



Broadcasting Decision CRTC 2010-15

Route reference: 2009-461

Additional references: 2009-461-2, 2009-461-3, 2009-461-4

Ottawa, 18 January 2010

Bhupinder Bola, on behalf of a corporation to be incorporated Across Canada

Application 2009-0715-7, received 3 May 2009
Public Hearing in the National Capital Region
29 October 2009

Apna Desi Radio (Classical Music) – Specialty audio service

*In this decision, the Commission **approves** the operation of a national, ethnic Hindi-, Punjabi- and Urdu-language specialty audio service.*

The application

1. The Commission received an application by Bhupinder Bola, on behalf of a corporation to be incorporated (Bhupinder Bola [OBCI]), for a broadcasting licence to operate a national, ethnic Hindi-, Punjabi- and Urdu-language specialty audio programming undertaking to be known as Apna Desi Radio (Classical music). The Commission did not receive any interventions in connection with this application.
2. Bhupinder Bola (OBCI) will be owned and controlled by its sole shareholder and sole director Mr. Bhupinder Bola, a Canadian within the meaning of 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.
3. The applicant proposed a programming service that would be directed to members of the Hindi-, Punjabi- and Urdu-speaking communities across Canada and that would be available for national distribution by broadcasting distribution undertakings. Bhupinder Bola (OBCI) indicated that 90% of all programming would be in the above-mentioned languages, and that the remaining 10% would be English-language programming.
4. Bhupinder Bola (OBCI) indicated that programming would consist of talk shows (20%) and music programming (80%) drawn from subcategories 24 (Easy listening), 31 (Concert) and 33 (World beat and international). The applicant also indicated that 35 hours per broadcast week would be devoted to foreign programming, which would consist of music produced in overseas markets such as live special musical events and instrument teaching.

5. Bhupinder Bola (OBCI) stated that it would promote Canadian artistic and musical talent through a talent search, concert promotion and a syndicated radio show for local ethnic radio stations. It would also work with local radio producers to ensure effectiveness in developing Canadian talent.

Conclusion

6. Based on its examination of this application, the Commission is satisfied that it is in conformity with all applicable terms and conditions announced in *New licensing framework for specialty audio programming services*, Broadcasting Public Notice CRTC 2002-53, 12 September 2002. Accordingly, the Commission **approves** the application by Bhupinder Bola, on behalf of a corporation to be incorporated, for a broadcasting licence to operate the national, ethnic Hindi-, Punjabi- and Urdu-language specialty audio programming undertaking Apna Desi Radio (Classical Music). The terms and **conditions of licence** are set out in the appendix to this decision.

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 2010-15

Terms, conditions of licence and encouragement

Terms

The licence will expire 31 August 2016.

The Commission will issue a licence 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 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 18 January 2012. 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.

Conditions of licence

1. The licence will be subject to the conditions of licence and the licensing framework for specialty audio programming services set out in Appendix 1 to *New licensing framework for specialty audio programming services*, Broadcasting Public Notice CRTC 2002-53, 12 September 2002.
2. The licensee shall provide a national, ethnic Hindi-, Punjabi- and Urdu-language specialty audio service directed to members of the Hindi-, Punjabi- and Urdu-speaking communities across Canada. Of the programming aired in each broadcast week, 90% shall be in the Hindi, Punjabi and Urdu language and the remaining 10% shall be in the English language. Programming shall include talk shows (20%) and music programming (80%) drawn from subcategories 24 (Easy listening), 31 (Concert) and 33 (World beat and international).
3. The licensee shall adhere to the Canadian Association of Broadcasters' *Broadcast code for advertising to children* and *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.

4. The licensee shall adhere to the *Broadcasting Licence Fee Regulations, 1997* if its revenues derived from broadcasting activities exceed the threshold amount of \$2 million.

For the purposes of the conditions of this licence, the term “broadcast week” shall have the same meaning as that set out in section 2 of the *Radio Regulations, 1986*.

Encouragement

Employment equity

In accordance with *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992, the Commission encourages the licensee to consider employment equity issues in its hiring practices and in all other aspects of its management of human resources.