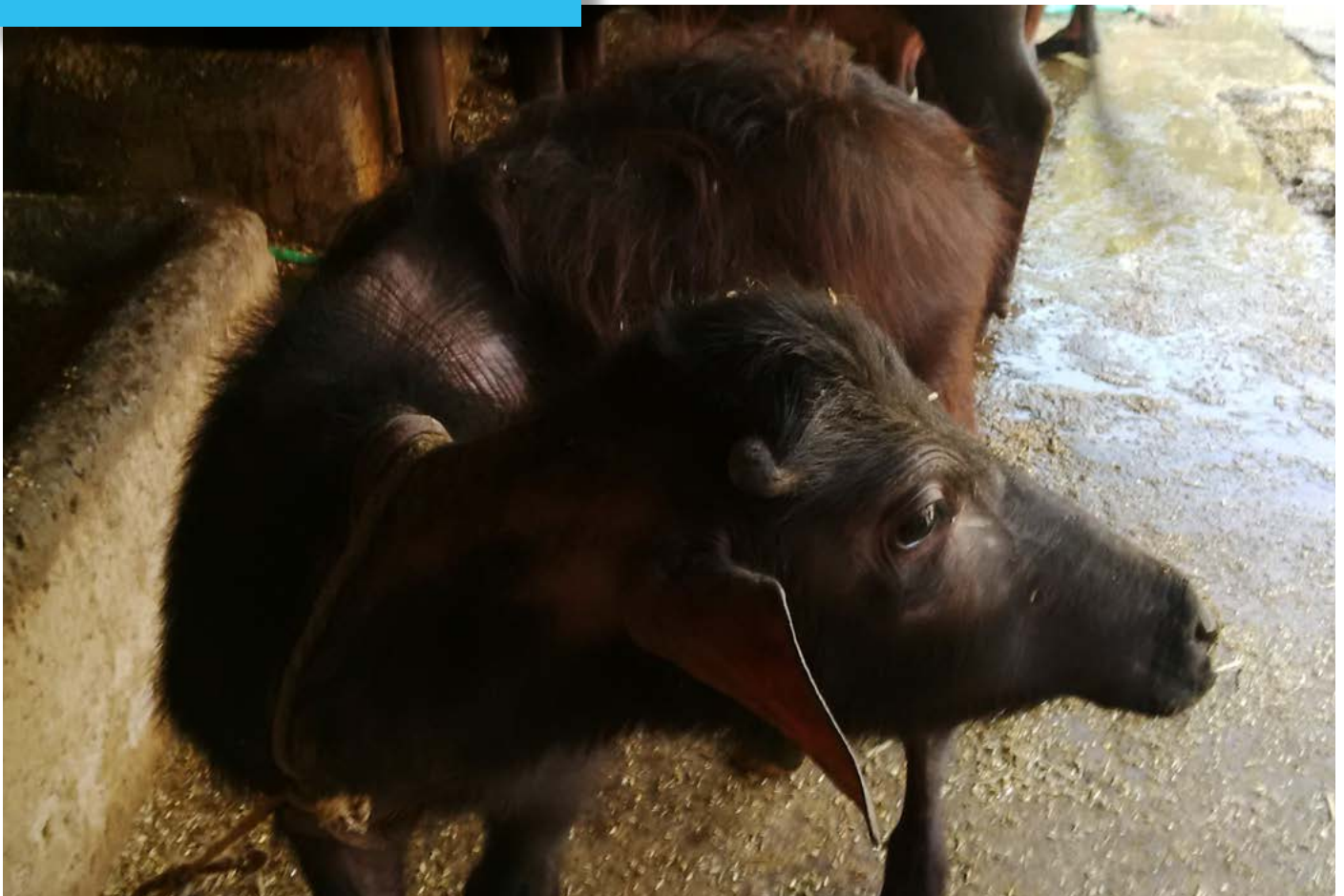
Prevention of Cruelty to Animals (PCA) Act, 1960- Chapter 3, section 11 If any person- 1 (b) 13(employs in any work or labour or for any purpose any animal which, by reason of its age or any disease) infirmity; wound, sore or other cause, is unfit to be so employed or, being the owner, permits any such unfit animal to be employed



Injuries and infections of the skin, reproductive organs and problems such as arthritis are not treated on time. The cattle are continuously kept in dirty enclosures leading to serious infections.



Skin diseases are a common sight among calves and can be treated with a simple course of de-worming which is also not administered on time.





Tail docking is practiced without proper veterinary care, anesthesia and pain relief.



E. Calf and old cattle management

Calves less than three months of age, old, injured and sick animals were sold for slaughter

Calves were also not allowed to have their mother's milk and chained the whole day

Prevention of Cruelty to Animals (Slaughter House) Rules, 2001: Animals not to be slaughtered except in recognised or licensed houses - (1) No person shall slaughter any animal within a municipal area except in a slaughter house recognised or licensed by the concerned authority empowered under the law for the time being in force to do so. (2) No animal which - (i) is pregnant, or (ii) has an offspring less than three months old, or (iii) is under the age of three months or (iv) has not been certified by a veterinary doctor that it is in a fit condition to be slaughtered.

Prevention of Cruelty to Animals (PCA) Act, 1960- Chapter 3, section 11 If any person- 1 (a) beats, kicks, over-rides, over-drives, over-loads, tortures or otherwise treats any animal so as to subject it to unnecessary pain or suffering or causes, or being the owner permits, any animal to be so treated;



Old and sick cows are left untreated to die. They are sold dead or alive to slaughter houses.



Calves are tied on short leashes and kept in a corner or in confinement away from their mothers, denying any nasal or visual contact.

F. Dairy records

None of the dairies visited were registered with the local authorities

The Prevention of Cruelty to Animals (Registration of Cattle Premises) Rules, 1978

3. Registration of Premises:

Every person owning or in charge of premises in which not less than five heads of cattle are kept for the purpose of profit, shall, in any case, where the premises are already in existence, within three months from the commencement of these rules and, in any case where, after the commencement of these rules any such premises, apply to the registering authority for the registration of such premises.

6. Inspection of Premises:

Every premises registered under these rules shall be open for inspection at all reasonable times by any veterinary or public health officer of the local authority or of the State Government who may be authorised by the State Government in this behalf by general or special order.

7. Cancellation of registration:

If any premises are not maintained in the manner required under these rules, the registering authority may, by notice in writing stating the grounds on which the notice proceeds and after giving an opportunity to the person concerned to show cause, cancel the certificate.

RAJASTHAN MUNICIPAL ACT, 2009

S.247-Premises not be used for keeping any kinds of animals without valid licenses issues by the Municipal Authority. (This provision lays down general rule that it's not permissible to keep animals without an express license from the Municipality)

S.248- If such animals are kept without a valid license the Chief Municipal Officer has the authority to seize such animals found on such premises.

G. Transportation of animals

Old and infirm animals were transported using inhumane methods, without proper shed, food or water.

Often cattle were transported in highly congested vehicles with no space to stand or sit.

