

Date: 24th March, 2025

To,
Shri Tushar Giri Nath, IAS,
The Chief Commissioner,
Bruhat Bengaluru Mahanagara Palike (BBMP)
N. R. Square, Bengaluru – 560002

Subject: Representation Regarding the deviation in Tender Process – Tender Reference No. BBMP/2024-25/IND0121 for the supply of Portable Health Laboratory with 70 Plus Parameters

Respected Sir,

We, HealthATM India Private Limited, a Mumbai-based HealthTech company and a well-established manufacturer of Health ATMs/Kiosks since 2013 under the brand name of “YoloHealth”, take pride in being pioneers in introducing HealthATMs/Kiosks in India. Our products are fully compliant with government health initiatives, including the Ayushman Bharat Digital Mission (ABDM) by National Health Mission (NHM) for generating ABHA IDs and linking patient data, as well as e-Sanjeevani for tele-consultation services.

We submit this representation to highlight certain discrepancies and irregularities in the tender process for the procurement of a "Portable Health Laboratory with 70 Plus Parameters." While we are interested in participating, we are concerned that these issues may affect the transparency, fairness, and compliance of the procurement process.

1. Short Pre-Bid Meeting Timeline

The pre-bid meeting for this tender was scheduled just 3 days after it was published, on 17th March 2025. Normally, at least 07 to 10 days should be given to allow bidders enough time to review the tender and raise queries. This rushed timeline limits fair participation and goes against the Karnataka Transparency in Public Procurement (KTPP) Act, 1999, which aims to ensure open and competitive bidding. This raises concerns about fairness and transparency in the tender process and needs immediate correction to maintain the integrity of public procurement.

Sr. No.	Particulars	Date & Time
1	Date of Commencement of Download of Tender Document	14 th March 2025
2	Date and Time of Pre-bid Meeting	17 th March 2025 at 11:00 AM
3	Last Date and Time for uploading Online Queries	17 th March 2025 at 05:00 PM
4	Last Date and Time for uploading of Bid	28 th March 2025 at 05:00 PM

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2. Manipulation in Tender Name

The tender, issued for "Health Kiosks," has been misleadingly titled as "Portable Health Laboratory with 70 Plus Parameters," which seems to limit competition by narrowing bidder eligibility. On pages 34, 36, 37, and 38 of the tender document, the specifications clearly match a Health Kiosk, not a Portable Health Laboratory, raising concerns about potential favouritism toward its favourite bidder. This misrepresentation affects transparency and fairness, violating the Karnataka Transparency in Public Procurement (KTPP) Act, 1999, which mandates open and unbiased public procurement. Immediate review and corrective action are needed to ensure a fair process.

3. Submission of Manufacturing License (CDSCO - Class B)

The tender requirements specify the submission of Manufacturing License (CDSCO – Class B) MD-03 and MD-42. We wish to clarify that MD-03 is merely an application form for obtaining the MD-5 Manufacturing License, which is the actual license required for Class B manufacturing. By requiring only MD-03 and omitting MD-5, the tender creates ambiguity and raises concerns about procedural irregularity, possibly favouring a specific favourite bidder. This selective condition restricts genuine competition and violates the principles of fairness and transparency outlined in the Karnataka Transparency in Public Procurement (KTPP) Act, 1999, and Rule 14 of the Karnataka Tender Transparency Rules. Furthermore, it may breach Sections 6 and 7 of the KTPP Rules, which mandate non-discriminatory tender specifications, equal opportunity, and competitive bidding practices, thereby undermining the integrity of the procurement process.

4. Selective ABDM Compliance Requirements

The tender specifies compliance with only M1 and M2 certifications from the Ayushman Bharat Digital Mission (ABDM), omitting the crucial M3 certification requirement, which is an integral part of the ABDM compliance process consisting of three milestones—M1, M2, and M3. This selective criterion appears to favour some specific bidder, which has achieved only partial compliance, while placing other fully compliant potential bidders at a disadvantage. Such partial compliance requirements undermine the principles of equal opportunity and non-discrimination in public procurement and violate the fair competition mandate outlined under the Karnataka Transparency in Public Procurement (KTPP) Act, 1999.

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In view of the aforementioned concerns, we respectfully request your esteemed office to conduct a comprehensive review of the tender process and take appropriate corrective measures to ensure full compliance with applicable procurement laws and the principles of transparency, fairness and equal competition. Specifically, we seek the following remedial actions:

1. **Revision of the Pre-Bid Meeting Schedule** to provide a reasonable and sufficient timeframe, thereby enabling potential bidders to raise queries and participate meaningfully in the process.
2. **Correction of the Tender Name and Specifications** to accurately reflect the actual procurement requirements, thereby avoiding any misinterpretation or ambiguity.
3. **Inclusion of Full ABDM Compliance Criteria (M1, M2, and M3)** to ensure that all participants adhere uniformly to the comprehensive compliance framework, thereby promoting equitable opportunities and preventing any undue advantage to particular bidders.

These actions raise serious concerns regarding favouritism and constitute a violation of the principles of fair competition as mandated by public procurement laws and guidelines. We respectfully submit that, should we not be granted an equal and unbiased opportunity to participate in this tender process, we will be compelled to seek legal redress. This may include filing a formal petition before the appropriate judicial forum to challenge the procedural irregularities and to ensure that transparency, fairness and due process are upheld, in compliance with the applicable tender regulations and statutory provisions.

In light of the above, we request your esteemed office to promptly initiate corrective measures to rectify these discrepancies and take stringent action against any individuals found responsible for misconduct, irregularities or violations of public procurement norms. Such action is essential to preserve the integrity, fairness and transparency of the procurement process.

We appreciate your immediate attention to this matter and look forward to your timely response.

For HealthATM India Pvt. Ltd.



Mr. Vinayak Kumar
Director