

APR 19 2010

**IN THE MATTER OF THE ENGINEERS AND GEOSCIENTISTS ACT  
R.S.B.C., 1996, c. 116, as amended**

- and -

**IN THE MATTER OF YOGESHCHANDRA RAMANLAL NATHAWAD**

**CONSENT ORDER**

Dated for reference October 30, 2009.

**WHEREAS** Yogeshchandra Ramanlal Nathawad ("Yogesh Nathawad") was served with a Notice of Inquiry dated October 31, 2000 that contained the following allegations:

**AND TAKE NOTICE** that the allegations against you are as follows:

*That you are in breach of section 32(1)a) of the Engineers and Geoscientists Act, R.S.B.C. 1996, Chapter 116, in that you have been convicted in Canada or elsewhere of an offence that, if committed in British Columbia, would be an offence under an enactment of the Province or of Canada, and that the nature or circumstances of the offence render you unsuitable for registration; specifically,*

*On March 6, 2000 you were convicted of the following charges before Judge F.E. Howard in the Provincial Court of British Columbia:*

- a) *between December 31, 1992 and January 28, 1997, inclusive, at or near the City of Port Coquitlam or elsewhere, in the Province of British Columbia, you did wilfully in any manner, evade or attempt to evade compliance with the Income Tax Act or payment of taxes imposed by this Act for the taxation years 1993, 1994 and 1995, by failing to report income in the amount of \$440,284.00, **THEREBY COMMITTING AN OFFENCE UNDER PARAGRAPH 239(1)(D) OF THE INCOME TAX ACT, R.S.C. 1985, C.1 (5<sup>TH</sup> Supp.) AS AMENDED.***
- b) *between March 4, 1994 and October 21, 1996, inclusive, at or near the City of Port Coquitlam or elsewhere, in the Province of British Columbia, you made, or participated in, assented to or acquiesced in the making of, false or deceptive statement in the Goods and Services Tax Returns for Registrants filed for the quarterly reporting periods between January 1, 1993 and December 31, 1995, inclusive, by failing to report taxable revenues in the amount*

of \$647,996.77, **THEREBY COMMITTING AN OFFENCE UNDER PARAGRAPH 327(1)(A) OF THE EXCISE TAX ACT, R.S.C. 1985, c.E-15 AS AMENDED**

**AND WHEREAS** Yogesh Nathawad entered into an agreement with The Association of Professional Engineers and Geoscientists of the Province of British Columbia (the "Association") dated April 25, 2001 (the "Stipulated Order") whereby he admitted the allegations in the Notice of Inquiry dated October 31, 2000 and agreed to certain penalties.

**AND WHEREAS** Yogesh Nathawad's membership in the Association was revoked, pursuant to the terms of the Stipulated Order.

**AND WHEREAS** the enforceability of the Stipulated Order has been challenged in other proceedings.

**AND WHEREAS** the Association and Yogesh Nathawad wish to give legal effect to the cancellation (formerly revocation) of his membership in the Association in the Stipulated Order.


**AND WHEREAS** the Association and Yogesh Nathawad wish to resolve this matter by consent in order to avoid the need for a disciplinary inquiry.


**THEREFORE** by consent, this Order is hereby made, pursuant to the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116 as amended ("Act"), specifically s. 32.1.

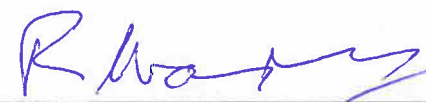
1. Yogesh Nathawad admits the allegations of unprofessional conduct set out in the Notice of Inquiry.
2. Yogesh Nathawad's penalty for this unprofessional conduct is as follows:
  - a. Yogesh Nathawad's membership in the Association is cancelled.

This Consent Order is approved and accepted by Yogesh Nathawad and a member of the Discipline Committee this 28 day of February, 2009: 2010

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Yogesh Nathawad

  
\_\_\_\_\_  
Witness  
BEVERLY MITOVIC  
APEGBC

  
\_\_\_\_\_  
Roy Wares, P.Eng.  
Chair, Discipline Committee