

Republic of the Philippines

Department of Environment and Natural Resources Visayas Avenue, Diliman, Quezon City, 1100 Tel. Nos.: 929-66-26 to 29; 929-6633 to 35

929-7041 to 43; 929-6252; 929-1669

Website: http://www.denr.gov.ph E-mail: web@denrgov.ph

08 November 2021

MEMORANDUM

FOR

THE REGIONAL EXECUTIVE DIRECTOR

DENR Region IV-B

DENR by the Bay 1515 L&S Bldg., Roxas Blvd., Manila

FROM

THE DIRECTOR

Human Resource Development Service

Bilis Aksyon Partner

SUBJECT

REQUEST FOR ASSISTANCE FROM MR. NONATO DELA AUSTRIA RE: ALLEGED ABUSE OF AUTHORITY AND NON-ISSUANCE OF OFFICIAL RECEIPT FOR RE-SURVEYING THE PARCEL OF LOT LOCATED IN BRGY. BUDIONG, ODIONGAN, ROMBLON (Ticket Reference No.: IRN0256930)

This is to forward the attached letter dated 28 October 2021 of CSC Director Maria Luisa Salonga-Agamata, Ph.D., CESO V of the Public Assistance and Information Office, pertaining to the aforesaid subject matter. A copy of referral sheet is hereto attached for reference.

May we refer the matter to your office for comments on the allegations, pursuant to existing laws, rules and regulations and provisions of the Corrupt Practices Act and R.A. 11032 or the Ease of Doing Business and Efficient Government Service Delivery Act of 2018.

Please provide Director Agamata and the undersigned, a copy of your action taken within five (5) working days upon receipt hereof.

For appropriate action.

RIC G. ENRIQUEZ, Ph.D. CESO III

cc:

Dir. Fe P. Lacaba CSC-DA/DENR Field Office DENR Annex Bldg., Visayas Avenue, Diliman, Quezon City

email@contactcenterngbayan.gov.ph



For Immediate Action

Pursuant to Section 8 of Republic Act No. 11032 or the Ease of Doing Business and Efficient Government Service Delivery (EODB EGSD) Act of 2018 which states that "the head of the office or agency shall be primarily responsible for the implementation of this Act and shall be held accountable to the public in rendering fast, efficient, convenient, and reliable service", may we respectfully transmit the following report coursed through the Civil Service Commission's (CSC's) Contact Center ng Bayan (CCB):

Name and Position of Head of Office	Secretary ROY A. CIMATU
Name of Agency	Department of Environment and Natural Resources
Address	Visayas Avenue, Diliman, Quezon City
Contact Details:	TL: (02) 755-3330 Loc. 1103; 1106; 926-3011; 920-
(email/numbers)	4301 Loc. 2258
	TP: (02) 926-3011; 926-2688; 925-2329
	FX: (02) 920-4301
	Email: osec@denr.gov.ph
Attention: Bilis Aksyon	Mr. RIC G. ENRIQUEZ, Ph. D., CESO III
Partner	Director, Human Resource Development Service
Ticket Reference Number	IRN0256930
Date	28 October 2021
Nature of Report (Check	Details of Concern:
one)	
Complaint	Please see attached copy of email.
_√_Request for	
Assistance	
Suggestion	
Query	
Appreciation	
Others	Novete data Acatala
Name of Customer	Nonato dela Austria
Name of CCB Agent	KCM
Other details on concern	Letter received on 27 October 2021

As the law holds that the interest of the public be immediately addressed, we shall await information on the action taken by your office, or your duly authorized representative within three (3) working days upon receipt thereof. Please send your reply to CSC via email@contactcenterngbayan.gov.ph, and indicate ticket reference number *IRN0256930* for this concern

Please be reminded that RA 11032 mandates all government agencies to streamline procedures following the 3-7-20-day timeline (3 days for simple transaction, 7 days for complex transaction, and 20 days for highly technical application). Otherwise, violations of the provisions of RA 11032 and its IRR shall be penalized accordingly.

For questions or clarifications, the CCB may be reached through hotline number 1-6565, short message service (SMS) +639088816565 and email address: email@contactcenterngbayan.gov.ph. Further, please be informed that the resolution rate of CCB referrals sent to government agencies may be viewed via the website www.contactcenterngbayan.gov.ph.

