



Broadcasting Decision CRTC 2010-790

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Route reference: 2010-295

Ottawa, 26 October 2010

Ravinder Singh Pannu, on behalf of a corporation to be incorporated
Across Canada

The application numbers are set out in Appendices 2 to 20 to this decision.
Public Hearing in the National Capital Region
19 July 2010

Various Category 2 specialty services

*The Commission **approves** applications for broadcasting licences to operate new Category 2 specialty services.*

Introduction

1. Ravinder Singh Pannu, on behalf of a corporation to be incorporated, filed applications for broadcasting licences to operate various national, niche third-language ethnic Category 2 specialty programming undertakings. Details relating to each of the proposed services are set out in the appendices to this decision.¹ For each of the proposed services, the applicant requested that it be authorized to devote up to six of the twelve minutes of advertising material permitted during each clock hour to the broadcast of local advertising.
2. Mr. Pannu will wholly own and control the applicant. Mr. Pannu also wholly owns and controls S. S. TV Inc., and Pannu Media Inc., licensee of a Class 1 terrestrial broadcasting distribution undertaking serving the Greater Toronto Area.
3. The applicant stated that from 95% to 100% of the programming broadcast each broadcast week on the proposed services would be in the Hindi language, with the remaining programming to be in the English language.
4. The Commission received an intervention in opposition to the applications from an individual; the Commission considers that this intervention does not raise any substantive issues in regard to the applications. The intervention can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings."

¹ Various other applications for Category 2 specialty services by the same applicant were also considered at the 19 July 2010 public hearing. The Commission's determinations on these applications are set out in Broadcasting Decision 2010-791, also issued today.

Commission's analysis and determinations

5. The Commission is satisfied that the applications set out in Appendices 2 to 20 of this decision comply with the frameworks set out in Public Notice 2000-6 and Broadcasting Public Notice 2008-100, with the approaches set out in Broadcasting Public Notices 2003-61 and 2006-74, and with all applicable terms and conditions announced in Public Notice 2000-171-1. Furthermore, given that the services will offer no less than 90% of their programming during the broadcast week in the Hindi language, the Commission is satisfied that the applications fall under the definition of a third-language ethnic service established in Broadcasting Public Notice 2005-104.
6. Accordingly, the Commission **approves** the applications by Ravinder Singh Pannu, on behalf of a corporation to be incorporated, for broadcasting licences to operate the national, niche third-language ethnic Category 2 specialty programming undertakings set out in the appendices to this decision. The Commission also **approves** the applicant's request for authority to devote, on each of these services, up to six of the twelve minutes of advertising material permitted during each clock hour to the broadcast of local advertising. The terms as well as the **conditions of licence** that apply to all of these services are set out in Appendix 1 to this decision. **Conditions of licence** that apply to individual services are set out in Appendices 2 to 20 of this decision.
7. The Commission notes the applicant's proposal that all of these services will devote more than 90% of their program schedules to programming in the Hindi language. In accordance with Broadcasting Public Notice 2005-104, the Commission has imposed a **condition of licence** that requires each service to devote not less than 90% of its program schedule to programming in the Hindi language. 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.

Reminder

8. The Commission reminds the applicant that distribution of these services is subject to the applicable distribution rules set out in Broadcasting Public Notice 2008-100.

Secretary General

Related documents

- *Various Category 2 specialty services*, Broadcasting Decision CRTC 2010-791, 26 October 2010
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008

- *Regulatory framework for the licensing and distribution of high definition pay and specialty services*, Broadcasting Public Notice CRTC 2006-74, 15 June 2006
- *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
- *The regulatory framework for the distribution of digital television signals*, Broadcasting Public Notice CRTC 2003-61, 11 November 2003
- *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Broadcasting Public Notice CRTC 2000-171-1, 6 March 2001
- *Licensing framework policy for new digital pay and specialty services*, Public Notice CRTC 2000-6, 13 January 2000

**This decision and the appropriate appendices are to be appended to each licence.*

Appendix 1 to Broadcasting Decision CRTC 2010-790

Terms, conditions of licence and encouragement applicable to the Category 2 specialty programming undertakings identified in Appendices 2 to 20 of Broadcasting Decision CRTC 2010-790

Terms

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 and has provided the Commission with a launch date for the service. The undertaking must be operational at the earliest possible date and in any event no later than 48 months from the date of this decision.

The licence will expire 31 August 2017.

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, except for condition 4d), which will not apply, and condition 4a), which is replaced by the following:

Except as otherwise provided in subparagraphs b) and c), the licensee shall not broadcast more than twelve (12) minutes of advertising material during each clock hour, no more than six (6) minutes of which may consist of local advertising.
2. The licence will be subject to the conditions set out in *Implementation of the Accessibility Policy with respect to Category 2 pay and specialty services*, Broadcasting Regulatory Policy CRTC 2010-355, 8 June 2010
3. The licensee shall broadcast not less than 90% of all programming during the broadcast week in the Hindi language.
4. In order to ensure that the licensee complies at all times with the *Direction to the CRTC (Ineligibility of non-Canadians)*, P.C. 1997-486, 8 April 1997, as amended by P.C. 1998-1268, 15 July 1998, the licensee shall file, for the Commission's prior review, a copy of any programming supply agreement and/or licence trademark agreement it intends to enter into with a non-Canadian party.