Violation of Transport of Animal (amendment) rule 2009, 46. Rules 47 to 56 shall apply to the transport by rail of cows, bulls, bullocks, buffaloes, yaks and calves. (hereinafter in these rules referred to as cattle).

Prevention of Cruelty to Animals (PCA) Act, 1960- Chapter 3, section 11 If any person- 1 (d) conveys or carries, whether in or upon any vehicle or not, any animal in such a manner or position as to subject it to unnecessary pain or suffering



Cows being cramped in a jeep for transport to slaughter houses

The investigation evidences have put forth key observations and violations as tabulated above, these highlight the common areas where cruelty is observed in the dairy sector. The worst practices specific to the 4 cities individually, are stated below, along with details such as: number of dairies visited, total cattle population in them and partners who helped in conducting the investigation.

The breakdown of the four cities where the investigation was conducted is as follows:

JAIPUR:	
No. of Dairies Investigated	15
No. of cattle	400
Areas Inspected	Jagatpura, Sodala, Mansarovar, Kalaneri Road, Jagatpura, Hingonia

Dairy owners in Jaipur send calves as young as one month of age for slaughter which is a violation of the Prevention of Cruelty to Animals (Slaughter House) Rules, 2001

ALWAR:	
No. of Dairies Investigated	10
No. of cattle	340
Areas Inspected	Scheme-1, Scheme- 2 and Scheme- 4

Buffalos are the chief cattle used for milking in the dairies of Alwar. A high degree of Oxytocin use was noticed, the dairy owners openly accepted use of the same. Tail docking was also practiced commonly.

JODHPUR:	
No. of Dairies Investigated	17
No. of cattle	247
Areas Inspected	Milkman colony, Rani ka baugh

Well known for its high yielding Ajmeri Cow breed, Jodhpur had the worst dairy establishments and practices among all the four cities. Cattle were kept in extremely unhygienic conditions with no availability of medical aid. Use of various types of oil to ease the milking process was seen. These oils mixed with the milk which was not subjected to any cleaning process and therefore, contaminated milk was sold directly to the customers.

BIKANER	
No. of Dairies Investigated	7
No. of cattle	245
Areas Inspected	Gurjaro ki basti

Bikaner is well known for its milk products and the Hollister cow breed. The dairies were overcrowded and used injured or diseased cows for milking without any treatment.

CONCLUSION

The dairy investigation campaign by FIAPPO covered 49 dairies in four cities of Rajasthan. By way of this investigation evidences of the condition of farm animals (cattle used in dairies) and the cruelty they are subjected to in the state of Rajasthan were collected.

The outcomes of the investigation are:

- In all the four cities similar violations of animal protection and welfare laws were noticed differing mainly on the degree of cruelty the cattle were subjected to in each violation.
- The Food Safety Act, 2006 used for implementing adequate standards of hygiene in the production and distribution of food (milk) was violated. Use of oils, hormones and unhygienic enclosures for milking was noticed, this increases the chances of contamination of milk which is directly distributed to customers without pasteurisation or cleaning.
- Male calves, old and injured cattle were sent for slaughter with violations mainly pertaining to their age, fitness and method of transport as against the provision of the Prevention of Cruelty to Animals (Slaughter House) Rules, 2001 and the Transport of Animal (amendment) rules 2009.
- Indiscriminate use of banned and illegal hormones- meant for increasing milk production- was also noticed. This has been recently objected to in the Government of India, Ministry of Agriculture and Department of Animal Husbandry advisory dated 2nd December, 2014 on use of antibiotics on food producing animals.

In addition to this, lack of availability of: adequate laws for improving the infrastructure (housing, flooring, lighting and ventilation) of enclosures, adequate quantities of fodder and water which can naturally help in improving the quality and quantity of milk and humane treatment of calves (especially male) after birth, were noticed. All these factors seem to become an easy excuse for using outdated and cost effective methodologies for managing dairy establishments by the owners. Cost cutting in order to derive profits above the health of the cattle is one of the leading causes of use of such lackadaisical management techniques.

On the basis of these violations it is clear that the existing laws are not being implemented in totality; there is also a need to devise feasible laws and policy on certain issues for which no animal protection laws exist.



FIAPO's URGENT DEMANDS

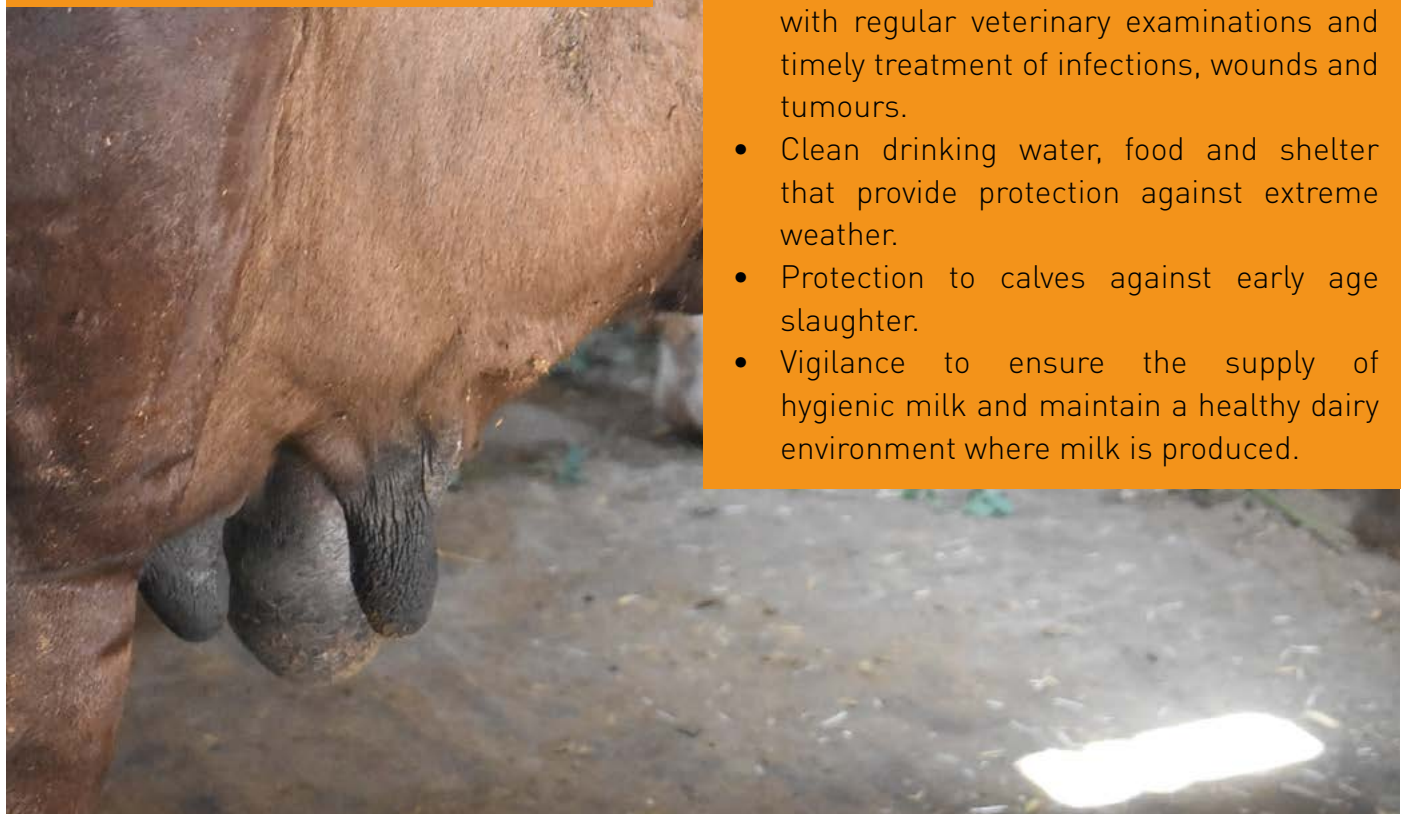
The Rajasthan Agriculture Minister to spearhead the movement to bring Animal Welfare measure by way of:

