

**GOVERNMENT OF INDIA
MINISTRY OF CIVIL AVIATION
RAJYA SABHA
UNSTARRED QUESTION NO : 1289
(TO BE ANSWERED ON THE 13th March 2023)**

**ARBITRARY CANCELLATION CHARGES LEVIED BY PRIVATE
AIRLINES**

1289. DR. KANIMOZHI NVN SOMU

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

- (a) whether Government is aware of arbitrary cancellation charges levied by private airlines at the time of crisis like pandemic, lockdown, cyclone etc., and if so, the details thereof
- (b) whether any guidelines or instructions have been issued to the private airlines against such arbitrary cancellation charges and if so, the details thereof and
- (c) whether any complaints have been received for levying of such charges against private airlines during the last five years and if so, the details thereof, category-wise and year-wise along with the action taken thereon?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION

(GEN. (DR) V. K. SINGH (RETD))

(a) & (b): Cancellation charges are not being regulated by the Government. However, the Directorate General of Civil Aviation (DGCA) has issued Civil Aviation Requirements (CAR), Section -3, Series -M, Part - II titled - Refund of Airline Tickets to Passengers of Public Transport Undertakings wherein the following provisions in respect of cancellation charges has been laid down:

Cancellation charges must be indicated prominently at the time of booking. The airlines shall refund all statutory taxes and User Development Fee (UDF)/Airport Development Fee (ADF)/Passenger Service Fee (PSF) to the passengers in case of cancellation/non-utilisation of tickets/no show. This provision shall also be applicable for all types of fares offered including promos/special fares and where the basic fare is non-refundable.

Under no circumstances, the airline or its agent shall levy cancellation charge more than the basic fare plus fuel surcharge. This will exclude any charges levied by the travel agent, which have been fully disclosed at the time of booking. It shall be the responsibility of the airline to ensure this through their contracts with travel

agents/portals.

During the covid-19 pandemic, pursuant to Hon'ble Supreme Court of India directions in the case of Parvasi Legal Cell vs Union Of India and DGCA, Circular No. 04/1/2020-IR dated 07/10/2020 was issued by the Directorate General of Civil Aviation (DGCA) wherein airlines were required to refund the amount paid by passengers for air tickets booked during lock down period and the flights got cancelled due to COVID-19 pandemic. Under the provisions of said Circular, if a passenger has booked a ticket during the lockdown period (from 25th Mar 2020 to 24th May 2020) for travel during lockdown period and the airline has received payment for booking of air ticket for travel during the same period, for both domestic and international air travel and the refund is sought by the passenger against that booking, the airline shall refund the full amount collected without any cancellation charges.

(c): Ministry of Civil Aviation / Directorate General of Civil Aviation, from time to time, has been receiving grievances related to services provided by airlines such as airfares, cancellation of flights/delay of flights, denied boarding cases, baggage related issues, etc. Grievances/Complaints are redressed as per the established mechanism / extant guidelines in the matter. Further, Ministry of Civil Aviation has launched Air-Sewa Application - a digital platform, for enabling travellers to submit grievances and seek information on air travel in India. Passengers may report their grievances on Air-Sewa Application for expeditious disposal.
