

CENTRAL CONSUMER PROTECTION AUTHORITY

Ref: F. No. J – 25/25/2021 – CCPA

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

CORAM:

MS. NIDHI KHARE, CHIEF COMMISSIONER
Mr. ANUPAM MISHRA, COMMISSIONER

Dated: 31.10.2023

ORDER

1. In continuation of order dated 12.10.2023, hearing was held on 18.10.2023 with the Counsels, Ms. Ashu Joshi (Legal Manager), Mr. Darpan Batra (Vice President, Corporate Affairs & Legal), Mr. Arvind Ray for Yatra Online Limited (Company), Mr. Sarosh Damania for Qatar Airways, Mr. Kai Utermann for Hahn Air, Mr. Yugam Taneja for Alitalia, Ms. Himani Bhadauria for Air France/LKM Airline, Ms. Ritu Singh Mann for Etihad Airways and Mr. Michael Pilkington for Air Arabia over VC.

2. The Company submitted their status report dated 17.10.2023 indicating the status of Airlines refund as of October 13, 2023 as below:

(A) Date of Response	(B) Total number of bookings for which refund is pending due from Airlines	(C) Total number of bookings for which original mode of payment has expired and the Company has reached out to customers for bank details.	(D) Total No. of Bookings pending for refund (B+C)
Response dated July 23, 2021	No. of bookings: 5,771 Amount in INR: 9,60,14,463/-	No. of bookings: 30,505 Amount in INR: 16,65,68,021/-	No. of bookings: 36,276 Amount in INR: 26,25,82,484/-
March 16, 2023	No. of bookings: 1757 Amount in INR: 3,50,68,084/-	No. of bookings: 16,090 Amount in INR: 8,32,19,901/-	No. of bookings: 17,847 Amount in INR: 11,82,87,985/-
March 21, 2023	No. of bookings: 1756 Amount in INR: 3,50,58,700/-	No. of bookings: 16,036 Amount in INR: 8,29,08,112/-	No. of bookings: 17,792 Amount in INR: 11,79,66,812/-
March 30, 2023	No. of bookings: 1208 Amount in INR: 3,04,48,463/-	No. of bookings: 14,713 Amount in INR: 7,55,91,657/-	No. of bookings: 15,921 Amount in INR: 10,60,40,120/-
April 18, 2023	No. of bookings: 909 Amount in INR:	No. of bookings: 13,157 Amount in INR: 6,72,48,406/-	No. of bookings: 14,066

	2,72,47,499/-		Amount in INR: 9,44,95,905/-
April 30, 2023	No. of bookings: 900 Amount in INR: 2,71,40,073/-	No. of bookings: 11,722 Amount in INR: 5,86,37,744/-	No. of bookings: 12,622 Amount in INR: 8,57,77,817/-
May 14, 2023	No. of bookings: 900 Amount in INR: 2,71,40,073/-	No. of bookings: 10,510 Amount in INR: 5,20,26,900/-	No. of bookings: 11,410 Amount in INR: 7,91,66,973/-
May 28, 2023	No. of bookings: 831 Amount in INR: 2,61,08,434/-	No. of bookings: 9824 Amount in INR: 4,61,39,967/-	No. of bookings: 10,705 Amount in INR: 7,46,50,594/-
June 11, 2023	No. of bookings: 875 Amount in INR: 2,61,08,434/-	No. of bookings: 9391 Amount in INR: 4,61,39,967/-	No. of bookings: 10,266 Amount in INR: 7,22,48,401/-
July 18, 2023	No. of bookings: 494 Amount in INR: 1,52,42,534/-	No. of bookings: 8327 Amount in INR: 4,08,21,326/-	No. of bookings: 8821 Amount in INR: 5,60,63,860/-
July 26, 2023	No. of bookings: 426 Amount in INR: 1,41,00,458/-	No. of bookings: 8,064 Amount in INR: 3,95,88,136/-	No. of bookings: 8490 Amount in INR: 5,36,88,594/-
August 16, 2023	No. of bookings: 405 Amount in INR: 1,21,72,841/-	No. of bookings: 6,749 Amount in INR: 3,48,23,200/-	No. of bookings: 7,154 Amount in INR: 4,69,96,041/-
September 2, 2023	No. of bookings: 376 Amount in INR: 1,10,09,983/-	No. of bookings: 6,352 Amount in INR: 3,10,24,698/-	No. of bookings: 6,728 Amount in INR: 4,20,34,681/-
September 28, 2023	No. of bookings: 340 Amount in INR: 96,27,819/-	No. of bookings: 6,011 Amount in INR: 2,90,15,549/-	No. of bookings: 6,351 Amount in INR: 3,86,43,368/-
October 13, 2023	No. of bookings: 322 Amount in INR: 88,38,420/-	No. of bookings: 5,454 Amount in INR: 2,61,17,637/-	No. of bookings: 5,776 Amount in INR: 3,49,56,056/-