1. Taking action against the tabelas violating laws such as:

- Prevention of Cruelty to Animals (Registration of Cattle Premises) Rules, 1978
- Prevention of Cruelty to Animals (Slaughter House) Rules, 2001
- Transport of Animal Rules, 1978
- Rajasthan Municipal Act, 2009

2. Providing immediate relief to dairy cattle in Rajasthan by:

- Complete implementation of ban on the use of hormones to increase and release unnatural quantities of milk.
- Sufficient space in dairies for cattle to sit, stand and be able to explore their surroundings for maintaining their emotional and physical well- being.
- Ensure proper maintenance of cattle health with regular veterinary examinations and timely treatment of infections, wounds and tumours.
- Clean drinking water, food and shelter that provide protection against extreme weather.
- Protection to calves against early age slaughter.
- Vigilance to ensure the supply of hygienic milk and maintain a healthy dairy environment where milk is produced.



3. Implementing FIAPO's Dairy Code in the Rajasthan Dairy Industry:

Improving laws and rules- This can be achieved based on the **Dairy Code** created by FIAPO from the best practices used in other countries and the shortcomings of existing laws. This **Dairy Code** contains 30 recommendations (**Annexure 8**) related to cattle used in the dairy industry. These cover the area of housing, health, breeding of dairy cattle and the upkeep of calves and bulls; these recommendations can be incorporated to strengthen the existing laws or be created as a new law by itself. This will ensure that the objective to improve the conditions of the dairies in Rajasthan through policy reform in the long run will be met.

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ANNEXURE

1. Guidelines for inspection of dairies

THE PREVENTION OF CRUELTY TO ANIMALS (REGISTRATION OF CATTLE PREMISES) RULES, 1978 lays out the conditions for registration of premises used for dairy business, also there are some basic conditions that need to be maintained in cattle premises for welfare of cattle which can be inspected with the help of questionnaire.

The present document lays out the steps to collect comprehensive information on dairies in your area. The aim of this document is to record the cruel conditions of dairies in which cattle are kept and violation of laws. Apart from that data on their registration, number of animals, welfare provisions, and management regime need to be collected.

Steps for inspection of dairies:

- Organise a common meeting of all the people who are interested in participating in the inspection.
- Explain the nature of data that needs to be captured in the inspection (see dairy investigation questionnaire)
- Identify the areas geographically where dairies are situated and can be inspected.
- Decide the no. of dairies that need to be inspected. Based on that, form teams of two volunteers each.
- Allocate dairies for each team to inspect, covering all geographic areas.

Pre inspection preparation:

The inspection team needs to have the following ready at least 1 day prior to the scheduled inspection

- One camera/ phone with camera
- Memory card in phone/camera with at least 4GB free space.
- Questionnaire printed on A4 paper in landscape format
- Blank A4 sheets to make notes
- News paper of current date

How to conduct inspection:

- Inspection team members to meet at a pre decided location, with the above equipment/papers, before proceeding to the dairy
- Start the conversation with the dairy owner and explain to them that you want some information about dairies.
- Follow an informal course of conversation to cover all points mentioned in the questionnaire.
- One person to take charge of conversation and the other to collect photos and videos of the dairy. Person who is taking photos and videos to stay behind the one who is asking the questions.
- Guidelines for video and photo documentation

Take pictures and short videos of one minute each of conditions mentioned below. Pictures and videos must show the date and time of recording. If the camera does not have the date and time setting, use the newspaper of current date to show date in the same shot.

1. Any injuries, deformities, any sign of surgery, any sign of beating, weakness, or any symptoms of illness.
2. Flooring in the dairies where animals are kept, it should not be “pakka” flooring.
3. The way animal is tied. Capture the length of rope with animal is chained.
4. Method of milking animal in video and the way rear leg are tied by rope.
5. Facilities where young calves are kept and document the health and condition of calf .
6. Injuries on animals like injuries due to constant chained position, wounds on legs due to inappropriate flooring.
7. Cleanliness in that dairy, drainage system of dairy and garbage disposal.
8. Drinking water facility for animals in dairy, as in most places the water tank usually build at the center or corner unfortunately far from reach of animals. They are released only at the time of milking and that is the only time when drinking water is provided to them.
9. Food that is given to animal. Most of the time animals are fed with dry fodder which does not help in any sort of nutrition.
10. Place where fodder and other medicines are kept- check if it is hygienic.
11. Types of ‘medicines’ used regularly- usually they keep medicines like Oxytocin which is very harmful for cattle.

Kindly consider following points while using this questionnaire:

- Use this questionnaire as guiding tool while inspection, it's not necessary to follow the questionnaire sequence wise.
- Remember the headers, as it will be helpful to cover all adequate data and minimize the possibilities to forget any crucial detail.
- Taking picture is one of the very crucial tasks and it would be strongly suggested that a day to practice the cattle photography will be really helpful. Asking help of professional photographer or media or photography students can be helpful.
- Keep the questionnaire handy by the one who is taking picture, thus another person will be able to ensure that all details would be captured.
- Do not write observation during the time of inspection, as this may impact the inspection. Always write down the observation immediately after the inspection with the help of observation of another persona and photographs captured.
- It would be great help to ask crucial questions indirectly e.g. you can ask that how is the demand for milk?, to whom do you supply this milk?, As cattle do not produce milk throughout the year so what do you do in those months when cattle do not produce milk? – such questions will be helpful in deriving more information about the chemicals used to increase milk productivity.

