

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

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12 September 2022

MEMORANDUM

FOR : The PENRO and
Concurrent Acting PMRB Chairperson
Provincial Environment and Natural Resources Office
Sta. Monica, Puerto Princesa City
Province of Palawan

FROM : The Regional Director
This Office

SUBJECT : Alleged Illegal Sand and Gravel Operation of MGB
Construction in Barangay Barotuan, El Nido, Palawan

This refers to the attached copy of the Letter dated 01 September 2022 of Mr. Silverio R. Alvinda Jr., on the above subject.

Please be informed that on 28 January 2022, CENRO – Taytay previously issued a Cease and Desist Order (CDO) to MGB Construction in violation of Section 103 of Republic Act No. 7942 (copy attached).

In this regard, this Office is requesting for an update on the said CDO, render appropriate action/s, and furnish us a copy of the report. Our embedded personnel assigned in the Community Environment and Natural Resources Office – Taytay may be assigned in this undertaking.

For the PENRO's action, please.


GLENN MARCELO C. NOBLE

Enc/: As stated

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

The Complainant
JZ and JS Trading
Barotuan, El Nido, Palawan

091622-R04B-2286



Memorandum
9/15/2022



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



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
5312 Taytay, Palawan

January 28, 2022

The Manager
MGB CONSTRUCTION
Brgy. Barotuan, El Nido, Palawan

DENR CENRO
TAYTAY, PALAWAN
RELEASED

BY: 9
DATE: FEB 04 2022 CN 0374

CEASE AND DESIST ORDER

Sir/Madam:


This refers to the recent investigation conducted by the MGB Embedded personnel together with the CENRO Taytay staff on January 22, 2022.

The investigation confirms that you have been conducting illegal extraction of materials without securing valid permit/clearance from the Mines and Geosciences Bureau. Hence, the operation is deemed illegal and a violation of Section 103 of the Republic Act (RA) No. 7942, otherwise known as the **Philippine Mining Act of 1995**, which provides that:

*"Section 103. **Theft of Minerals.** - Any person extracting minerals and disposing the same without a mining agreement, lease, permit, license, or steals minerals or ores or the products thereof from mines or mills or processing plants shall, upon conviction, be imprisoned from six (6) months to six (6) years or pay a fine from Ten thousand pesos (P10,000.00) to Twenty thousand pesos (P20,000.00), or both, at the discretion of the appropriate court. In addition, he shall be liable to pay damages and compensation for the minerals removed, extracted, and disposed of. In the case of associations, partnerships, or corporations, the president and each of the directors thereof shall be responsible for the acts committed by such association, corporation, or partnership"*

In view thereof, you are advised to immediately **CEASE AND DESIST** from further extracting materials on Barotuan National High School in Brgy. Barotuan, El Nido, Palawan without first securing the necessary mining or slope stabilization permit from concerned government agency.

For your information and strict compliance.


ALAN L. VALLE
CENRO *jt*