By Authority of the Commission:

MARIA LUISA SALONGA-AGAMATA, PhD, CESO V

Director IV

Public Assistance and Information Office

cc: Director IV JUDITH DONGALLO-CHICANO
CSC National Capital Region

Director II FE P. LACABA
CSC FO-Department of Environment and Natural Resources

ABOUT THE CONTACT CENTER NG BAYAN (CCB)

A recipient of the 2014 Philippine Quill Award under the Customer Relations category from the International Association of Business Communication (IABC), the Contact Center ng Bayan (CCB) receives complaints, requests for assistance, suggestions, commendations, and inquiries.

The CCB may be reached via SMS 0908-8816565; mail@contactcentemgbayan.gov.ph; Hotline 1-6565 via PLDT landlines with Php5.00+VAT per call (anywhere in the Philipplnes/unlimited minutes); www.contactcentemgbayan.gov.ph "Report a CCB Concem" portal (Mondays thru Fridays from 8:00 a.m. to 5:00 p.m.). Pursuant to the IRR of R.A. 11032 or the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018", CCB as the CSC's public feedback facility shall be included in the Citizen's Charter of each government agency as part of its complaints mechanism.

505 Sets Ilang, Ilang Bry Buding. 8/2/2021 Tablas Odiongor **DET 05 2021** · Isla-Rondlon Received by JEF Circl Service Commission CSC Building, Constitution Hills: Batasong Complex, Didimon . 1124, Oweron city maked naming Commissioner Dennudulez kami sa inyo para stanong Etong Si Believ Lyn Aguba va vag parta nto para mag im bestiga tung kol sa Kaguluhan ng ameng lupu; Penadalasya ndong DENR memaropo Region pour imberstigation also. Tung kol Sa tonong ko sa lupa ng luloko nito sa Budio ng. CIVIL SERVICE COMMISSION Public Assistance and Information Office RECEIVED

Dalg: Datima: 9-20

2; Walong negating imblestigacyon nadopat Simunuel mya ong utos ng schigon perovala syong Girana kundi hinarag tinakut nyaake dadiel syaraa ay padoda pa niforgulary Deterte para mag imbistega Kahit per akon dumodog kan Dutertesa mala kan yang. ner lang mang yayairi. Di kenaman sya kilala bakit inahuso nyaako at tivekat. A nu talaga sya balcit may ani syang DENR ong kanyong asal ay sobra alusc sa otoridad ne dapat sona ay big you ato ng tamong sagot-Sa oneng towng ou weela sy ong givena kunde træket ake, koya dunaleg ako sa CSC para me di Siplina ong mga toong kudulad nya ono to loga ong kutung kulon niya sapag asta niya

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3, Padalan ng Kasulatan at ani anian · (pegestry of Deeds) hadaaigen ng Romblon 4 itog survey ni Roger Brienes nataringsini-Singil ng. kaken wong bayad nomalongofficial reciptorer lein laigayito eng drawing na Skets table survey: 5. ka lakép itong Centrificate og Fredigency akoy Semon Citezen na 67 yrs old patuloy ong panghaharas saaken doto ng ngataeat along na veral neong Feb 8-2021 - ting honggong ngayon akoy hivaharas - dalif-Sakagagaran ni Reger Breves sapag. Survey - Salamat Gunagadora



A healthy community through an ecologically balance environment. A peace leving inhabitants through the attainment of security, mobilized with self-reliant citizenry through skills towerds the achievement of a well-balanced and productive people of Barangay Budlong."

MISSION

To have a peacoful and healthy barangay with an access to outside grants and farm to market roads, promoting a livelihood opportunities and open system of transparent, administration, that is providing a good leadership who manage the resources and mappower planning, and empowering people living at peace with one another in harmony with nature.

BARANGAY BUDIONG COUNCIL

HON, ROBINSON F. FOPALAN
Berangay Captain

HON, RAMMY F, FERNANDO
Committee on Infrestructure
Committee on Weys and Means

HON. AIZA F. FAMILARA
Committee on Rules end Regulation
Committee on Tourism

HON, LYLA F, FALOGME Committee on Barangey Affaire Committee on VAWC

HON. IVY F. FERRANCO

in. EDWIN M. FALLARIA ommittee on Agricultur Fisheries / Livelihood

HON. TEDDY F. PEREZ mmiltee on Finance and Appropriation miltee on Peace and Order, Complaints, Grievences and Human Rights

HOM MARY GRACE M. BALLESTEROS
Committee on Health and Senitation
Committee on Environmental Protection and
Beautification

HON, MANDY F. FABON Committee on Youth and Sports

JEROME P. FALLARIA Berengay Secretary

JESTINE ANN M. FIRMALO न विकास समिति । स्वासी विकास समिति । Republic of the Philippines Province of Romblon Municipality of Odiongan Barangay Budiong

OFFICE OF THE BARANGAY CAPTAIN

CERTIFICATE OF INDIGENCY

To whom it may concern:

This is to certify that NORMA F. DELA AUSTRIA, Filipino is a resident of barangay Budiong, Odiongan, Romblon.

