

## CENTRAL CONSUMER PROTECTION AUTHORITY

Ref: F. No. J – 25/25/2021 – CCPA

In the Matter of: Suo Moto case against Yatra Online Ltd.

**CORAM:**

**ANUPAM MISHRA, COMMISSIONER**

Dated:03.07.2023

### ORDER

1. In continuation of order dated 14.06.2023, hearing was held on 26.06.2023 with the Counsels, Ms. Ashu Joshi (Legal Manager), Mr. Darpan Batra (Vice President, Corporate Affairs & Legal) and Mr. Prakash Harpalani (Vice President, Industry Relations) for Yatra Online Limited (Company), Mr. Sarosh Damania for Qatar Airways, Mr. Bharat Kapoor for Hahn Air, Mr. Haseebullah Habib for Air Arabia, Mr. Abhishek Saket for Air Canada, Ms. Shriya Takkar, Ms. Unnati and Mr. A R Takkar for KLM Royal Dutch Airlines, Mr. Tarun Malhotra for Thai Airways International and Mr. Karun Mehta for Alitalia Airline over VC. The Central Authority sent the notices to airlines on 09.06.2023 and 20.06.2023 in which following are the submissions submitted by the airlines :

2. The counsel for AIR Arabia has submitted that

*“Number of passengers were issued credit shell during Covid and in case they do not want to utilize it then those passengers will get the refund, further the airline is trying to pull out the details from their back end office regarding the data of 65 passengers whose tickets got expired, further they have assured the CCPA to submit the entire details of pending tickets to the Yatra Online Limited (Company) by 14.07.2023”.*

3. The Counsel for Qatar Airways stated that

*“The Yatra.com was negligent and did not follow the process of the refund in time and Qatar Airways was ready and willing to give refund at that point of time and even had a policy in place for the refund that was valid for a period of 2 years. Yatra.Com has failed to give justification for their negligence/failure in not applying for the refund within a period of 2 years. The request for refund from Yatra.com has not been placed within the said period of two years, the travel documents/tickets got expired. Out of 53 tickets 30 tickets are issued by Akbar travels and 2 tickets are issued by Riya Travels. Only 21 tickets are issued by Yatra IATA. 32 tickets are identified with Akbar travels and Riya travels IATA and*

not Yatra, so Yatra will have to get in touch with those travel agent for the same. Further the airline has sent email to Yatra asking them justification for not processing the refund of the ticket while the tickets were in agency control. As per the airline only 21 tickets are pending for refund. There is a mismatch in the figures provided by the company pertaining to Qatar Airways. Due to European Data Protection Norms, data of passengers cannot be shared with third parties. The data is stored in their head office at Doha, Qatar so either the company or CCPA can approach the third parties for processing of refunds”.

4. The counsel for Air France & KLM Royal Dutch airlines stated that

*“There are discrepancies in the data shared by the Company. The airline can share their response with the company so that feedback could be shared with the Central Authority”.*

Further the Air France vide response dated 22.06.2023 submitted that *“Out of total 13 tickets, 11 cases refundable vouchers were issued to the customers. That 7 such customers utilized these vouchers either by way of refund or exchanged the voucher for alternate flight ticket. However no details have been provided by yatra whether any request for refund was made with respect to the remaining 4 tickets. However, yatra has deliberately not disclosed status of the 4 cases in which vouchers were issued but refund/exchange was not claimed and 2 cases in which no vouchers were issued”.*

Further KLM Royal Dutch Airline vide response dated 22.06.2023 submitted that *“Request for refund was made to yatra, it was the liability of yatra to process the refund in the system with the respective waiver code. That in 7 cases where refundable vouchers were not issued, Yatra was to issue vouchers in 5 cases as evidenced by e-mail (s) dated 14.01.2022 and for the remaining 2 cases Yatra has not disclosed if the request was received by them or not. That in 2 cases Yatra has given invalid ticket numbers therefore no inquiry could be made”.*

5. The Counsel of Air Canada stated that

*“If Company could share their e-mail id so that the airline could coordinate efficiently with them”.*

6. The counsel for Alitalia Airlines stated that

*“The email id shared by the company to the central authority was incorrect and further requested the company to submit the compliance report of 30.05.2023 so that the status of 15 pending tickets could be processed and can be raised to the concerned office in Italy”.*

7. The Malaysia Airline submitted that

*“They shall proceed to offer for extension for 38 tickets/vouchers and these tickets shall be valid for the travelling period on or before 31.10.2023 provided that the rebooking shall be made before 31.07.2023. In the event no rebooking is made on 31.07.2023, Malaysia airlines shall not be responsible and shall not be in the position to further extension for any reasons whatsoever”.*

8. The counsel for Thai Airways stated that

*“The data of 14 tickets provided by the company have been issued by Riya travels different IATA location and all has been refunded long time back by Thai Airways”.*

9. The Yatra Online Limited has submitted on behalf of Air India that out of 99 pending tickets 78 have already been utilized, 19 tickets were booked through third party and the company has reached out to the third party just to get the status of refund process.

10. The Yatra Online Limited submitted on behalf of Malindo Airline that 8 vouchers were issued to passengers, most of the vouchers were redeemed by the passengers , for the remaining tickets the company is in touch with the airline for process of refunds.

11. After examining the replies of the airlines, it is observed by the Central Authority that Yatra Online Limited has not responded efficiently to the airlines since two years, also Yatra has failed to provide the valid ticket numbers to the airlines which leads to uncertainty in analyzing the refunds to be refunded to the consumers, further it is also observed that the company is neither pro-actively approaching the consumers regarding the refunds nor provided the correct figures/valid ticket numbers of the pending bookings due for refund which tremendously amounts to unfair trade practice and deficiency in services on the part of Yatra Online Limited. In pursuant to that, several discrepancies were found in the data provided by the Yatra Online Limited. Due to inconsistency in data the airlines requested the Company to submit the correct data at earliest to enable them to process the refunds.

12. After examining the reply of the company, the Central Authority issued the following directions:

- i. The Company is directed to reconcile the correct figure of tickets pending from airlines and submit the consistent data airline wise in a tabular sheet.
- ii. The Company is directed to comply with the decision of the Apex Court in Pravasi Legal Cell vs. Union of India (W.P.(C)D.No.10966 of 2020) dated 01.10.2020.
- iv. The Company shall file its status report of compliance with all directions contained in this order before 14.07.2023.

13. In case submissions as directed above in para-12 are not received before 14.07.2023, the Central Authority may be constrained to take a serious view on the matter.

14. The matter is now listed for hearing on 14.07.2023 at 4:00 PM.

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(Anupam Mishra)  
Commissioner