

**CHAPTER X**

**VIOLATIONS OF REGULATIONS**

**96. Removal or Prevention of Violation**

- a. PDOHA shall carry out inspection and take other appropriate measures to ensure compliance with these Regulations.
- b. If PDOHA finds that any of the provisions of these Regulations, or any rules relating thereto, or any conditions of a general or special permit, are being or have been violated, it shall serve a notice in writing on any person responsible for the violation.
- c. The notice shall indicate the nature of the violation and PDOHA may order such action as it may deem appropriate to correct the violation including but not limited to:-
  - (1) The discontinuance of any illegal work being done on, or activities being conducted in relation to, building;
  - (2) Requiring the owner or builder who is carrying out or have carried out such building works, on or before such day as shall be specified in such notice, by a statement in writing subscribed by him or by an agent duly authorized by him and addressed to PDOHA, to show sufficient cause why such building works or such part thereof shall not be removed or altered to comply with these regulations; and
  - (3) If such person fails to show sufficient cause to the satisfaction of PDOHA why such building works or part thereof shall not be removed or altered, PDOHA may take following actions, namely:-
    - (a) require the person who has carried out the works against the provisions of these Regulations to alter or cessation of the whole or part of construction works thereof; and
    - (b) any other measures authorized by these Regulations, or with the conditions of permit.
- d. The order shall specify the period within which the violation shall be corrected and in the event of non-compliance with the order PDOHA may cause appropriate measures under the relevant regulation or to be taken to effect compliance. The expenses shall be recoverable from the owner in the manner provided for the recovery of arrears of revenues or taxes.
- e. The giving of notice and making and serving of an order under this clause shall not be a prerequisite to the initiation of, and shall not bar, any prosecution under any applicable law, and PDOHA may take action under this clause whether or not a prosecution has been initiated.

97. **Enforcement by PDOHA.** Administrator/Secretary PDOHA may direct the concerned officer (under whose jurisdiction violations have occurred) to take action under these Regulations with respect to any violation including entering upon and sealing of premises.

98. **Appeals**

- a. Within thirty days from the date of receipt of any order of PDOHA under these regulations, any aggrieved person so served may appeal to PDOHA and PDOHA shall give him an opportunity to be heard.
- b. PDOHA after considering a report and any recommendations of the hearing officer or officer, may affirm, modify or amend the order or determination.
- c. Within thirty days from the date of receipt of any order of PDOHA under these regulations or of its determination on an appeal under the preceding sub-regulations, the aggrieved person so served may appeal to the Administrator PDOHA, which shall give him an opportunity to be heard and within such reasonable time.

99. **Finality of Orders or Determinations.** Unless an appeal has been admitted as provided by regulations an original or appellate order, the determination of the Administrator PDOHA shall be final.