

No.212/9/2005-FM  
**Government of India**  
**Ministry of Information & Broadcasting**  
**A-Wing, Shastri Bhawan, New Delhi,**

Dated: 31<sup>st</sup> December 2005

**ORDER**

WHEREAS Honourable Telecom Disputes Settlement & Appellate Tribunal (TDSAT) on 16.8.2005 in Petition No.49 (C) of 2005 (M.A. Nos. 137 & 173 of 2005) in the matter of M/s Millenium Mumbai Broadcast Private Limited Vs UOI and Another had issued interim directions that Respondent shall not auction FM Radio frequency, viz 94.6 MHz and also shall not auction more than four slots in said spectrum in Mumbai;

AND WHEREAS in its Order on 03.10.2005 in the same matter, TDSAT had further directed that Petitioner shall also be entitled to the benefit of migration from Fixed License Fee Regime to Revenue Sharing Regime under new Policy which grants this benefit to the existing License Holders;

AND WHEREAS Respondent i.e. Government of India, Ministry of Information and Broadcasting issued Tender Notice on 21.09.2005 inviting Pre Qualification Bids for 338 FM Channels in 91 cities across the country, including five FM Channels in Mumbai;

AND WHEREAS Petitioner filed another M.A. No.242 of 2005 in Petition No. 49(C) of 2005 before TDSAT on which the TDSAT in its Order dated 12.12.2005 issued interim directions restraining the Respondent from finalizing Tender floated by it dated 21.09.2005 which could violate Orders of the Tribunal;

AND WHEREAS in accordance with the Clause 1.2.1 of Tender Document, the Government reserves the right to vary the number of Channels for any city as well as the number of cities at any stage;

NOW, THEREFORE, in compliance with the aforesaid Order of Hon'ble TDSAT, it is hereby ordered that one frequency viz. 94.6 MHz shall not be put to bid in the Tender process scheduled for 6<sup>th</sup> January, 2006 pending disposal of the case and that only four FM Radio slots/channels shall be allocated for the city of Mumbai for the time being. All the qualified applicants may note the contents of this Order.

**(R.K. Goyal)**

**Director**

**Tele: 23381246**

M/s Millennium Mumbai Broadcast Private Limited,  
215, Shah & Nahar Estate, Dr. E Moses Road,  
Worli Naka, Worli, Mumbai (Maharashtra) – 400 018.

Copy to:

All Qualified Applicants for A+ category of cities, through Ministry's website.

**(R.K. Goyal)**

**Director (BP&L)**