

**IN THE MATTER OF the *Inquiries Act*, R.S. c-5-13
AND IN THE MATTER of the Commission of Inquiry into the
Investigation of the Bombing of Air India Flight 182**

APPLICATION FOR STANDING

**FAMILY MEMBERS OF THE CREW MEMBER VICTIMS OF
FLIGHT 182 AND INDIA NATIONALS, (INCLUDING THE RELATIVES
OF THE CREW ON BOARD FLIGHT 182) (hereinafter collectively referred
to as “THE APPLICANTS”) HEREBY MAKE A MOTION TO the
Commissioner for full standing as a party before the Commission pursuant to
Section D of the *Rules of Procedure and Practice*.**

THE APPLICANTS make this Application for Standing on the grounds that as families of victims they are directly and substantially affected and have a clearly ascertainable interest in the determination of and the understanding of all of the facts and circumstances and the recommendations and findings reached by the Commission with respect to the questions to be considered pursuant to Terms of Reference. Further, the Applicants request an extension of time to deliver such further material as may be necessary.

THE APPLICANTS have a separate, distinct and thus far largely unrepresented interest with respect to the Air India tragedy as they are families of

victims who were served as the crew members of Flight 182 and are almost exclusively non-Canadian nationals.

THE APPLICANTS submit with this Application the Affidavit of Shipra Rana, the sister of Shyla Aurora, a crew member and victim of the Air India tragedy.

July 7, 2006

HIMELFARB, PROSZANSKI LLP
Barristers and Solicitors
250 Dundas Street West, Suite 401
Toronto, Ontario
M5T 2Z5

RICHARD P. QUANCE
Tel: (416) 599-8080
Fax: (416) 599-3131
LSUC No.: A018939U
Solicitor for the Applicants

**TO: The Commissioner of Inquiry
Into the Investigation of the
Bombing of Air India Flight 182
P.O. Box 1298, Station "H"
Ottawa, Ontario K1P 5H3**

Tel: 1-613-992-1834
Fax: 1-613-995-3506

**IN THE MATTER OF the *Inquiries Act*, R.S. c-5-13 and
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AFFIDAVIT OF SHIPRA RANA

I, SHIPRA RANA, of the City of Vaughan, in the Province of Ontario,
HEREBY MAKE OATH AND SAY AS FOLLOWS:

1. My name is Shipra Rana. I am 56 years of age. I am the sister of Shyla Aurora who was a victim of the Air India tragedy. Shyla was an Air India Flight Attendant travelling onboard Flight 182. Attached as Exhibit "A" to this Affidavit are photographs of many of the Air India Crew members.
2. Since June 23, 1985, I have been actively involved in attempting to understand the facts and circumstances that resulted in the Air India tragedy on the morning of June 23, 1985 which took my sister's life and the lives of 328 other victims. I have been in communication with the Air India Task Force throughout and have had some limited involvement with AIVFA as well.
3. Throughout the many years of my involvement with respect to the Air India tragedy, I have been in regular contact with the many families of

the crew member victims of the Air India tragedy who primarily consist of persons who do not reside in Canada and are India nationals. On their behalf and on my behalf, I make this Application for Standing before the Commission for the reasons hereinafter stated. In the next several days I will be in a position to provide particulars as to the names and other relevant information concerning all the family members this Application is made on behalf of. Unfortunately, it is only recently that I and other family members have become aware of the process of the inquiry.

4. Throughout the many investigations and inquiries undertaken by various agencies, authorities and governmental bodies, the Applicants have had limited involvement and representation with respect to the gathering or dissemination of information respecting the Air India tragedy or the impact of the Air India tragedy upon the lives of the families of the crew members and India nationals.
5. The focus of the gathering and dissemination of information and the efforts made to understand the impact on the lives of the families of victims has been largely with respect to the families of victims who were passengers onboard Flight 182 and who are Canadian nationals.

