

DECISION 2019 - 05 - 28
TRAVEL AGENCY COMMISSIONER - AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Daksh Networking Pvt. Ltd. ("the Agent")
IATA numeric code 14-3 1948
New Delhi, India

Respondent:

Agency Administrator, International Air Transport Association ("IATA")
Singapore.

The Case and Decision:

The Agent's accreditation was terminated for failing to settle INR 8,120 (USD 117.00). In its request for a review the Agent "accepted our fault and agree to pay all outstanding amount with interest. It is our humble request to kindly give us one more chance to continue our relationship with IATA." An assurance that no future incidents of this nature would occur was also offered.

IATA's summary of events recorded the Agent having a valid financial security of INR 680,000. The Procedure for Reinstatement had been sent and a Risk Event recorded.

In considering this matter, as a valid financial security, in excess of the amount owed, is in place and the fact that the amount owed is modest the writer is prepared to grant the Agent the opportunity to be reinstated. However, any future event of this nature will not be treated as benignly.

The Parties have conformed to the terms and conditions of Resolution 820e and were placed on notice that in the writer's judgement an oral hearing was not necessary and that this decision would be based on the written information submitted.

Consequently it is hereby decided as follows:

1. the Agent's accreditation is to be restored subject to it complying with the following terms:

(a) all outstandings are to be settled

(b) all fees and charges associated with the reinstatement are to be paid.

All such conditions to be actioned within 30 days of the date of this decision.

This Decision is effective as of today.

Decided this 28th day of May 2019 in Auckland.

The following sub paragraph of Resolution 820e is brought to the attention of the Parties:

"2.10 - within 15 days after the receipt of the decision, a party, with notice to the other parties, may request that the Commissioner gives an interpretation of the decision or correct in the decision any error in computation, any clerical or typographical error, or any error or omission of a similar nature. If the Commissioner considers that the request is justified, he shall make the interpretation or correction within 15 days of receipt of the request. The interpretation or correction shall form part of the decision."

In this particular case the 15-day time frame expires on June 12, 2019.

If after having pursued this process a Party still considers itself aggrieved by this Decision the Party has the right to seek review by arbitration as detailed in Resolution 824, Section 14.

Finally, I seek your authority for this Decision to be posted on the private pages of the Travel Agency Commissioner website which can only be accessed by the 3 TACs and the 12 members of the Passenger Agency Programme Global Joint Council. In the absence of advice to the contrary by 13 June 2019, I will assume that there is no objection to that action being taken.

Yours faithfully,

Jorgen Foged
Travel Agency Commissioner Area 3