



Republic of the Philippines
OFFICE OF THE OMBUDSMAN
Office of the Deputy Ombudsman for Luzon
Agham Road, Diliman, Quezon City 1104

09 June 2021

ATTY. GANDHI G. FLORES

Chief Legal Counsel

Department of Environment and Natural Resources (DENR) -MIMAROPA

1514, L and S Building, Roxas Boulevard

Manila, 1000 Metro Manila

Email: denr4blegal@gmail.com

: mimaroparegion@denr.gov.ph

RE: REQUEST FOR ASSISTANCE
RAS-L-21-0073-E

Dear Atty. Flores:

This has reference to the letter (copy enclosed) received by this Office on 23 February 2021 from Mr. Roberto S. Benedicto of Barangay Bagacay, Romblon, Romblon about your alleged failure to respond to his letters dated 12 April 2017 and 15 September 2017 (see attached).

In this connection, please provide us with information on the status of the concern raised in the aforementioned communications, and the actions you have taken or intend to take thereon, copy furnished Mr. Benedicto. We expect a reply within fifteen (15) days from receipt hereof.

In your communication, please cite **RAS-L-21-0073-E** as reference number.

Thank you.

Very truly yours,

By Authority of the Ombudsman

RAQUEL ROSARIO M. CUNANAN-MARAYAG
Director

Public Assistance and Corruption Prevention Bureau-Luzon

/mlsv

CC:

MR. ROBERTO S. BENEDICTO

Barangay Bagacay, Romblon, Romblo

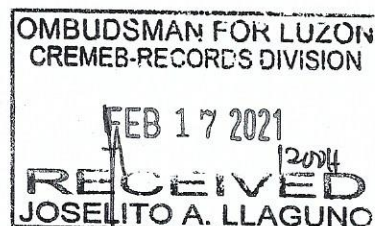
ROMBLON, ROMBLON
JANUARY 18, 2021

HON. RAQUEL ROSARIO M. CONANAN-MARAYAG
DIRECTOR, PUBLIC ASSISTANCE AND CORRUPTION
BUREAU, OFFICE OF THE OMBUDSMAN FOR LUZON.

New

Dear Madam Director,

Greetings!!



I have the honor to bring to the attention of your good office for appropriate action a case of Gross Violation of Section 5(a), R.A. 6713 and Serious Neglect of Duty against Atty. GANDHI G. FLORES, Chief Legal Counsel DENR MIMAROPA Region under the following circumstances, to wit:

1. On April 12, 2017 I sent a query to Chief Legal Counsel and on July 14, 2017, MR. VICENTE B. TUDDAO JR. of DENR MIMAROPA Region issued a Memorandum copy attached for ready reference. The last sentence state "for your appropriate action, please."
2. On September 15, 2017, I again sent a letter to the Chief Legal Counsel, copy attached. In the said letter I reminded the Chief Legal Counsel regarding the July 14, 2017 Memorandum to him issued by MR. TUDDAO. My letter was not acknowledged and no action was taken on my simple request.
3. On November 7, 2017, I again sent a follow-up letter to the Chief Legal Counsel, copy attached. The letter was sent via Registered Mail and LBC on November 11, 2017. Again I did not receive any acknowledgement or reply/action taken on my request.

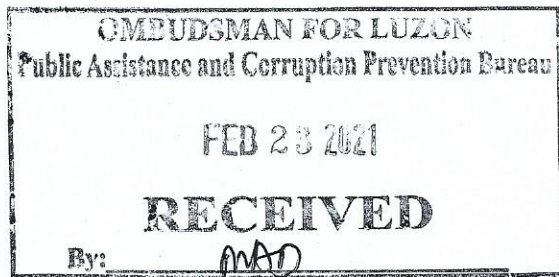
Madam Director this is now 2021 or a long Three years of inaction, Neglect of Duty and violation of R.A. 6713, Section 5(a) by ATTY. GANDHI G. FLORES.

Recently PRESIDENT RODRIGO R. DUTERTE dismissed several high ranking DENR officials for Neglect of Duty among other violations. This inaction of Chief Legal Counsel ATTY. GANDHI G. FLORES is an exact sample of the ground for the President's dismissal of the erring DENR officials.

Madam, kindly advised me if a formal Complaint to the Ombudsman is necessary to bring the matter to the attention and appropriate action of our good President.

