Aakash Tablet: Govt. Accepted 650 Out Of 6440 Tablets; Spat Between DataWind & Quad

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The Aakash tablet saga continues to get murkier by the day- the latest development is related to a spat between manufacturer DataWind and its assembly partner, Quad Electronics, which has alleged that it has not received payments for the initial order of assembling 20,000 tablets, according to a report by Livemint. The report quotes a Quad executive, anonymously, to reveal that the company has even served a legal notice to DataWind. Meanwhile, the government has informed that it had accepted only 650 out of the 6440 tablets supplied by DataWind, and has asked the manufacturer to fulfill the order with upgraded tablets.

Tiff between DataWind & Quad: Meanwhile, DataWind has alleged that Quad bypassed DataWind and inked a direct MoU with IIT Rajasthan, which was responsible for laying out specifications and managing vendors for the Aakash project. DataWind has said that it has paid Quad for all tablets barring 600, for which it has still not received payment from IIT-Rajasthan, countering Quad's reported claim that it stopped deliveries to DataWind after 10,000 units due to non-payment.

DataWind has now sent a statement stating that it owns the intellectual property rights of Aakash and that Quad had signed a non-disclosure agreement and a manufacturing services agreement with the company, confirming this. The company has alleged that Quad has breached the agreement and sold tablets in the open market. DataWind has also rubbished reports that claim that the Government has not renewed the company's contract and that it will be supplying 1,00,000 Aakash-2 tablets through IIT-Bombay.

Here is the statement from DataWind:

"Datawind's team internally developed Aakash and subcontracted the assembly of Aakash Tablet to Quad Electronics based on its own design. Therefore, the Intellectual Property Rights of the Tablet belong to Datawind. Quad signed a non-disclosure agreement and a manufacturing services agreement confirming this.

Quad Electronics breached Datawind's intellectual property, circumvented their relationship with IIT-Rajasthan, signed a direct MoU with them and then sold off their inventory in the open market. Datawind has since appointed new partners to assemble the tablet. Datawind would also like to clarify that Quad Electronics has been paid for the units delivered to Datawind, except for the 600 units that remain unpaid by IIT-Rajasthan. Datawind's counterclaim against Quad exceeds any amount due to them. There is no further payment due to Quad, contrary to their allegations.

The vendor has accused Datawind of not being able to work with the Government. This accusation is baseless. Datawind has full confidence of the Government and is working on the second generation of the tablet. The Minister has announced in Parliament that DataWind will be supplying 100,000 Aakash-2 tablets through IIT-Bombay.

In response to concern about tardy customer response. Datawind would like to state that their toll-free number is working – but since it receives almost 40,000 calls per day, there is often a logjam resulting in

incomplete calls. Any person that has made a deposit, is responded to within 48 hours of receipt of payment, and is provided aspecific Email address and specific phone number to call for queries – instead of the toll-free number."

Govt. Accepted 650 Aakash Tablets: Meanwhile, responding to a question on the Aakash tablet, in the Lok Sabha, HRD Minister, Kapil Sibal informed that IIT Rajasthan had selected Datawind through an open tender and had placed an order for supplying 1,00,000 tablets for the purpose of testing. **Of the 6440, tablets supplied to it, IIT Rajasthan, so far, has conditionally accepted 650 tablets and rejected rest of the lots as the number of defective tablets in those lots exceeded the stipulated 5% of devices**. The government has distributed 366 tablets, so far.

He informed the house that Datawind has to still supply 1,00,000 tablets of higher specifications at the same price. These higher specifications (which include 700 MHz Cortex A8 processor, 3200 mAH Battery and capacitive touch screen) have been necessitated to overcome the initial difficulties observed in the devices. **No payment has yet been made by IIT Rajasthan to the vendor (Datawind),** and hence, the question of getting back the money does not arise. Responding to another question, Sibal informed that the Aakash-2 project was still in the conceptualisation stage. He refused to provide a time-frame for the project's implementation.

Judging by the Minister's response in the Parliament, DataWind will have to supply 1,00,000 upgraded tablets under the Aakash project, while its statement suggests that the upgraded tablets will be part of the Aakash-2 project.

No response to MediaNama's RTI: Meanwhile, we've still not received a response from the HRD Ministry on our RTI in which we had asked the following questions:

1. How many Aakash Tablets have so far been delivered to the Ministry of HRD and/or IIT Rajasthan as of 15th February 2012. Please provide us with monthwise information, beginning with the month in which the first Aakash Tablet was delivered.

2. The list of educational institutions to which Aakash Tablets have been distributed, and the total number of Tablets that have been issued to (or via) each of these institutions.

3. How many students in each educational institution have been issued the Aakash Tablet?

4. How much money has so far been allocated to the purchase of the Aakash Tablet and how much has been paid to Datawind? Please provide information on the dates on which the payments were made.

5. Please provide us with a copy of the request for proposal (RFP)/tender document for the Aakash Tablet

6. Please provide us with copies of the technical and financial documents submitted by Datawind when applying for the Aakash Tablet tender

7. Please provide us with a list of applicants for the RFP related to the Aakash Tablet

8. Please provide us with a timeline for delivery of Aakash tablets, and information on penalties if deadlines are not met

9. Information on steps being taken to ensure that students who purchase government subsidised Aakash Tablets do not sell them in the open market

10. What is the number of pieces of Aakash Tablets ordered (and delivered) by the Government till date and the price per tablet at which the order has been placed?

11. What is the number of pieces of Aakash that the Government or Ministry of HRD has contracted

to buy in total over time – please provide details of the number of pieces to be bought in each lot and deadlines for purchase of each lot and the purchase price agreed for each lot.

12. What percentage of the components in the bill of materials of Aakash is manufactured in India and what percentage is manufactured outside India?

13. Is the supplier contractually obliged to manufacture a certain proportion of components within India by a certain time? If so, what percentage and by when?

14. What are the warranty terms that the supplier has agreed including duration of warranty, replacement, repair, parts and labour?

15. Is the supplier required to set up service and support centres across India? If so how many service centres and in which locations and by when?

16. Does the Government of India, or any State Government or any other Government organisation own any intellectual property rights relating to the Aakash tablet? If not, who owns the intellectual property rights to the design of Aakash?

17. Does the Government of India, or any State Government or any other Government organisation own the brand name Aakash? If not, who owns the brand name "Aakash"?

18. Has any surveillance software been installed on the Aakash Tablet?

19. What is the criteria for selection of third party applications to be preloaded? Please provide us with a list of applications and the conditions under which they have been included.

20. Is there any custom built application or software pre-loaded on aakash? Who owns the source code of this custom software?

21. Have any tenders been floated to develop digital educational material specifically for aakash? If yes, please provide us with a copy.

We'll update our readers as soon as we receive a response.