2. Questionnaire

Cattle premises name	
Address	
Name and contact details of owner/manager	
Name and designation of local welfare authority members	
Date and time of inspection	
Number of cattle	
Total capacity	

Questions	Violation of Laws	Picture guide
Housing		
Is adequate space been provided to Cattle to rest and move around?	Prevention of Cruelty to Animal Act 1962 ,Section 11 (1) (g) Being the owner, neglects to exercise or cause to be exercised reasonably any dog habitually chained up or kept in close confinement; Section 11 (1)(e) of Prevention of Cruelty to Animals act 1962 Keeping or confining any animal in any cage or any receptacle, which does not measure sufficiently in height, length and breadth to permit the animal a reasonable opportunity for movement; Section 11 (1)(f) Keeping for an unreasonable time any animal chained or tethered upon an unreasonably heavy chain or chord;	Picture of space where cattle are chained (Full View, Front and Back), Picture of room where cattle are kept, Picture of floor area
How is the floor area where the cattle are kept and tethered?		Picture of rope with cattle are chained(close up that show short rope)
Is the area well lit where the cattle are kept?		
Enclosure where cattle are tethered		
Are cattle allowed to move free without chained?		
Is there any sort of exercise routine for cattle?		
If yes, then for how many hours?	Prevention of Cruelty to Animal Act 1962 ,Section 11 (1)(h) Being the owner of any animal fails to provide such animal with sufficient food, drink or shelter;	Picture of shelter provided to cattle/ picture of cattle if chained without shelter, standing in heat.
Nature and quantity of bedding provided		
Whether there is protection for animals against heat and cold?	Prevention of Cruelty to Animal Act 1962 ,Sect 11(1)(a) Beating, Kicking, Over-riding, Over-driving, Over-loading, Torturing,Causing unnecessary pain or suffering to any animals;	Picture of premises where calves are kept, picture of mother and calves (broad shot covering both), Picture of cattle from back capturing back leg tied with rope. Short video of milking
Whether new born calves are housed so as to enable visual and nasal contact with the mother?		
Were cattle tied on back legs with rope or plastic string while milking?		

Feed and water		
Whether cattle have continuous access to feed? If troughs are empty than you can ask that why there is no fodder here? Is that because of animals not eating it and its getting wasted?	Prevention of Cruelty to Animal Act 1962 ,Section 11 (1)(h) Being the owner of any animal fails to provide such animal with sufficient food, drink or shelter; Prevention of Cruelty to Animal Act 1962 ,Section 11 (1) (k) Offers for sale or without reasonable cause, has in his possession any animal which is suffering pain by reason of mutilation, starvation, thirst, overcrowding or other ill-treatment Prevention of Cruelty to Animal Act 1962 ,Sect 11(1)(a) Beating, Kicking, Over-riding, Over-driving, Over-loading, Torturing, Causing unnecessary pain or suffering to any animals;	Picture of feed troughs, (shot that shows the fodder in section and number of animals eating it), Picture of empty troughs (if any), Picture of feed troughs, (shot that shows the fodder in section and number of animals eating it)
Quantity of feed per animal per day		
Composition of feed		
Number and dimensions of feeding troughs		
Whether animals are competing for food?		
What is done if animals are not eating food and it is getting wasted?		
Whether animals forced to finish food?		
Whether feed is contaminated?		
Measures taken to prevent contamination of feed		
Number of salt licks		Picture of store room where fodder is kept (shot that cover the type of fodder or the fodder bags), Picture of store room where fodder is kept (shot that cover the type of fodder or the fodder bags)
Whether providing other nutritional supplements?		
If yes, give details		
Amount of drinking water available per animal per day		Picture of water storage tank and distance from the space where cattle are kept (shot that cover both object) , Picture of water tank form distance to show the access to the water,
Amount of water (in inches) available in the water trough		
What is the weaning age for calves?		
is calves allowed to drink mother's milk?		
In what frequency?		Picture of calves, specifically and illness or weak calves
For how many days?		
Amount of water available per day for management purposes		Picture of fresh water source in premises

Branding and de-horning		
Whether branding is practised and for what purpose?	Prevention of Cruelty to Animal Act 1962 , Section 11 (1) (k) Offers for sale or without reasonable cause, has in his possession any animal which is suffering pain by reason of mutilation, starvation, thirst, overcrowding or other ill-treatment Sect Prevention of Cruelty to Animal Act 1962, 11(1)(a) Beating, Kicking, Over-riding, Over-driving, Over-loading, Torturing, Causing unnecessary pain or suffering to any animals;	Picture of branding if any on animal's body
Who performs branding and what method?		Picture of any injuries due to branding
Whether de horning and tail docking is practised and for what purpose?		
Any Phooka or Doom Dev performed on cattle?	Prevention of Cruelty to Animal Act 1962 , Section 11 (1) (c) Wilfully and unreasonably administering any injurious drug or injurious substance; Section 12 of The Prevention of Cruelty to Animals Act, 1960, penalizes practicing of phooka or doom dev or any other operation being performed upon any cow or other milch animal, to improve its lactation. This is injurious to health of the animal.	Picture of any injuries, operation marks, any swelling or any wound
Is there any injection or surgery been conducted on cattle for increasing milk production?		
Is there any injuries, deformities, any sign of surgery, any sign of beating, weakness, or any symptoms of illness in cattle?	Prevention of Cruelty to Animal Act 1962 , Section 11 (1)(b) Employing any animal which, by reason of its age or any disease, unfit to be so employed, and still making it work or labour or for any purpose;	Picture of injuries to cattle or calves, any injuries due to space struggle between animals, any wounds, any swelling. Take picture of leg of the cattle that usually deform due to constant stand on concrete flooring.
Are ill or injured animals used for milking?		
what happen to male calves?	Prevention of Cruelty to Animal Act 1962 , Section 11 (1) (i) Being the owner, without reasonable cause, abandons any animal in circumstances, which render it likely that it will suffer pain by reason of starvation or thirst;	take picture of udder, any swelling injuries, redness on them
what happen to cattle which are not able to produce milk due to age or illness?		Take short video if its possible to capture that male calves and ill cattles are abandoned by owners because of no milk productivity
Management and personnel		
Number of animal handlers per animal		

Whether animal handlers have undergone the basic training in animal welfare?		
At what interval medical examination of cattle is been done?		
Whether there is regular veterinarian employed by the cattle premises?		
If yes, when was the last visit?		
Is your Dairy Registered?	<p>THE PREVENTION OF CRUELTY TO ANIMALS (REGISTRATION OF CATTLE PREMISES) RULES, 1978.</p> <p>Every person owning or in charge of premises in which not less than five heads of cattle are kept for the purpose of profit, shall, in any case, where the premises are already in existence, within three months from the commencement of these rules and, in any case where, after the commencement of these rules any such premises, apply to the registering authority for the registration of such premises.</p>	
Do you sell your milk to dairy or direct customer?	<p>Food Safety and Standards Act, 2006 Section 59. Punishment for unsafe food- Any person who, whether by himself or by any other person on his behalf, manufactures for sale or stores or sells or distributes or imports any article of food for human consumption which is unsafe, shall be punishable,–</p> <p>(i) where such failure or contravention does not result in injury, with imprisonment for a term which may extend to six months and also with fine which may extend to one lakh rupees;</p>	Picture of containers and buckets in which milk is stores.

