



## Broadcasting Decision CRTC 2006-144

Ottawa, 18 April 2006

**Phillip Koneswaran, on behalf of a corporation to be incorporated  
Across Canada**

*Application 2005-0780-9*

*Public Hearing in the National Capital Region*

*16 January 2006*

### **The Hindu Network – 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 Phillip Koneswaran, on behalf of a corporation to be incorporated, for a broadcasting licence to operate a national, English-language Category 2<sup>1</sup> specialty programming undertaking to be known as The Hindu Network. The applicant stated that a maximum of 25% of all programming would be in either the Hindi or Tamil language.
2. The proposed service would offer programs related to Hinduism as a religion. The programming would include temple ceremonies, documentaries of the religion, current Hindu news affairs, religious movies and music.
3. All of the programming would be drawn from the following categories, as set out in Schedule 1 to the *Specialty Services Regulations, 1990* (the Regulations): 1 News; 2(a) Analysis and interpretation; 2(b) Long-form documentary; 3 Reporting and actualities; 4 Religion; 5(a) Formal education and pre-school; 5(b) Informal education/Recreation and leisure; 7(d) Theatrical feature films aired on TV; 8(b) Music video clips; 8(c) Music video programs; 11 General entertainment and human interest; and 13 Public service announcements.

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<sup>1</sup> 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 applicant indicated that, during each broadcast week, a minimum of 75% of all programming would be in the English language, that a maximum of 12.5% of all programming would be provided in the Tamil language, and that a maximum of 12.5% of all programming would be in the Hindi language. The applicant also stated that, during each broadcast week, no more than 10% of all programming drawn from categories 8(b) and 8(c) would be in the English language.
5. The Commission did not receive any interventions in connection with this application.

### **Commission's analysis and determination**

6. 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). Accordingly, the Commission **approves** the application by Phillip Koneswaran, on behalf of a corporation to be incorporated, for a broadcasting licence to operate the national, English-language, Category 2 specialty programming undertaking, The Hindu Network.
7. The Commission notes that the applicant indicated that it would broadcast religious programming as defined in *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993 (the Religious Policy). The Commission considers that, when the applicant offers religious programming as defined in the Religious Policy, it must adhere to the guidelines set out in that policy with respect to ethics (section IV.). The Commission is therefore imposing a **condition of licence**, as set out in the appendix to this decision, requiring that, when the applicant does broadcast such religious programming, it must adhere to these guidelines.
8. The licence will expire 31 August 2012, 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**

9. A licence will be issued once the applicant has satisfied the Commission, with supporting documentation, that the following requirements have been met:
  - an eligible Canadian corporation has been incorporated in accordance with the application in all material respects;
  - 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 18 April 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 2006-144

### 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, English-language, Category 2 specialty programming service devoted to programs related to Hinduism as a religion. The programming shall include temple ceremonies, documentaries of the religion, current Hindu news affairs, religious movies and music.
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
  - 5 (a) Formal education and pre-school
  - (b) Informal education/Recreation and leisure
  - 7 (d) Theatrical feature films aired on TV
  - 8 (b) Music video clips
  - (c) Music video programs
  - 11 General entertainment and human interest
  - 13 Public service announcements
4. Not less than 75% of all programming broadcast during the broadcast week shall be in the English language.
5. No more than 12.5% of all programming broadcast during the broadcast week shall be in the Tamil language.
6. No more than 12.5% of all programming broadcast during the broadcast week shall be in the Hindi language.
7. During each broadcast week, no more than 10% of all programming drawn from categories 8(b) and 8(c) shall be in the English language.

8. Where the licensee broadcasts religious programming as defined in the *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, the licensee shall adhere to the guidelines set out in section IV of that public notice with respect to 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.