

UNDERTAKING, ACKNOWLEDGEMENT AND CONSENT
(“Undertaking”)

of

DR. AJAY NAYAR
(“Dr. Nayar”)

to

COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO
(the “College”)

PREAMBLE

- (1) In this Undertaking:

“Discipline Committee” means the Discipline Committee of the College;

“OHIP” means the Ontario Health Insurance Plan;

“Public Register” means the College’s register that is available to the public.

- (2) I, **Dr. Nayar**, certificate of registration number **93475**, was a member of the College until my certificate of registration expired on June 30, 2014.
- (3) I, **Dr. Nayar**, acknowledge that I am the subject of two College investigations bearing File Number 7215188 and File Number 76782 (the “Investigations”) into whether I engaged in professional misconduct.
- (4) I, **Dr. Nayar**, acknowledge that there has been no referral to the Discipline Committee in respect of the Investigations.
- (5) I, **Dr. Nayar**, acknowledge this undertaking takes effect upon the date this Undertaking is approved by the ICR Committee (“Effective Date”).

B. UNDERTAKING, ACKNOWLEDGEMENT AND CONSENT

- (6) I, **Dr. Nayar**, acknowledge that I held a certificate of registration authorizing postgraduate education from July 1, 2010 until June 30, 2014.
- (7) I, **Dr. Nayar**, hereby undertake not to apply or re-apply for registration as a physician to practise medicine in Ontario effective immediately.
- (8) I, **Dr. Nayar**, acknowledge that in the event that the College should become aware that I am in breach of this Undertaking including, but not limited to, becoming aware that I have either applied, re-applied or attempted to apply or re-apply for registration as a physician or for a certificate of registration, or equivalent, to practise medicine in Ontario after the Effective Date, the College shall, in its sole discretion, have the right to proceed with a disciplinary proceeding on the basis of a breach of this Undertaking and shall have the right to proceed with the

Investigations it terminated as a result of this Undertaking and/or to proceed with a referral of specified allegations to the Discipline Committee.

- (9) I, **Dr. Nayar**, hereby agree to bear the risk of any prejudice that the passage of time might cause to my ability to make full answer and defence, and waive the right to seek any remedy on the basis of the passage of time, should the College proceed with any allegations that may arise as a result of a breach of this Undertaking and/or pursuant to section (7) above.
- (10) I, **Dr. Nayar**, acknowledge that I do not have an OHIP billing number and I further acknowledge that I have never had an OHIP billing number.
- (11) I, **Dr. Nayar**, acknowledge and undertake that I shall be solely responsible for payment of all fees, costs, charges, expenses, etc., if any, arising from the implementation of any of the provisions of this Undertaking.
- (12) I, **Dr. Nayar**, acknowledge and confirm that I have read and understand the provisions of this Undertaking and that I have obtained independent legal counsel in reviewing and executing this Undertaking, or have waived my right to do so.
- (13) I, **Dr. Nayar**, give my irrevocable consent to the College to make appropriate enquiries of OHIP and/or any person who or institution that may have relevant information, in order for the College to monitor my compliance with the provisions of this Undertaking.
- (14) ***Public Register***
 - (a) I, **Dr. Nayar**, consent to this Undertaking being posted on the Public Register.
 - (b) I, **Dr. Nayar**, acknowledge that, in addition to this Undertaking being posted in accordance with section (14)(a) above, the following summary shall be posted on the Public Register:

Dr. Nayar is not a member of the College. He held a certificate of registration authorizing postgraduate education in Ontario between July 1, 2010 and June 30, 2014.

The College conducted investigations into whether Dr. Nayar engaged in professional misconduct. In the face of these investigations, Dr. Nayar has agreed never to apply or reapply for registration as a physician in Ontario. No referral has been made to the Discipline Committee.