	<p>(ii) where such failure or contravention results in a non-grievous injury, with imprisonment for a term which may extend to one year and also with fine which may extend to three lakh rupees;</p> <p>(iii) where such failure or contravention results in a grievous injury, with imprisonment for a term which may extend to six years and also with fine which may extend to five lakh rupees;</p> <p>(iv) where such failure or contravention results in death, with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life and also with fine which shall not be less than ten lakh Rupees.</p> <p>Section 63. Punishment for carrying out a business without license- If any person or food business operator (except the persons exempted from licensing under sub-section (2) of section 31 of this Act), himself or by any person on his behalf who is required to obtain license, manufacturers, sells, stores or distributes or imports any article of food without license, shall be punishable with imprisonment for a term which may extend to six months and also with a fine which may extend to five lakh rupees.</p>	
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3. Prevention of Cruelty to Animals Act, 1960

CHAPTER III

CRUELTY TO ANIMALS GENERALLY

11. Treating animals cruelly : (1) If any person

(a) beats, kicks, over-rides, over-drives, over-loads, tortures or otherwise treats any animal so as to subject it to unnecessary pain or suffering or causes, or being the owner permits, any animal to be so treated; or

(b) 13(employs in any work or labour or for any purpose any animal which, by reason of its age or any disease) infirmity; wound, sore or other cause, is unfit to be so employed or, being the owner, permits any such unfit animal to be employed; or

(c) wilfully and unreasonably administers any injurious drug or injurious substance to 14(any animal) or wilfully and unreasonably causes or attempts to cause any such drug or substance to be taken by 15(any animal;) or

(d) conveys or carries, whether in or upon any vehicle or not, any animal in such a manner or position as to subject it to unnecessary pain or suffering; or

(e) keeps or confines any animal in any -cage or other receptacle which does not measure sufficiently in height, length and breadth to permit the animal a reasonable opportunity for movement; or

f) keeps for an unreasonable time any animal chained or tethered upon an unreasonably short or unreasonably heavy chain or cord; or

(g) being the owner, neglects to exercise or cause to be exercised reasonably any dog habitually chained up or kept in close confinement; or

(h) being the owner of (any animal) fails to provide such animal with sufficient food, drink or shelter; or

(i) without reasonable cause, abandons any animal in circumstances which tender it likely that it will suffer pain by reason of starvation thirst; or

(j) wilfully permits any animal, of which he is the owner, to go at large in any street, while the animal is affected with contagious or infectious disease or, without reasonable excuse permits any diseased or disabled animal, of which he is the owner, to die in any street; or

(k) offers for sale or without reasonable cause, has in his possession any animal which is suffering pain by reason of mutilation, starvation, thirst, overcrowding or other illtreatment; or

16{(1) mutilates any animal or kills any animal (including stray dogs) by using the method of strychnine injections, in the heart or in any other unnecessarily cruel manner or;}

17{(m) solely with a view to providing entertainment

(i) confines or causes to be confined any animal (including tying of an animal as a bait in a tiger or other sanctuary) so as to make it an object or prey for any other animal; or

(n) 18[xxxx] organises, keeps uses or acts in the management or, any place for animal fighting or for the purpose of baiting any animal or permits or offers any place to be so used or receives money for the admission of any other person to any place kept or used for any such purposes; or

(o) promotes or takes part in any shooting match or competition wherein animals are released from captivity for the purpose of such shooting:

he shall be punishable 19[in the case of a first offence, with fine which shall not be less than ten rupees but which may extend to fifty rupees and in the case of a second or subsequent offence committed within three years of the previous offence, with fine which shall not be less than twenty-five rupees but which may extend, to one hundred rupees or with imprisonment for a term which may extend, to three months, or with both.]

(2) For the purposes of section (1) an owner shall be deemed to have committed an offence if he has failed to exercise reasonable care and supervision with a view to the prevention of such offence;

Provided that where an owner is convicted permitting cruelty by reason only of having failed to exercise such care and supervision, he shall not be liable to imprisonment without the option of a fine.

(3) Nothing in this section shall apply to -

(a) the dehorning of cattle, or the castration or branding or noseroping of any animal in the prescribed manner, or

(b) the destruction of stray dogs in lethal chambers 20[by such other methods as may be prescribed] or

(c) the extermination or destruction of any animal under the authority of any law for the time being in force; or

(d) any matter dealt with in Chapter IV; or

(e) the commission or omission of any act in the course of the destruction or the preparation for destruction of any animal as food for mankind unless such destruction or preparation was accompanied by the infliction of unnecessary pain or suffering.

12. Penalty for practising phooka or doom dev : If any persons upon any cow or other milch animal the operation called practising phooka or 21[doom dev or any other operation (including injection of any or doom dev. substance) to improve lactation which is injurious to the health of the animal] or permits such operation being performed upon any such animal in his possession or under his control, he shall be punishable with fine which may extend to one thousand rupees, or with imprisonment for a term which may extend to two years, or with both, and the animal on which the operation was performed shall be forfeited to the Government.

13. Destruction of suffering animals: (1) Where the owner of an animal is convicted of an offence under section 11, it shall be lawful for the court, if the court is satisfied that it would be cruel to keep the animal alive, to direct that the animal be destroyed and to assign the animals to any suitable person for that purpose, and the person to whom such animal is so assigned shall as soon as possible, destroy such animal or cause such animal to be destroyed in his presence without unnecessary suffering; and any reasonable expense incurred in destroying the animal may be ordered by the court, if the court is satisfied that it would be cruel to keep the animal alive, to direct that the animal be destroyed and to assign the animal to any reasonable expense incurred in destroying the animal may be ordered by the court to be recovered from the owner as if it were a fine:

Provided that unless the owner assents thereto, no order shall be made under this section except upon the evidence of a veterinary officer in charge of the area.

(2) When any magistrate, commissioner of police or district superintendent of police has reason to believe that an offence under section 11 has been committed in respect of any animal, he may direct the immediate destruction of the animal, if in his opinion, it would be cruel to keep the animal alive.

(3) Any police officer above the rank of a constable or any person authorized by the State Government in this behalf who finds any animal so diseased or so severely injured or in such a physical condition that in his opinion it cannot be removed without cruelty, may, if the owner is absent or refuses his consent to the destruction of the animal, forth with summon the veterinary officer in charge of the area in which the animal is found, and if the veterinary officer certifies that the animal is mortally injured or so severely injured or in such a physical condition that it would be cruel to keep it alive, the police officer or the person authorised, as the case may be, may, after obtaining orders from a magistrate, destroy the animal injured or cause it to be destroyed; 22(in such manner as may be prescribed)

(4) No appeal shall lie from any order of a magistrate for the destruction of an animal.

4. Transport of Animals, Rules, 1978.

In exercise of the powers conferred by clause (h) of sub-section (2) of Section 38 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960); the Central Government hereby makes the following rules, the same having been previously published as required by the said Section, namely :
Transport of Animals Rules, 1978.

Chapter I

1. Short Title

These rules may be called the Transport of Animals, Rules, 1978.

