

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:

Mr. ANUPAM MISHRA, COMMISSIONER

Dated:08.12.2023

ORDER

1. In continuation of order dated 22.11.2023, hearing was held on 04.12.2023 with the Counsels, Mr. Darpan Batra (Vice President, Corporate Affairs & Legal), Mr. Arvind Ray and Mr. Tridib Bose for Yatra Online Limited (Company), Mr. Sarosh Damania for Qatar Airways, Advocate Himani Bhaduria for Air France & KLM Royal Dutch Airlines 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 1st December, 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, | No. of bookings: 909 | No. of bookings: 13,157 | No. of bookings: |

| | | | |
|--------------------|---|---|---|
| 2023 | Amount in INR: 2,72,47,499/- | Amount in INR: 6,72,48,406/- | 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/- |
| November 28, 2023 | No. of bookings: 259 Amount in INR: 72,67,462/- | No. of bookings: 5,298 Amount in INR: 2,55,25,859/- | No. of bookings: 5611 Amount in INR: 3,27,93,321/- |

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 28.11.2023.
 - b) The Company has filed their two affidavits dated 01.12.2023 in regard to convenience fee as per the directions of CCPA vide its order dated 14.11.2023 and 22.11.2023.
 - c) The Company is not supposed to share any information with Qatar Airways due to confidentiality of their data.
 - d) The Company visited the website of NCH and tried to ascertain the modalities but the company could not able to block the 10 seats, it is requested if the Central Authority can share the contact details of the concerned official of NCH so that information can be gathered pertaining to the modalities for making such arrangements at NCH and for creating hyperlink of "Claim Your Covid-19 Refund" banner on NCH website.

4. The Counsel for Air France and KLM Royal Dutch Airlines stated that All matters pertain to Air France & KLM are closed and the same has been mailed to Yatra. Only 3 tickets were pending for refund which have been refunded to the Consumers.

5. The Counsel for Qatar Airways stated that
 - a) Yatra has shared the NOC of three passengers and the airline has accordingly processed the payment for those passengers. Those NOCs are from the 6 tickets of Yatra IATA which were pending for refund. Basically only 3 tickets are pending for refund from Yatra IATA and 15 tickets are pending from Akbar Travels.
 - b) Yatra still has not complied with the directions of CCPA vide order dated 14.11.2023 and 22.11.2023 and has not provided any of their response and affidavits to Qatar Airways. Further, the Company has to provide the NOC of remaining passenger by 15.12.2023 as after that tickets will expire.
 - c) Yatra is refraining from sharing their response to Qatar Airways which amounts to Unfair Trade Practice. It is a principle of natural justice that copy of affidavits must be shared with the airline, so disclosure regarding documents in

a court proceeding is a settled principle of law and Yatra cannot refuse to share that. It is a blatant violation of orders passed by the CCPA.

d) It is requested to Yatra to share the copies of each of their response and affidavits with the Qatar Airways in order to expedite the refunds efficiently.

6. The Counsel for Air Arabia stated that

There are 18 PNRs out of which 9 tickets have been refunded, 6 PNRs are in process to be refunded, only 3 PNRs are outstanding for refund. The airline has asked their office situated in India to coordinate with Yatra who can contact these 3 outstanding passengers for refund and the value of these outstanding 3 tickets are UAE Dirhams 2265 which is Rs. 51,000/-.

7. After examining the reply of the company, the Central Authority issues the following directions:

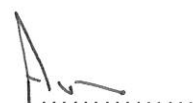
i. The company along with the airlines are directed to expeditiously resolve the refunds of 259 pending tickets which amounts to Rs.72,67,462/- that are due from airlines and submit accurate information regarding number of tickets that were refunded and number of tickets pending for refunds.

ii. The Company is directed to comply with the directions passed by the Central Authority vide its order dated 14.11.2023 and 22.11.2023.

iii. The Company is directed to share the final status of Air France & KLM Royal Dutch Airlines who claimed to have refunded to all of their Consumers and shared the copy with the Yatra Online Limited.

iv. The Company is directed to provide the update on 90 grievances registered on National Consumer Helpline (NCH) which has been shared with them vide e-mail dated 19.10.2023 and submit the final compliance report before 04.01.2024.

8. The matter is now listed for hearing on 04.01.2024 at 4:00 PM.



(Anupam Mishra)
Commissioner