6. The Air India Victims Families Association (AIVFA) is the Association that has primarily represented the families of the victims of the Air India tragedy and which has formed a Sub-Committee responsible for the determination of counsel to represent the Air India victims. That Association is primarily representative of families who are Canadian nationals and no families of the crew members or India nationals have any representation on the Sub-Committee. It is only in the past week that a form regarding membership was circulated to myself and other families of crew member victims regarding AIVFA. A true copy of the Form is attached as Exhibit “**B**” to this my Affidavit.
7. It has always been the perception and fact that the families of the crew members and India nationals have been treated differently and have had to take a “backseat” not only with respect to the gathering and dissemination of information with respect to the impact of the tragedy but also with respect to compensation paid to them with respect to the tragedy. In fact, the compensation for the crew member victims has come largely from Air India and has fallen well short of the compensation paid by the Canadian government to other victims.
8. To my knowledge, none of the families of the crew members or India nationals were ever visited or interviewed with respect to the impact of

the tragedy on their lives. Although the Honourable Bob Rae undertook an inquiry which led to his Report entitled **Lessons To Be Learned** dated November 25, 2005, it appears from reading his Report that his focus was on the interest of Canadians on there being a further inquiry into the Air India tragedy for their benefit and that as part of his investigation he met only with family members of victims in Vancouver, Toronto, Montreal and Ottawa but did not visit or interview any of the families of the crew members or India nationals in India or otherwise.

9. The Applicants have felt isolated from the other families of victims over the many years and through the various investigations and inquiries. The Air India tragedy raises not only issues of significance to Canadian nationals but also global issues respecting safety and security. In today's world acts of terrorism anywhere are of global concern.
10. The Applicants have a particular interest as family of crew member victims and/or India nationals in understanding what facts and circumstances led up to and resulted in the events of the bombing of June 23, 1985 and what findings and recommendations will be made by the Commissioner with respect to the security breaches associated with the Air India Flight 182 bombing and the subsequent investigations and remedial actions taken with respect to the Air India tragedy. We wish to

sit at the same table and be as fully involved in the inquiry as any victim and as any interested party.

11. As family of the crew members we have never had an understanding as to what safety and security protocols and procedures were in effect prior to and at the time of Air India Flight 182 which could have assisted the crew members or anyone in determining whether there was a security threat onboard and in determining what safety and security protocols and procedures have subsequently implemented in order to assist in the prevention of any future tragedy as the Air India tragedy. We have never had a chance to understand the priority attached to safety and security as it relates to the crew. We need to know that the lives of the crew and Indian nationals were not taken in vain and that their passing will have made a contribution to preventing any future tragedy. We need to be a distinct and vital part of the inquiry process.

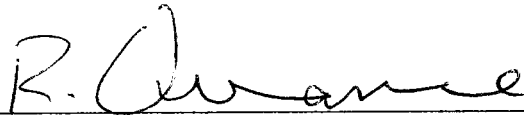
12. The Applicants wish to be assured that we will be directly involved and represented in the Commission's inquiry into all of the facts and circumstances relative to the Air India tragedy and in the making of its findings and recommendations pertaining to the questions posed pursuant to the Terms of Reference. In order to do so we have chosen to be represented by Richard P. Quance of the law firm of Himelfarb,

Proszanski LLP, of Suite 401, 250 Dundas Street West, Toronto, Ontario M5T 2Z5. E-mail: Richard@himel-law.com. The Applicants are seeking appropriate funding to fully participate in the inquiry.

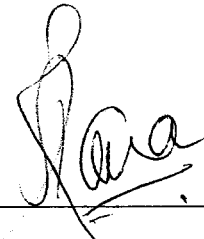
- 13. It is necessary for me and other family members of the crew and Indian nationals to obtain a "peace of mind" as to what happened, why it happened and why it should never happen again. In order to do so we feel strongly that we should be accorded full standing as a party before the Commission and be permitted to participate in all of the areas of inquiry as set forth in sub-paragraphs (a) i. to vii. and (b) i. to vii. of the Terms of Reference.