2. Definitions:

In these rules, unless the context otherwise requires

(a) qualified veterinary surgeon means one who holds a diploma or a degree of a recognised veterinary college.

(b) "Schedule" means a schedule appended to these rules.

CHAPTER IV

Transport of Cattle

46. Rules 47 to 56 shall apply to the transport by rail of cows, bulls, bullocks, buffaloes, yaks and calves. (hereinafter in these rules referred to as cattle).

47. (a) A valid certificate by a qualified veterinary surgeon to the effect that the cattle are in a fit condition to travel by rail or road and are not suffering from any infectious or contagious or parasitic diseases and that they have been vaccinated against rinderpest and any other infectious or contagious or parasitic diseases, shall accompany each consignment.

(b) In the absence of such a certificate, the carrier shall refuse to accept the consignment for transport.

(c) The certificate shall be in the form specified in Schedule - E.

48. Veterinary first-aid equipment shall accompany all batches of cattle.

49. (a) Each consignment shall bear a label showing in bold red letters the name, address and telephone number (if any) of the consignor and consignee, the number and types of cattle being transported and quantity of rations and food provided.

(b) The consignee shall be informed about the train or vehicle in which the consignment of cattle is being sent and its arrival time in advance.

(c) The consignment of cattle shall be booked by the next train or vehicle and shall not be detained after the consignment is accepted for booking.

50. The average space provided per cattle in Railway wagon or vehicle shall not be less than two square metres.

51. (a) Suitable rope and platforms should be used for loading cattle from vehicles.

(b) In case of railway wagon the dropped door of the wagon may be used as a ramp when loading or unloading is done to the platform.

52. Cattle shall be loaded after they are properly fed and given water.

53. Cattle in advanced stage of pregnancy shall not be mixed with young cattle in order to avoid stampede during transportation.

54. (1) Watering arrangements on route shall be made and sufficient quantities of water shall be carried for emergency.

(2) Sufficient feed and fodder with adequate reserve shall be carried to last during the journey.

(3) Adequate ventilation shall be ensured.

55. When cattle is to be transported by rail.

(a) An ordinary goods wagon shall carry not more than ten adult cattle or fifteen calves on broad gauge, not more than six adult cattle or ten calves on metre gauge, or not more than four adult cattle or six calves on narrow gauge.

(b) every wagon carrying cattle shall have at least one attendant.

(c) cattle shall be loaded parallel to the rails, facing each other.

(d) rations for padding, such as straw, shall be placed on the floor to avoid injury if a cattle lies down and this shall not be less than 6 cms thick.

(e) rations for the journey shall be carried in the middle of the wagon.

(f) to provide adequate ventilation, upper door of one side of the wagon shall be kept open properly fixed and the upper door of the wagon shall have wire gauge closely welded mesh arrangements to prevent burning cinders from the engines entering the wagon and leading to fire outbreak.

(g) cattle wagons should be attached in the middle of the train.

(h) cooking shall not be allowed in the wagons nor hurricane lamps without chimneys.

(i) two breast bars shall be provided on each side of the wagon, one at height of 60 to 80 cm and the other at 100 to 110 cm.

(j) Cattle-in-milk shall be milked at least twice a day and the calves shall be given sufficient quantity of milk to drink.

(k) As far as possible, cattle may be moved during the nights only.

(1) during day time, if possible, they should be unloaded, fed, given water and rested and if in milk, milking shall be carried out.

56. When cattle are to be transported by goods vehicle the following precautions are to be taken namely

(a) Specially fitted goods vehicles with a special type of tail board and padding around the sides should be used.

(b) Ordinary goods vehicles shall be provided with anti-slipping material, such as coir matting or wooden board on the floor and the superstructure, if low, should be raised.

(c) no goods vehicle shall carry more than six cattle.

(d) each goods vehicle shall be provided with one attendant.

(e) while transporting, the cattle, the goods vehicle shall not be loaded with any other merchandise; and

(f) to prevent cattle being frightened or injured, they should preferably, face the engine.

5. FOOD SAFETY AND STANDARDS ACT, 2006

Definitions. (1) In this Act, unless the context otherwise requires, – 2 (a) “adulterant” means any material which is or could be employed for making the food unsafe or sub-standard or mis-branded or containing extraneous matter;

(f) “consumer” means persons and families purchasing and receiving food in order to meet their personal needs;

(g) “contaminant” means any substance, whether or not added to food, but which is present in such food as a result of the production (including operations carried out in crop husbandry, animal husbandry or veterinary medicine), manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food or as a result of environmental contamination and does not include insect fragments, rodent hairs and other extraneous matter;

(i) “extraneous matter” means any matter contained in an article of food which may be carried from the raw materials, packaging materials or process systems used for its manufacture or which is added to it, but such matter does not render such article of food unsafe;

(j) “Food” means any substance, whether processed, partially processed or unprocessed, which is intended for human consumption and includes primary food to the extent defined in clause (zk), genetically modified or engineered food or food containing such ingredients, infant food, packaged drinking water, alcoholic drink, chewing gum, and any substance, including water used into the food during its manufacture, preparation or treatment but does not include any animal feed, live animals unless they are prepared or processed for placing on the market for human consumption, plants, prior to harvesting, drugs and medicinal products, cosmetics, narcotic or psychotropic substances : 3 Provided that the Central Government may declare, by notification in the Official Gazette, any other article as food for the purposes of this Act having regards to its use, nature, substance or quality;

(k) “food additive” means any substance not normally consumed as a food by itself or used as a typical ingredient of the food, whether or not it has nutritive value, the intentional addition of which to food for a technological (including organoleptic) purpose in the manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food results, or may be reasonably expected to result (directly or indirectly), in it or its by-products becoming a component of or otherwise affecting the characteristics of such food but does not include “contaminants” or substances added to food for maintaining or improving nutritional qualities;

(n) “Food business” means any undertaking, whether for profit or not and whether public or private, carrying out any of the activities related to any stage of manufacture, processing, packaging, storage, transportation, distribution of food, import and includes food services, catering services, sale of food or food ingredients; (o) “food business operator” in relation to food business means a person by whom the business is carried on or owned and is responsible for ensuring the compliance of this Act, rules and regulations made thereunder;

(s) “Food Safety Management System” means the adoption Good Manufacturing Practices, Good Hygienic Practices, Hazard Analysis and Critical Control Point and such other practices as may be specified by regulation, for the food business;

(zc) “manufacture” means a process or adoption or any treatment for conversion of ingredients into an article of food, which includes any sub-process, incidental or ancillary to the manufacture of an article of food; (zd) “manufacturer” means a person engaged in the business of manufacturing any article of food for sale and includes any person who obtains such article from another person and packs and labels it for sale or only labels it for such purposes;

(zi) “premises” include any shop, stall, hotel, restaurant, airline services and food canteens, place or vehicle or vessel where any article of food is sold or manufactured or stored for sale;

(zz) “unsafe food” means an article of food whose nature, substance or quality is so affected as to render it injurious to health :

