

**CENTRAL CONSUMER PROTECTION AUTHORITY**

**Ref: F. No. J – 25/25/2021 – CCPA**

In the Matter of: Suo Moto case against Yatra Online Limited (herewith also referred as "Company")

**CORAM:**

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

Dated: 22.11.2023

**ORDER**

1. In continuation of order dated 14.11.2023, hearing was held on 20.11.2023 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. Bharat Kapoor for Hahn Air, Mr. Yugam Taneja for Alitalia, Mr. A R. Takkar for Air France, Mr. Dheeraj Garg & Ms. Ritu Singh Mann for Emirates, British Airways and Etihad Airways and Mr. Michael Pilkington for Air Arabia over VC.

2. The Company submitted their current status of pending refunds indicating the status of pendency due from Airlines as of November 19, 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:	No. of bookings: 16,036 Amount in INR: 8,29,08,112/-	No. of bookings: 17,792

	3,50,58,700/-		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: 2,72,47,499/-	No. of bookings: 13,157 Amount in INR: 6,72,48,406/-	No. of bookings: 14,066 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: 11410 Amount in INR: 7,91,66,973/-
May 28, 2023	No. of bookings: 881 Amount in INR: 2,61,08,434/-	No. of bookings: 9824 Amount in INR: 4,61,39,967/-	No. of bookings: 10705 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/-
October 30, 2023	No. of bookings: 302 Amount in INR: 83,66,677/-	No. of bookings: 5393 Amount in INR: 2,56,42,893/-	No. of bookings: 5695 Amount in INR: 3,40,09,570/-
November 19, 2023	No. of bookings: 259 Amount in INR: 72,67,462/-	No. of bookings: 5352 Amount in INR: 2,59,23,459/-	No. of bookings: 5611 Amount in INR: 3,31,90,921/-

3. The company during the hearing submitted the following submissions as under:
- a) Its communication initiatives reduced the pendency from 36,276 as per their response dated 23.07.2021 to 5611 as on 19.11.2023.
  - b) The Company has not joined Convergence Partnership with NCH.
  - c) The Central Authority shared the list of 90 grievances registered against the Company on NCH Portal. Out of 90 complaints, 51 complaints have been closed wherein regarding 23 complaints booking details are required and 16 cases are under the process of getting resolved. The booking details of 23 passengers are not traceable.
  - d) Out of 16 tickets pending for refund due from GoAir which has undergone Insolvency and has been admitted into Insolvency Process, 13 tickets pertain to GoAir and at this juncture no refund has been received by GoAir.
  - e) For pending 3 cases pending for refund, out of which one ticket pertain to Ukraine airlines, since there is a war situation in the Ukraine the airline is not in a position to refund the amount right now. For the remaining two tickets, one ticket pertain to Avianca Airlines which has processed the refund amount of Rs. 10592/- on 29th January 2023. Based upon the request from the customer a fresh Refund application has been raised seeking a waiver against the cancellation charges from the airline.
  - f) The other remaining one ticket pertain to Oman Airways. The Company has received refund from Oman Airways after deduction of airline charges. Refund applicable is Rs. 6086/- after waiving off Yatra charges. The Company has requested the passenger on 05.06.2023 to share their NEFT details, however NEFT details are still awaited from the passenger.

4. The Counsel for Air France stated that

Only 10 tickets are pending for refund. The airline has informed Yatra about the missing documents of passengers. Once the documents are received then refunds shall be refunded to the passengers within four weeks.

5. The Counsel for Qatar Airways stated that

- a) The airline has received an e-mail from Yatra just before the hearing scheduled on 20.11.2023 stating that tickets pending for refund from Rhea & Akbar travels are now 20 as earlier Yatra stated that 17 tickets are pending for

refund from Rhea and Akbar Travels. There is a huge discrepancy of data shared by Yatra.

- b) 6 tickets are pending for refund as NOC of passengers have not been received.
- c) Yatra still has not complied with the directions of CCPA vide order dated 14.11.2023 and has not provided any compliance report to Qatar Airways. Further, Yatra has to provide whatever amount has been charged from the passenger at the time of booking of tickets should be brought into the knowledge of the Central Authority as the airline is only entitled for reimbursement of that amount of ticket which is being sold to Yatra.
- d) It is requested to Yatra to share the copy of replies with the Qatar Airways in order to expedite the refunds efficiently.

6. The counsel for Alitalia airlines stated that

Out of total 8 tickets, 4 tickets have been refunded. There are total 4 tickets pending for refund as Yatra has to share the details of pending 4 passengers. Since Alitalia is not operating in India as it is remotely operating in Italy, as soon as the Yatra provide the details of passengers then refunds will be processed immediately.

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

The British Airways & Emirates are willing to refund but Etihad has refused to refund as their audit team has closed their accounts to process any refund for cancelled air tickets due to Covid-19 Lockdown. Since Yatra has not raised the request for refund application on time due to which the validity of tickets got expired and refunds could not be made to the passengers on time.

8. The Counsel for Air Arabia stated that

There are 6 PNRs have been refunded, 8 are in process to be refunded, only 4 PNRs are left for refund. The 6 PNRs have been directly refunded to the Passengers.

9. The Counsel for Hahn Air stated that

56 tickets are pending for refund as the airline has not received the consent forms of passengers. Some documentation is pending from Yatra and as soon as the Hahn air receives the consent forms and refund applications of passengers then refunds will be

processed immediately. Since the airline has not received any amount from the Bank Accounts of passengers as it has come through the agency, so the amount will be refunded to the source account from where it has been received.

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 259 pending tickets which amounts to Rs. 72,67,462/- 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 submit each of their response copy to every airline who are parties to the current proceedings.

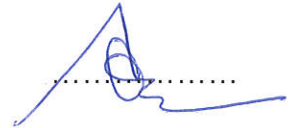
iii. The Company has failed to comply with the directions of CCPA order dated 14.11.2023 by not providing any compliance report regarding the pending refunds of Covid-19 Lockdown. The company during the hearing submitted that they are not able to trace the 5611 passengers whose refunds are still pending despite the best efforts made by them. They also suggested that it would be helpful if calls are made to these passengers by CCPA. A suggestion was made by the Company that calls can be made by the National Consumer Helpline (managed by DoCA) to these passengers. Therefore, the Company is directed to make suitable arrangements at National Consumer Helpline (NCH) by allotting dedicated 10 seats exclusively which shall make calls to the remaining 5611 passengers whose refunds are pending due to cancelled air tickets of Covid-19 Lockdown. The details of these passengers along with the contact details will be shared by Yatra. The cost incurred towards this by NCH in engaging 10 persons will be entirely paid by Yatra and that amount shall be given directly to the agency managing the NCH. The progress of this arrangement will be reviewed after one month.

iv. The Company is directed to submit their replies on affidavit latest by 01.12.2023 stating that no extra Booking Amount/Convenience fee has been charged by them at the time of booking of tickets during Covid-19 pandemic on

their Portal and if any booking amount has been charged by the Company then it must state the reasons thereof.

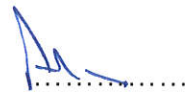
v. Further, a Hyperlink can be created on the NCH Portal by way of pop up banner of "Claim your Covid-19 Refund" so that whenever any complaint is registered on NCH regarding pending refunds then the customer can click on that hyperlink and that link shall re-directs the consumer to a specified url of Yatra.com.

11. The matter is now listed for hearing on 04.12.2023 at 3:00 PM.



(Nidhi Khare)

Chief Commissioner



(Anupam Mishra)

Commissioner