SWORN BEFORE ME at the City of Toronto

In the Province of Ontario this 7 day of July, 2006



A Commissioner for taking Affidavits
Richard P. Quance



SHIPRA RANA

**IN THE MATTER OF the *Inquiries Act*, R.S. c-5-13 and
IN THE MATTER of the Commission of Inquiry into the
Investigation of the Bombing of Air India Flight 182**

SUPPLEMENTARY AFFIDAVIT OF SHIPRA RANA

I, SHIPRA RANA, of the City of Vaughan, in the Province of Ontario,
HEREBY MAKE OATH AND SAY AS FOLLOWS:


1. I delivered an Affidavit with respect to the Application for Standing on July 7, 2006.
2. Because the process of the Inquiry did not come to my knowledge and other Indian families' knowledge until recently, I was unable to provide all of the information required in my initial Affidavit.
3. I have now able to obtain the specific authority of many of the concerned Indian families and have attached hereto and marked as Exhibit "A" to this Affidavit a Schedule setting forth the names and other relevant information requested of those family members.
4. Unfortunately, due to time and distance constraints and the tragic events surrounding the bombing of several rail stations in Mumbai, India, on July 11, 2006, I have not been able to obtain all of the information

requested respecting many of the Indian families who wish a standing. To the extent I am able I am continuing to do so and will provide updated information when in a position to do so.

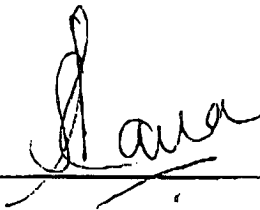
- 5. In my continuing conversations with the Indian families it has been emphasized again and again that these families wish to fully participate in and be specifically represented at the proceedings before the Commission of Inquiry. These families have emphasized that they have felt "isolated", "overlooked" and "shunned" in previous inquiries and investigations made with respect to what occurred in June of 1985 and what the impact has been on their lives.

SWORN BEFORE ME at the City of Toronto

In the Province of Ontario this 14 day of
July, 2006



 A Commissioner for taking Affidavits
 Richard P. Quance



SHIPRA RANA



OM : AICCA
PRESIDENT
SUDHIR JOSHI
M.L.C.



PHONE NO. : 8378581

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AIR INDIA CABIN CREW ASSOCIATION

Inflight Service Building, Medicon Bhavan, NITC, Sahar, Andheri (East),
Mumbai - 400 099. Tel. : 2831 8888 Ext. : 8894 Telefax : 2682 9635
email : aicc_a@hotmail.com

REGISTRATION NO. 6661

REF NO. AICCA/GC-6/5 3 2

DATE : 14th July, 2006

The Hon. Justice John Major,
Commission Of Enquiry into the Air India bombing,
Ottawa, Ontario,
Canada.

Respected Justice Major,

SUB:- COMMISSION OF INQUIRY -AIR INDIA 182 KANISHKA TRAGEDY

We write in connection with the Commission of Enquiry undertaken by your goodself, into the Air India Kanishka Tragedy of 23 rd June 1985.

It has just come to our notice that the Commission is accepting applications for standing, however the deadline was 7th July.

The AIR INDIA CABIN CREW ASSOCIATION is the single largest recognised Trade union and Welfare association crew in India and represents over 2000-cabin crew of Air India, and are affiliated to the International transport federation.

Each and every one of the Flight Crew on board AI-182 Kanishka were members of the AICCA, including 9 other passengers, and on that ill-fated aircraft we also lost our Vice-President and Committee members.

We understand that some family members of Cabin crew have made a representation for standing before your Hon'ble Commission through the law firm **HIMELFARB PROSZANSKI LLP**, of Dundas Ontario and the Air India Cabin Crew Association would also endorse the same law firm to represent all deceased Crew members and their interests, who were members of our Association through out the commission of enquiry.

Throughout the past 20 years it has been the feeling that perhaps all dimensions of this grave tragedy were never explored, and there are still many lessons to be learnt, and questions to be answered, not only from a Canadian perspective, but from an Indian one- and in fact for the world at large.

We shall be grateful for granting us standing / application status through Himelfarb proszanski

Thanking you,

Yours sincerely,
For AIR INDIA CABIN CREW ASSOCIATION

(ANIL GHASAS)
GENERAL SECRETARY

Cc:- Himelfarb Proszanski LLP , attn Mr.Richard Quance.