- (i) by the article itself, or its package thereof, which is composed, whether wholly or in part, of poisonous or deleterious substance; or
- (ii) by the article consisting, wholly or in part, of any filthy, putrid, rotten, decomposed or diseased animal substance or vegetable substance; or
- (iii) by virtue of its unhygienic processing or the presence in that article of any harmful substance; or
- (iv) by the substitution of any inferior or cheaper substance whether wholly or in part; or
- (v) by addition of a substance directly or as an ingredient which is not permitted; or
- (vi) by the abstraction, wholly or in part, of any of its constituents; or
- (vii) by the article being so coloured, flavoured or coated, powdered or polished, as to damage or conceal the article or to make it appear better or of greater value than it really is; or
- (viii) by the presence of any colouring matter or preservatives other than that specified in respect thereof; or
- (ix) by the article having been infected or infested with worms, weevils, or insects; or
- (x) by virtue of its being prepared, packed or kept under insanitary conditions; or
- (xi) by virtue of its being mis-branded or sub-standard or food containing extraneous matter; or
- (xii) by virtue of containing pesticides and other contaminants in excess of quantities specified by regulations.

Section 51. Penalty for sub-standard food.

Any person who whether by himself or by any other person on his behalf manufactures for sale or stores or sells or distributes or imports any article of food for human consumption which is sub-standard, shall be liable to a penalty which may extend to five lakh rupees.

Section 54. Penalty for food containing extraneous matter.

Any person whether by himself or by any other person on his behalf manufactures for sale or stores or sells or distributes or imports any article of food for human consumption containing extraneous matter, shall be liable to a penalty which may extend to one lakh rupees.

Section 55. Penalty for failure to comply with the directions of Food Safety Officer.

If a food business operator or importer without reasonable ground, fails to comply with the requirements of this Act or the rules or regulations or orders issued thereunder, as directed by the Food Safety Officer, he shall be liable to a penalty which may extend to two lakh rupees.

Section 57. Penalty for possessing adulterant. (1) Subject to the provisions of this chapter, if any person who whether by himself or by any other person on his behalf, imports or manufactures for sale, or stores, sells or distributes any adulterant shall be liable – (i) where such adulterant is not injurious to health, to a penalty not exceeding two lakh rupees; (ii) where such adulterant is injurious to health, to a penalty not exceeding ten lakh rupees. (2) In a proceeding under sub-section (1), it shall not be a defence that the accused was holding such adulterant on behalf of any other person.

Section 56. Penalty for unhygienic or unsanitary processing or manufacturing of food.

Any person who, whether by himself or by any other person on his behalf, manufactures or processes any article of food for human consumption under unhygienic or unsanitary conditions, shall be liable to a penalty which may extend to one lakh rupees.

Section 58. Penalty for contraventions for which no specific penalty is provided. Whoever contravenes any provisions of this Act or the rules or regulations made thereunder, for the contravention of which no penalty has been separately provided in this Chapter, shall be liable to a penalty which may extend to two lakh rupees.

Section 59. Punishment for unsafe food.

Any person who, whether by himself or by any other person on his behalf, manufactures for sale or stores or sells or distributes or imports any article of food for human consumption which is unsafe, shall be punishable

- (i) where such failure or contravention does not result in injury, with imprisonment for a term which may extend to six months and also with fine which may extend to one lakh rupees;
- (ii) where such failure or contravention results in a non-grievous injury, with imprisonment for a term which may extend to one year and also with fine which may extend to three lakh rupees;
- (iii) where such failure or contravention results in a grievous injury, with imprisonment for a term which may extend to six years and also with fine which may extend to five lakh rupees;
- (iv) where such failure or contravention results in death, with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life and also with fine which shall not be less than ten lakh Rupees.

Section 63. Punishment for carrying out a business without licence.

If any person or food business operator (except the persons exempted from licensing under sub-section (2) of section 31 of this Act), himself or by any person on his behalf who is required to obtain licence, manufactures, sells, stores or distributes or imports any article of food without licence, shall be punishable with imprisonment for a term which may extend to six months and also with a fine which may extend to five lakh rupees.

6. Prevention of Cruelty to Animals (Slaughter House) Rules, 2001

1. Short title and commencement: (1) These rules may be called the Prevention of Cruelty to Animals (Slaughter House) Rules, 2001 (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 Prevention of Cruelty to Animals Act, 1960 (59 of 1960);
- b) “Slaughter” means the killing or destruction of any animal for the purpose of food and includes all the processes and operations performed on all such animals in order to prepare it for being slaughtered.
- c) “Slaughter house” means a slaughter house wherein 10 or more than 10 animals are slaughtered per day and is duly licensed or recognised under a Central, State or Provincial Act or any rules or regulations made thereunder.
- d) “veterinary doctor” means a person registered with the Veterinary Council of India established under the Indian Veterinary Council Act, 1984 (52 of 1984).

3. Animals not to be slaughtered except in recognised or licensed houses -

(1) No person shall slaughter any animal within a municipal area except in a slaughter house recognised or licensed by the concerned authority empowered under the law for the time being in force to do so.

(2) No animal which - (i) is pregnant, or (ii) has an offspring less than three months old, or (iii) is under the age of three months or (iv) has not been certified by a veterinary doctor that it is in a fit condition to be slaughtered.

7. Relevant provision in the RAJASTHAN MUNICIPAL ACT, 2009

S.247-Premises not be used for keeping any kinds of animals without valid licenses issues by the Municipal Authority. (This provision lays down general rule that it's not permissible to keep animals without an express license from the Municipality)

S.248- If such animals are kept without a valid license the Chief Municipal Officer has the authority to seize such animals found on such premises

S. 45 (1) (ya kha- Hindi font) of Rajasthan Municipal Act, 2009 clearly states that the Municipal Corporation shall take every step to ensure that animal cruelty is prevented (as mentioned on page no. 78 of Rajasthan Gazette of Friday, September 11, 2009).

8. Dairy Code- FIAPO

Protection of welfare in farmed dairy cattle in India

Draft outline of guidelines

Overview

The welfare of cattle should be protected by adapting their conditions and management to their biology and natural behaviour. The following principles apply to all cattle, but are intended particularly for application to farms and commercial holdings with 20 or more cattle (i.e. including both adult cows and others).

Close confinement and barren housing that restrict movement and behaviour should not be used: these include short tethers and systems without bedding for cows, crates and fully slatted pens for calves. Cattle should be given a varied environment with bedding and other facilities and as much access to outdoors and natural vegetation as possible, subject to protection from extreme weather conditions. Choice of species and breed and genetic selection should not be predominantly for high milk production, which increases vulnerability to climatic extremes, suboptimal diets and physical and behavioural disorders. Cows should instead be bred and managed for robustness and longevity, and take into account the intended uses of males as well as females. Hot branding and most other mutilations should not be used, and those necessary carried out with pain relief. Management should be planned to avoid fear and distress from birth to slaughter.

