



Broadcasting Decision CRTC 2006-515

Ottawa, 14 September 2006

APNA TV Broadcasting Inc.
Across Canada

Application 2005-1175-0
Public Hearing in the National Capital Region
1 May 2006

APNA Dharam TV – Category 2 specialty service

*In this decision, the Commission **approves** an application for a broadcasting licence to operate a new Category 2 specialty programming undertaking.*

The application

1. The Commission received an application by APNA TV Broadcasting Inc. for a broadcasting licence to operate a national, ethnic Category 2¹ specialty programming undertaking to be known as APNA Dharam TV.
2. The applicant proposed to offer a third-language, niche service that would be devoted to the Punjabi-, Hindi- and Urdu-speaking communities. The service would consist of live and recorded religious events from Canada and around the world. In each broadcast week, not less than 90% of the programming broadcast by the proposed service would be in the Punjabi, Hindi, and Urdu languages. Of this amount, not less than 70% would be in the Punjabi language, not less than 10% would be in the Hindi language, and not less than 10% would be in the Urdu language.
3. All of the programming would be drawn from the following categories set out in Schedule 1 to the *Specialty Services Regulations, 1990*: 1 News; 2(a) Analysis and interpretation; 2(b) Long-form documentary; 3 Reporting and actualities; 4 Religion; 7(c) Specials, mini-series or made-for-TV feature films; 11 General entertainment and human interest; and 13 Public service announcements.

¹ The Category 2 services are defined in *Introductory statement – Licensing of new digital pay and specialty services*, Public Notice CRTC 2000-171, 14 December 2000.

4. The Commission received many interventions in support of this application.

Commission's analysis and determinations

5. The Commission is satisfied that the application is in conformity with all applicable terms and conditions announced in *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001 (Public Notice 2000-171-1). Furthermore, given that the service will offer more than 90% of its programming in third languages, the Commission is satisfied that the application falls under the definition of a third-language service, established in *Revised approach for the consideration of broadcasting licence applications proposing new third-language ethnic Category 2 pay and specialty services*, Broadcasting Public Notice CRTC 2005-104, 23 November 2005 (Public Notice 2005-104). Accordingly, the Commission **approves** the application by APNA TV Broadcasting Inc. for a broadcasting licence to operate the national, niche, third-language, ethnic Category 2 specialty programming undertaking, APNA Dharam TV.
6. The Commission notes that APNA Dharam TV will devote at least 90% of its program schedule to programming in the Punjabi, Hindi and Urdu languages. In accordance with Public Notice 2005-104, the remainder of the program schedule, i.e., up to 10% may be in one or both official languages. The Commission encourages the applicant to ensure that all such programming serves to promote Canada's linguistic duality.
7. The licence will expire 31 August 2013, and will be subject to the **conditions** set out in Public Notice 2000-171-1, as well as to the **conditions** set out in the appendix to this decision.

Issuance of the licence

8. A licence will be issued once the applicant has satisfied the Commission, with supporting documentation, that the following requirements have been met:
 - the applicant has entered into a distribution agreement with at least one licensed distributor; and

- the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 36 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 14 September 2009. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before that date.

Secretary General

This decision is to be appended to the licence. It is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>

Appendix to Broadcasting Decision CRTC 2006-515

Conditions of licence

1. The licence will be subject to the conditions set out in *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001.
2. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to the Punjabi-, Hindi-, and Urdu-speaking communities. The service shall consist of live and recorded religious events from Canada and around the world.
3. The programming shall be drawn exclusively from the following categories, as set out in Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 1 News
 - 2 (a) Analysis and interpretation
 - (b) Long-form documentary
 - 3 Reporting and actualities
 - 4 Religion
 - 7 (c) Specials, mini-series or made-for-TV feature films
 - 11 General entertainment and human interest
 - 13 Public service announcements
4. Not less than 90% of all programming broadcast during the broadcast week shall be in the following languages: Punjabi, Hindi and Urdu.
5. Not less than 70% of all programming broadcast during the broadcast week shall be in the Punjabi language.
6. Where the licensee broadcasts religious programming as defined in *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, the licensee shall adhere to the guidelines set out in sections III.B.2.a) and IV of that public notice with respect to the provision of balance and ethics in religious programming, as amended from time to time.

For the purposes of the conditions of this licence, including condition of licence no. 1, *broadcast day* means the period of up to 18 consecutive hours, beginning each day not earlier than six o'clock in the morning and ending not later than one o'clock in the morning of the following day, as selected by the licensee, or any other period approved by the Commission.