3. The company during the hearing submitted the following submissions as under:
- Its communication initiatives reduced the pendency from 36,276 as per their response dated 23.07.2021 to 5,776 as per their response dated 17.10.2023.
 - The Company is willing to deposit the unclaimed amount received from various airlines regarding refund to consumers of Covid-19 lockdown travel in an escrow amount, Apart from that, Rs 88,38,420/- is the amount which is pending from the airlines, whenever the Company receives this money then either they will deposit in the Yatra Wallets or escrow account and if provided with the bank details of customers then such amount shall be passed onto them directly.
 - If Company is provided with the List of 90 Grievances registered on National Consumer Helpline (NCH) then the Company shall provide the update on the same before next date of hearing.

d) The Company has proposed for Yatra Wallets due to non availability of bank details of Customers.

e) The airline could also follow the two-way process by approaching directly to the customers to speed up the process of refunds.

4. The Counsel for Qatar Airways stated that

a) For 6 tickets, NOC have been pending, other 32 tickets pertain to Riya and Akbar travels, for easy access, out of 32 tickets, 11 passengers have utilized the ticket. Two tickets are open for refund, two tickets are re-issued. There are about 17 tickets which are expired. These are not Yatra tickets as these tickets pertain to Riya & Akbar Travels so Yatra will have to channelize it for refunds.

b) Yatra has sold the tickets to customers at much higher price as the tickets were booked through third party agents. Yatra has gained some margin out of these tickets. Yatra has to be fair with the airlines before selling any ticket to the customer. The airline will pay for only that amount for which the ticket was sold as Yatra has to refund the balance booking amount charged over and above the price of airline ticket to the customer, therefore in the instant case airline will not pay for the extra amount being charged by the Yatra before selling the tickets to customer.

c) Yatra has failed to provide the details of passengers whose NOC are still pending till date.

d) Whatever amount has been charged by Yatra from the passenger should be brought into the knowledge of the Central Authority.

5. The counsel for Alitalia airlines stated that

Yatra has been requested to contact 8 customers via telecon or e-mail for refund as only 8 tickets are pending for refund from the airline. The airline is no more operating in India as it has closed its operations.

6. The counsel for Air France/LKM stated that

By next hearing, airline will process the refunds. Airlines require some time to process the refunds. The airline is trying their level best to refund at earliest as the documents of pending tickets are expired as the details were received in September. The airline has assured to refund within next two weeks.

7. The Counsel for Etihad, Emirates & British Airways stated that

a) For British Airways, two tickets are pending for refund and the airline is ready to refund, request has been made to Yatra for the details of passengers and also the amount paid to British Airways.

b) For Etihad, there were 10 tickets, details provided to Yatra, two tickets out of 10 were re-issued as the original tickets could not be used on account of Covid, the re-issued tickets validity was 24 months, the tickets were neither utilized nor got cancelled or raised for any RAs, so the tickets stands expired now.

c) For Emirates, Yatra has been requested to provide the details of the tickets which allegedly have not been refunded, the details are not provided yet. The tickets were valid for refund till 30th September 2022 only but neither ticket got utilized nor the refund application was raised. The airline has been requested for the ticket numbers, sooner the ticket numbers are received, refunds will be done immediately.

8. The Counsel for Hahn Air stated that

The Counsel of the airline Mr. Bharat Kapoor is sick so he is not able to attend this hearing.

9. The Counsel for Air Arabia stated that

Refunds have been made to 6 passengers. Trying to reach out to the customers, details have been shared with the Yatra, but the channel is same, no customer is responding.

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

i. The company along with the airlines are directed to expeditiously resolve the refunds of 322 pending tickets which amounts to Rs. 88,38,420/- that

are due from airlines and submit information regarding number of tickets that were refunded and number of tickets pending for refunds.

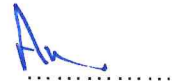
- ii. The Company is directed to provide the update on 90 grievances registered on National Consumer Helpline (NCH).
- iii. The Company and the airlines are directed to coordinate among themselves and resolve the issues pertaining to pending refunds collectively over hybrid mode/VC in order to bring the clarity before the next date of hearing.

11. The matter is now listed for hearing on 01.11.2023 at 4:30 PM.



(Nidhi Khare)

Chief Commissioner



(Anupam Mishra)

Commissioner