

GOVERNMENT OF INDIA  
MINISTRY OF CIVIL AVIATION  
**RAJYA SABHA**  
**UNSTARRED QUESTION NO : 967**  
(TO BE ANSWERED ON THE 19<sup>th</sup> December 2018)

**EXTRA FEES CHARGED BY PRIVATE AIRLINES FOR SEATS**

967.       SHRIMATI CHHAYA VERMA  
            SHRI VISHAMBHAR PRASAD NISHAD  
            CH.SUKHRAM SINGH YADAV

Will the Minister of CIVIL AVIATION be pleased to state:-

- (a) whether the private airlines are charging extra fees from passengers for seat selection and fixing fees for all seats during web check-in which the passengers are bound to pay;
- (b) whether the Ministry is showing laxity in following rules due to which the airlines are charging such fees from the passengers in an arbitrary manner;
- (c) details of action taken against the airlines during the last three years for ignoring complaints and flouting rules; and
- (d) whether Government will review the matter regarding system of seat selection fees so that the passengers do not have to pay extra charges?

**ANSWER**

MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION

(Shri Jayant Sinha)

(a) : Airlines are charging for some of their seats, for preferential seating.

(b) to (d): Travel by air is a contractual matter between airline and passenger, which is commercial in nature. However, with a view to make basic fare more affordable, the Government issued Air Transport Circular (ATC) 01 of 2013, wherein the airlines were allowed to unbundle certain services and fees, which were previously included in the airfare. This also includes preferential seating charges. The said circular provided consumer an option of paying for the services which he/she wishes to avail on opt-in basis.

Hon'ble Delhi High Court in its order dated 16.08.2017 in W.P.(C) 5756/2016 & CM 23726/2016 has stated that Directorate General of Civil Aviation (DGCA) has only been empowered to intervene, if certain regulatory principles are violated. Thus, the power of DGCA is limited to interdict the separate charging of a product, if the regulatory principles such as opt-in, non-discrimination and transparency are violated. In view of the above, the Hon'ble court has stated that DGCA cannot determine the tariff for a specified flight product since, they are to be determined by market forces.