Housing and environment

1. Cows should be kept in small, stable groups at low stocking density in a varied environment. When new animals are introduced, measures should be taken to avoid bullying, particularly of young animals. Individual housing should not be used except temporarily for veterinary reasons. Tethering should preferably not be used; where it is necessary the tether should not be shorter than 5m and the animal should be released daily for exercise.

2. Housing should allow free movement (for example, passageways should be wide enough for two cows to pass easily), without restrictions such as overhead electric wires. Floors should not be totally slatted, slippery or too rough, and should minimise contact with slurry.

The good management and husbandry necessary for protection of cattle welfare are also important for sustainability. Sustainability has three aspects: environmental, economic and ethical. Careful management of cattle can improve efficient use of environmental resources and decrease pollution. It can also increase economic productivity, as proper feeding and care of cows is important both for their welfare and their milk production. And ethical treatment of both people (regarding their livelihoods and food supply) and cattle is an essential part of the acceptability and applicability of policies concerning dairy farming.

3. Housing should provide bedded lying areas. If these are cubicles, they should be large enough for comfort, without restricting rails, and their number should be more than the group size.
4. Housing should provide natural lighting and ventilation and an uninterrupted, dark resting period at night. Extreme temperatures and humidities should be prevented. Good air quality should be ensured (a useful guide is that if air quality is unpleasant for humans it is also likely to be a problem for cattle).
5. Cows should spend as much of the day as possible outdoors, with as much access to natural vegetation as possible, unless extreme weather conditions mean that housing is beneficial. Cows should not have to walk long distances, and the ground should not be very rough or stony, to avoid foot damage. When conditions do not allow access to vegetation, outdoor areas should provide dry ground.
6. Cows outdoors need shelter from adverse weather and protection from predators and other sources of stress such as aircraft.

Husbandry

7. Handling facilities such as races, forcing gates and crushes should be designed and managed to minimise stress. Cattle should be moved by low-stress methods, using implements such as flags and rattles rather than sticks. Electric goads should not be used.
8. Milking should be frequent enough to prevent discomfort but not so frequent as to cause excessive physiological demand on the cow or to allow insufficient time for eating and resting. Twice a day is normally appropriate. Time waiting in gathering pens before milking should be minimised. If robotic milking is used cows should also have feed and water elsewhere.
9. Milking equipment must be well maintained, and good hygiene is needed during milking, to avoid discomfort to the cow and injury or infection of the udder.
10. Bovine Somatotropin (BST), also known as Bovine Growth Hormone (BGH), should not be used, as it has negative effects on animal health.
11. Cows should have adequate quantities of wholesome feed for their nutritional and behavioural needs, including at least 10% of long fibre roughage to ensure normal rumen function. As much of this as possible should be obtained from natural vegetation. At other times, palatable fibrous feed such as silage, grass or hay should be available ad libitum. Changes in the diet, such as increased use of grain, should be introduced gradually. Animal products (except milk) should not be permitted in the diet, including meat and bone meal.
12. Cows should have ad libitum access to clean drinking water, with sufficient trough space and flow rate to ensure this.
13. Caretakers should be trained and assessed for competence in looking after cattle and should manage the herd to avoid fear and distress. They should be in sufficient number to ensure good animal care.
14. Contingency plans should be in place for emergencies such as breakdown of equipment vital to the animals (e.g. milking, feeding or ventilation equipment), fire or flood. Emergency sources should be available of power, water etc.

Health care

15. The unit should have regular contact with a veterinary surgeon, a health plan should be documented, and the vet should be consulted whenever the best way to safeguard cow welfare is not clear.

16. The herd should be thoroughly inspected each day in addition to observation at milking, any sick, injured, thin or obese cows treated appropriately (body condition scoring is useful for this), and the causes addressed. Particular causes for concern in dairy cows, which may be addressed by both management and genetic selection, are lameness, mastitis and reproductive, metabolic and behavioural disorders. In some areas parasites and other pests also cause serious problems.

17. Regular foot inspection and locomotion scoring should be used to check foot health, with foot trimming and other care used as appropriate.

18. All health and welfare assessments and outcomes should be recorded, as well as the results of all environmental controls.

Choice of species and breed, and breeding

19. It is likely that both good milk production and good welfare will be achieved by a combination of moderate genetic potential for yield with good feeding and management. Choice of species (*Bos taurus*, *Bos indicus* or hybrids) and breed, and genetic selection should not be predominantly for high milk production, as cows with high genetic yield potential suffer more in extreme weather conditions or if diet is suboptimal. Cows should instead be chosen, bred and managed for robustness, adaptation to the climate, resistance to parasites and diseases, and longevity. Criteria should include absence of health problems and other traits advantageous to biological fitness and good welfare such as fertility and ability to thrive on suitable diets. The aim should be to achieve an average lifespan of 8 years or preferably more (6 lactations or more).

20. Genetically modified animals, clones and descendants of clones should not be used.

21. Both breeding and choice of sire should favour production of calves of a size appropriate for ease of calving, with male calves suitable for rearing.

Calves

22. Management at calving should aim to achieve the comfort, health and welfare of both cow and calf. This will usually involve isolating the cow in a pen with dry bedding and inspecting her frequently to ensure calving proceeds normally. Calving should not be induced or accelerated mechanically for human convenience. If calving is slow but the calf is in the normal position for delivery, controlled traction may be used, but if this is not quickly successful, veterinary assistance should be obtained.

23. Immediately after birth, the cow should be able to lick her calf, and the calf needs to get colostrum within 6h. It is preferable for the calf to stay with its mother for at least three months, and better for six months. The weaning process should then be gradual.

24. Calves reared apart from the cow should be group housed with bedding, fed milk or milk-replacer (preferably from the mother or from artificial teats, which are better than bucket feeding) and provided with access to solid feed from the first week of life and sufficient iron in the diet to prevent anaemia. They should be weaned gradually off milk or milk-replacer at 6w or older when the rumen is sufficiently developed. Veal crates should not be used.

25. Genetically polled (hornless) animals should be used if possible. Disbudding (removal of horn buds) should be avoided if possible. If it is necessary it should be done early in life by a veterinary surgeon with a hot iron under anaesthesia and with pain control afterwards. Dehorning should not be practised.

26. Hot iron branding should not be used if possible and if practised should use pain relief. Most other methods of marking, including freeze branding, also cause pain and should use pain relief. If marking is necessary, the least invasive method possible should be used, such as an ear tag, or, even better, a collar.

27. If castration is necessary, pain relief should be applied.

28. Tail docking and nose ringing should not be used.

Bulls

29. If a bull is used for natural mating, the floor should not be slatted or slippery. The bull should be kept with other cattle or, if alone, in sight of other cattle and with sufficient space for resting and exercise. Appropriate facilities for restraint are needed.

Federation of Indian Animal Protection Organisations (FIAPO) is India's apex animal protection organisation. As the collective voice of the animal protection movement in India, FIAP0 is the catalyst that protects the interests of animals on local and national levels - through education, research, lobbying, mobilization, training and direct action. It has 70 members and over 200 supporter organizations across the country.

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