5. The licensee is authorized to make available for distribution a version of its service in high definition (HD) format, provided that not less than 95% of the video and audio components of the upgraded and standard definition versions of the service are the same, exclusive of commercial messages and of any part of the service carried on a subsidiary signal. Further, all of the programming making up the 5% allowance shall be provided in HD.

For the purposes of the conditions of this licence, including condition of licence 1, "broadcast day" refers to the 24-hour period beginning each day at 6 a.m. or any other period approved by the Commission.

Encouragement

The Commission encourages the licensee to work on solutions for making third-language programming more accessible, and to caption third-language programming whenever possible.

Appendix 2 to Broadcasting Decision CRTC 2010-790

Application 2010-0310-3, received 19 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND Drama 1 (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to family dramas and discussions on social and family issues, targeting women.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:

7 Drama and comedy

(a) Ongoing dramatic series

(g) Other drama

13 Public service announcements

Appendix 3 to Broadcasting Decision CRTC 2010-790

Application 2010-0311-0, received 19 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND Drama 2 (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to a variety of dramas, comedies and ongoing dramatic series.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 7 Drama and comedy
 - (a) Ongoing dramatic series
 - (b) Ongoing comedy series (sitcoms)
 - (g) Other drama
 - 10 Game shows
 - 13 Public service announcements

Appendix 4 to Broadcasting Decision CRTC 2010-790

Application 2010-0312-8, received 19 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND Drama 3 (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service targeting members of the Hindi-speaking population who love serial dramas. The programming will particularly target the Hindi-speaking female population for whom watching Hindi serial dramas is part and parcel of daily life.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 7 Drama and comedy
 - (a) Ongoing dramatic series
 - (b) Ongoing comedy series (sitcoms)
 - (f) Programs of comedy sketches, improvisation, unscripted works, stand-up comedy
 - (g) Other drama
 - 13 Public service announcements

Appendix 5 to Broadcasting Decision CRTC 2010-790

Application 2010-0313-6, received 19 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND Drama 4 (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to dramas, comedy, ongoing dramatic series and game shows, targeting young audiences.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:

7 Drama and comedy

- (a) Ongoing dramatic series
- (b) Ongoing comedy series (sitcoms)
- (c) Specials, mini-series or made-for-TV feature films
- (d) Theatrical feature films aired on TV
- (f) Programs of comedy sketches, improvisation, unscripted works, stand-up comedy
- (g) Other drama

10 Game shows

13 Public service announcements

Appendix 6 to Broadcasting Decision CRTC 2010-790

Application 2010-0308-7, received 19 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND MOVIE 1 (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to classic and old Hindi movies, television feature films and theatrical feature films, targeting an audience that is over 50 years of age.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 7 Drama and comedy
 - (c) Specials, mini-series or made-for-TV feature films
 - (d) Theatrical feature films aired on TV
 - 13 Public service announcements

Appendix 7 to Broadcasting Decision CRTC 2010-790

Application 2010-0316-0, received 19 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND MOVIE 2 (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to animated television programs and films, feature films and television films, targeting children 5 to 15 years of age.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:

7 Drama and comedy

(c) Specials, mini-series or made-for-TV feature films

(d) Theatrical feature films aired on TV

(e) Animated television programs and films

13 Public service announcements

Appendix 8 to Broadcasting Decision CRTC 2010-790

Application 2010-0317-8, received 19 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND MOVIE 3 (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to Hindi feature films, dramatic series, comedy series and films from the mid-1980s and onwards, targeting an audience of 30 to 50 years of age.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 7 Drama and comedy
 - (a) Ongoing dramatic series
 - (b) Ongoing comedy series (sitcoms)
 - (c) Specials, mini-series or made-for-TV feature films
 - (d) Theatrical feature films aired on TV
 - (e) Animated television programs and films
 - (f) Programs of comedy sketches, improvisation, unscripted works, stand-up comedy
 - (g) Other drama
 - 13 Public service announcements

Appendix 9 to Broadcasting Decision CRTC 2010-790

Application 2010-0318-6, received 19 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND MOVIE 4 (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to feature films, dramas, comedy shows and television feature films.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 7 Drama and comedy
 - (b) Ongoing comedy series (sitcoms)
 - (c) Specials, mini-series or made-for-TV feature films
 - (d) Theatrical feature films aired on TV
 - (f) Programs of comedy sketches, improvisation, unscripted works, stand-up comedy
 - (g) Other drama
 - 13 Public service announcements

