

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: 12.09.2023

ORDER

1. In continuation of order dated 21.08.2023, hearing was held on 04.09.2023 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. Yugam Taneja for Alitalia, Ms. Himani Bhadauria for Air France, Ms. Ritu Singh Mann for Etihad Airways and Mr. Abhishek Saket for Air Canada over VC.

2. The Company submitted their status report dated 04.09.2023 indicating the status of Airlines refund as of September 2, 2023 as below:

(A) Date of Response	(B) Total number of bookings for which refund is pending due from Airlines	© 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)
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: 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,	No. of bookings: 900	No. of bookings: 11,722	No. of bookings:

2023	Amount in INR: 2,71,40,073/-	Amount in INR: 5,86,37,744/-	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/-

3. The company submitted that its communication initiatives reduced the pendency from 36,276 as per their response dated 23.07.2021 to 6,728 as per their response dated 04.09.2023.

4. The counsel for Alitalia airlines stated that

"We have received the email from our client, only 8 tickets are left and we are in process of sending the mails to our customers and as soon as they are replying, we are issuing the refund. We will try personally calling to all the customers regarding refunds".

5. The counsel for Air France stated that

"There were 3 tickets pending on our behalf for which Yatra was requested to provide the correct inputs however yatra has still not provided the correct information, as soon as we will receive the information , we will refund to the customers". The tickets were rejected as the agent applied for the refund application with wrong IATA number."

6. The Counsel for Etihad Airways stated that

"If we can be provided with number of air tickets then we can check the status of refund, some part of trail mail has been cut off when it was shared with me. 10 tickets are pending with Etihad and if ticket number can be shared directly with me then it will be easier for me to follow up with Etihad. The Company can share the details on the email id which is ritu@vikramphilipassociates.com."

7. The Counsel for Qatar Airways stated that

"We have got the approval for payment of 10 tickets from head office to revive those tickets again done revival has been done, 2 tickets NOC which has been submitted, we will process the payment for it, rest 8 tickets which are concerned now have we got any back NOC from the other passengers, Yatra gives Qatar airways an indemnity of that payment will be made to the passengers, based on that indemnity we will put up the some documents for approval purposes for payment and second option is, if permitted by the central authority then we can deposit that money in the Court, and Yatra can withdraw from court as and when the passenger approaches them, then that money can be paid to them. If no passenger comes forward then CCPA will see what to do with the money. In Akbar and Riya travels , around 12 tickets have been utilized. Since we have not received the copy of that, once we will receive it then we will proceed with it".

8. The Counsel for Air Canada stated that

"As per our records there are altogether only 2 tickets are pending and rest of them are refunded. There is one customer who has not used the ACV and the another customer has lost the entire value of the coupon. ACTVs are basically coupons and in other cases we have refunded all of them, nothing is pending. I will share the details with Yatra, they can look at it, we have all the customer details, details of PNR no, tickets used and in case of coupons what have been used. We will mail it at prakash.harpalani@yatra.com."

9. It is clear from the above submissions that the airlines have complied with the directions of the Apex Court and have further extended their support to cooperate regarding the pending bookings provided they get adequate information from the company.

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 376 pending tickets which amounts to Rs. 1,10,09,983/- 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 compliance report within one week of passing of this order i.e written detailed submission regarding their proposal to refund the money in EMD wallet, the pros and cons behind it. Further, the Company is directed to provide the details of challenges faced by them in getting the refunds of cancelled air tickets on account of COVID - 19 lockdown.
- iii. The aforementioned Company is directed to submit their status report to Central Authority till 01.10.2023.
- iv. 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.
- v. The Company is directed to comply with directions passed by CCPA vide order dated 21.08.2023.

11. In case submissions as directed above in para-10 are not received before 01.10.2023, the Central Authority may be constrained to take a serious view on the matter.

12. The matter is now listed for hearing on 04.10.2023 at 3:00 PM.



(Anupam Mishra)
Commissioner