Thank you and kindly favor me with a written reply.

More power to Ombudsman!



Very truly yours,

Roberto S. Benedicto
ROBERTO S. BENEDICTO

Copy Furnished

MR. HENRY A. ADORNADO
Regional Executive Director
DENR MIMAROPA Region

SECRETARY ROY CIMATU
DENR Central Office

PRESIDENT RODRIGO R. DUTERTE
Malacañang Manila



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region

MEMORANDUM

14 JUL 2017

FOR : The Assistant Regional Director
for Management Services

ATT'N : The Chief, Legal Division

FROM : The Assistant Regional Director
for Technical Services

SUBJECT : **LETTER QUERY OF MR. ROBERTO S. BENEDICTO IN
RELATION TO THE MEMORANDUM OF AGREEMENT (MOA)
OVER FLA (DENR IV) 298 SITUATED IN BARANGAY LONOS,
ROMBLON, ROMBLON**

May we refer the herein letter dated April 12, 2017 of Mr. Roberto S. Benedicto of Barangay Bagacay, Romblon, Romblon relative to his query on the legality of the MOA entered by the applicant over the said FLA application.

For your appropriate action, please.


VICENTE B. TUDDAO JR, PhD, CESO IV,

Copy Furnished :

The PENR Officer
Odiong, Romblon

Mr. Roberto S. Benedicto
Barangay Bagacay,
Romblon, Romblon

LPDD/JANET/Memo to Legal, FLA of R. Benedicto

1515 L & S Building, Roxas Boulevard, Ermita, Manila 1000
DENR VOIP (632) 7553300/7553330 loc. 2700/2701
Direct Line: (632) 4050157; Facsimile : (632) 4050046

Barangay Bagacay
Romblon, Romblon
November 7, 2017

THE CHIEF

Legal Division
DENR MIMAROPA Region
1515 L&S Bldg., Roxas Boulevard
Ermita, Manila 1000

Sir:

I write again regarding my request for legal opinion regarding the validity of a MOA between a foreshore applicant and two (2) other parties over the foreshore area without the knowledge and approval of the DENR.

As a backgrounder, I wrote a query on the matter on April 12, 2017.

I was finished copy of a Memorandum dated July 14, 2017 from the Assistant Regional Director for Technical Services to the Assistant Regional Director for Management Services, attention the Chief, Legal Division. It took three (3) months from my letter for Director Vicente B. Tuddao, Jr., to act on my letter.

The Dispositive Portion of the Memo reads as follows: "The Memo is for appropriate action, please".

I am not aware when the said Memo was received by legal considering that the communication is within the same Regional Office, it is safe to conclude that no appropriate action was taken within the fifteen days required in the Section 5, (a) of Republic Act No. 6713 entitled "Code of Conduct and Ethical Standards for Public Officials and Employees".

So on September 15, 2017, I sent a follow-up letter through LBC for fast delivery, xerox copy of my letter and the LBC receipt are herein attached for ready reference. Again from the date of my said letter to date, more than fifteen (15) days have again elapse and no acknowledgement and no appropriate action has been taken, again in violation of the fifteen (15) day rule stated above.

I am temped to copy furnish this letter to the Ombudsman, however I resisted from doing so.

Again kindly acknowledge receipt hereof and please favour me with the much awaited appropriate action, please.

Very truly yours,

Roberto S. Benedicto
ROBERTO S. BENEDICTO

Copy furnished:

VICENTE B. TUDDAO, JR., PhD, CESO IV
Department of Environment and Natural Resources
MIMAROPA Region
1515 L&S Building, Roxas Boulevard
Ermita, Manila 1000

Barangay Bagacay
Romblon, Romblon
September 15, 2017

THE CHIEF

Legal Division
DENR MIMAROPA Region
1515 L&S Bldg., Roxas Boulevard
Ermita, Manila 1000

Sir:

This refers to the Memorandum dated 14 July 2017 from ARD for technical services to ARD for management services, attention Chief Legal Division, copy attached for ready reference.

With all due respect, I have the honor to follow-up my query stated in my basic letter. It is my humble stand that such MOA over an area subject of application for lease without the approval of the DENR is not in order. I would like to know whether said MOA is invalid or void ab initio and did not confer any legal right to the parties.

Thank you for the favour of a written reply.

Very truly yours,


ROBERTO S. BENEDICTO