Appendix 10 to Broadcasting Decision CRTC 2010-790

Application 2010-0321-9, received 19 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND NEWS 1 TV (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to news and analysis about the world, India and Canada, targeting various segments of the Indian diaspora residing in Canada.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of 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
 - 13 Public service announcements

Appendix 11 to Broadcasting Decision CRTC 2010-790

Application 2010-0320-2, received 19 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND NEWS 2 TV (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to providing detailed coverage of Canadian news in the Hindi language, as well as analysis and reporting destined to Hindi-speaking Canadians
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of 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
 - 13 Public service announcements

Appendix 12 to Broadcasting Decision CRTC 2010-790

Application 2010-0324-3, received 19 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND NEWS 3 TV (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to providing detailed coverage of global news in the Hindi language.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of 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
 - 13 Public service announcements

Appendix 13 to Broadcasting Decision CRTC 2010-790

Application 2010-0322-7, received 19 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND NEWS 4 TV (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to providing detailed coverage of news and news analysis from India in the Hindi language.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of 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
 - 13 Public service announcements

Appendix 14 to Broadcasting Decision CRTC 2010-790

Application 2010-0323-5, received 19 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND NEWS 5 TV (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to providing detailed coverage of news and analysis from South Asia (India, Pakistan, Sri Lanka, Bangladesh and Nepal) in the Hindi language.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of 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
 - 13 Public service announcements

Appendix 15 to Broadcasting Decision CRTC 2010-790

Application 2010-0333-4, received 20 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND MUSIC 1 (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to dance, music videos and music video clips, with programming targeting Hindi music lovers between 25 and 40 years of age.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 8 (a) Music and dance other than music video programs or clips
 - (b) Music video clips
 - (c) Music video programs
 - 13 Public service announcements

Appendix 16 to Broadcasting Decision CRTC 2010-790

Application 2010-0334-2, received 20 February 2010

Conditions of licence for the Category 2 specialty programming undertaking IND MUSIC 2 (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to music from all types of Hindi movies, with programming targeting Hindi music lovers of all ages.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 8 (a) Music and dance other than music video programs or clips
 - (b) Music video clips
 - (c) Music video programs
 - 13 Public service announcements

Appendix 17 to Broadcasting Decision CRTC 2010-790

Application 2010-0365-7, received 20 February 2010

Conditions of licence for the Category 2 specialty programming undertaking RELIGION 1 (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to multi-religious matters, touching on topics relating to various religions practiced by persons belonging to the Hindi-speaking community, with guest interviews on many subjects, such as spirituality and religion.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 4 Religion
 - 5 (a) Formal education and pre-school
 - (b) Informal education/Recreation and leisure
 - 7 Drama and comedy
 - (d) Theatrical feature films aired on TV
 - (g) Other drama
 - 8 (c) Music video programs
 - 13 Public service announcements
3. 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.

Appendix 18 to Broadcasting Decision CRTC 2010-790

Application 2010-0362-3, received 20 February 2010

Conditions of licence for the Category 2 specialty programming undertaking RELIGION 2 (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to discussions on spirituality, atheism and agnosticism that will be of interest to non-religious people.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 4 Religion
 - 5 (a) Formal education and pre-school
 - (b) Informal education/Recreation and leisure
 - 7 Drama and comedy
 - (d) Theatrical feature films aired on TV
 - (g) Other drama
 - 8 (c) Music video programs
 - 13 Public service announcements
3. 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.

Appendix 19 to Broadcasting Decision CRTC 2010-790

Application 2010-0360-8, received 20 February 2010

Conditions of licence for the Category 2 specialty programming undertaking RELIGION 3 (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to yoga and other Hindi spiritual programming, including religious music.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 4 Religion
 - 5 (a) Formal education and pre-school
 - (b) Informal education/Recreation and leisure
 - 7 Drama and comedy
 - (d) Theatrical feature films aired on TV
 - (g) Other drama
 - 8 (b) Music video clips
 - (c) Music video programs
 - 13 Public service announcements
3. 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.

Appendix 20 to Broadcasting Decision CRTC 2010-790

Application 2010-0344-1, received 20 February 2010

Conditions of licence for the Category 2 specialty programming undertaking RELIGION 4 (in addition to those set out in Appendix 1 to Broadcasting Decision CRTC 2010-790)

1. The licensee shall provide a national, niche third-language ethnic Category 2 specialty programming service devoted to followers of the Hindu god Rama and his avatars, with programming on epic Ramayana and thousands of stories about Rama.
2. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 4 Religion
 - 5 (a) Formal education and pre-school
 - (b) Informal education/Recreation and leisure
 - 7 Drama and comedy
 - (d) Theatrical feature films aired on TV
 - (g) Other drama
 - 8 (b) Music video clips
 - (c) Music video programs
 - 13 Public service announcements
3. 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.