



Republic of the Philippines  
Department of Environment and Natural Resources  
**MINES AND GEOSCIENCES BUREAU**  
**MIMAROPA Region**

7/F DENR Building, 1515 Roxas Boulevard, Ermita, Manila  
Telefax No. (+632) 536-0215 / (+632) 310-1369  
Email: region4b@mgb.gov.ph



22 September 2021

**The President**

Ivy Michelle Construction and Trading Inc.  
Brgy. Samariniana  
Brooke's Point, Palawan

**Dear Madam/Sir:**

Please be informed that on 09 July 2021, CENRO – Brooke's Point confirmed that Ivy Michelle Construction and Trading Inc. (Ivy) has been conducting sand and gravel operation outside the permit area of Samarian Farmers Multi-Purpose Cooperative (Samariana) under Commercial Sand and Gravel Permit No. CP (PLW) 259-03.

The above-cited extraction and disposition of sand and gravel materials outside the permit area of Samarian is equivalent to theft of minerals pursuant to Section 103 of Republic Act (RA) No. 7942<sup>1</sup>, which provides that:

***"Theft of Minerals** – Any person extracting minerals and disposing the same without a mining agreement lease, permit, license, or steals mineral or ores or the products thereof from mines or mills or processing plants..xxx"*

It may be recalled that this Office issued a **Cease and Desist Order (CDO)** dated 05 August 2020 advising Ivy to refrain from further conducting sand and gravel operations primarily because the company is not a holder of a mining permit.

Hence, the said CDO is hereby reiterated without prejudice to the filing of appropriate charges against the company with the proper court for violation of the applicable provisions of RA No. 4942.

Please be guided accordingly. Thank you.

Very truly yours,

  
**GLENN MARCELO C. NOBLE**  
Regional Director

cc: **The Director**  
Presidential Complaint Center  
Office of the President  
Malacanang Complex, San Miguel, Manila  
Ticket Reference No. G2020702-774-24

**The PENRO and Concurrent Acting PMRB Chairperson**  
Provincial Environment and Natural Resource Office  
Department of Environment and Natural Resources  
Sta. Monica, Puerto Princesa City, Palawan

**The Mayor**  
Brooke's Point  
Municipal Hall, Brooke's Point, Palawan

**The Regional Executive Director**  
Department of Environment and Natural Resources  
MIMAROPA Region

**The CENRO**  
Brooke's Point  
Department of Environment and Natural Resources  
Poblacion District I, Brooke's Point, Palawan

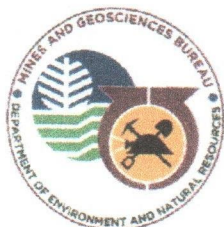
**The Environment and Natural Resources Officer – Palawan**  
Provincial Government of Palawan  
Capitol Complex, Puerto Princesa City, Palawan

**Mr. Richard M. Lopez**  
Complainant  
Brgy. Saraza, Brooke's Point, Palawan

<sup>1</sup> The Philippine Mining Act of 1995

**"MINING SHALL BE PRO-PEOPLE AND PRO-ENVIRONMENT  
IN SUSTAINING WEALTH CREATION AND IMPROVED QUALITY OF LIFE."**





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05 August 2021

**The President**

Ivy Michelle Construction and Trading Inc.  
Brgy. Samariniana  
Brooke's Point, Palawan

**Dear Madam/Sir:**

Please be informed that on 01 June 2021, CENRO – Brooke's Point confirmed that Ivy Michelle Construction and Trading Inc. (Ivy) has been conducting sand and gravel operation in Brgy. Samariniana, Brooke's Point, Palawan without a valid permit.

The above-cited extraction and disposition of sand and gravel materials without any mining and/or transport permit is equivalent to theft of minerals pursuant to Section 103 of Republic Act (RA) No. 7942<sup>1</sup>, which provides that:

**"Theft of Minerals** – Any person extracting minerals and disposing the same without a mining agreement lease, permit, license, or steals mineral or ores or the products thereof from mines or mills or processing plants..xxx"

Hence, Ivy is hereby ordered to immediately **CEASE AND DESIST** from conducting sand and gravel activities in the area without a valid mining permit. This is without prejudice to the filing of appropriate charges against the company with the proper court for violation of the applicable provisions of RA No. 4942.

Please be guided accordingly.

Very truly yours,

  
**ENGR. GLEEN MARCELO C. NOBLE**  
Regional Director

cf: **The Regional Executive Director**  
Department of Environment and Natural Resources  
MIMAROPA Region

**The PENRO and Concurrent Acting PMRB Chairperson**  
Provincial Environment and Natural Resource Office  
Sta. Monica, Puerto Princesa City, Palawan

**The Environment and Natural Resources Officer - Palawan**  
Provincial Government of Palawan  
Capitol Complex, Puerto Princesa City, Palawan

**The CENRO**  
Brooke's Point  
Poblacion District I, Brooke's Point, Palawan

**The Mayor**  
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Municipal Hall, Brooke's Point, Palawan



<sup>1</sup> The Philippine Mining Act of 1995

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