And hereby certify that their family belongs to INDIGENT FAMILY whose income is below poverty threshold.

This certification is issued this 2nd day of MAY, 2019 at barangay Budiong, Municipality of Odiongan, Province of Romblon for whatever legal purpose/(s) it may serve her/him best.



Republika ng Pilipinas Kagawaran ng Katarungan

PANGASIWAAN SA PATALAAN NG LUPAIN

(Land Registration Authority)

-000-Patalaan ng mga Kasulatan at Ari-arian

(Registry of Deeds)
Lalawigan ng Romblon

Capaclan, Romblon, Romblon 5500

12 February 2020

NORMA F. DELA AUSTRIA Budiong, Odiongan, Romblon

Ma'am:

This pertains to your letter dated 21 April 2019 as regards with information and/or pertinent documents relative to Free Patent Application over Lot No. 3545 CAD. 341-D ODIONGAN CADASTRE located at Budiong, Odiongan, Romblon.

You are most respectfully referred to DENR-LMS, PENRO, Odiongan, Romblon responsible for pertinent documents submitted for application, investigation, processing, approval and issuance of patents and/or to other legal provisions. Please be guided accordingly.

With assurances of highest esteem and warmest regards. Thank you very much! For your records and information. I remain,

Respectfully yours,

MYRNA M. ROMANO-ROSALES OIC-Deputy Registrar of Deeds

Encl: as stated

Cc:

ATTY: MICHAEL C. SUPERABLE
Chief, Land Registration Monitoring Division
(Inspection and Investigation Division)
This Authority

file



REPUBLIKA NG PILIPINAS KAGAWARAN NG KATARUNGAN PANGASIWAAN SA PATALAAN NG LUPAIN

East Avenue cor. NIA Road Quezon City

Ist Indorsement 05 December 2019 (M.C. No. 19-19%)

Respectfully referred to **Atty. MYRNA ROMANO ROSALES**, OIC Register of Deeds, Romblon, Romblon, for appropriate action, the within copies of the letters of Ms. Norma F. Delo Astrio, both dated 21 April 2019, together with their support documents, requesting, in the first letter, clarification as to how the land owned by her grandfather was registered under the name of a certain Sobrero Forteza, while, in the other letter, she is writing in behalf of Messrs. Necarona R. Faeldonia and Arnel F. Forio and inquires as to what is the authority of one Ann Adriques to investigate for the DENR, more complete details are narrated therein.

Advice of the action taken on the matter, direct to Ms. Astrio, copy furnished this Authorty, will be highly appreciated.

For the Administrator, Hon. RENATO D. BERMEJO:

ATTY. MICHAEL C. SUPERABLE
Chief, Land Registration Monitoring Division
(Inspection and Investigation Division)

Copy Furnished:

Ms. Norma F. Delo Astrio 5505 Odiongan, Tablas Island, Romblon

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SIMPLICIO M. MANIPOL

Geodetic Engineer San Agustin, Romblon TIN M5140-B2333-A-8 PRC No. 0000777 PTR No.

OFFICIAL RECEIPT

No

0100

Date 11 1/1/2 20 09

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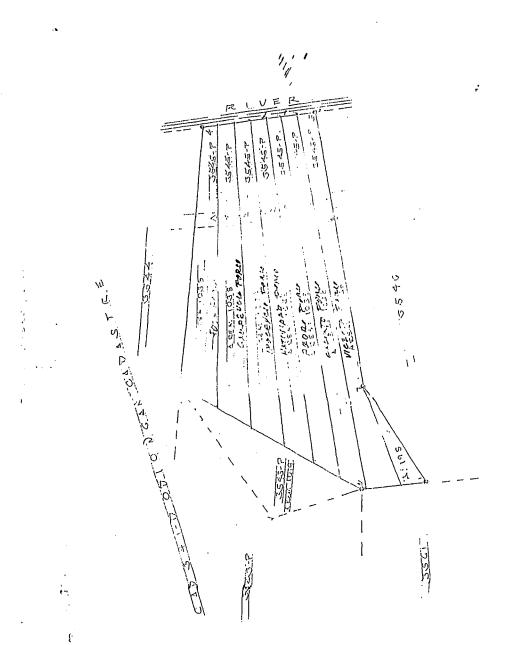
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CRU Date received:

Time Received.

7. April 17. April 1



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

3UN 1 1 7819

REGIONAL SPECIAL ORDER No. 2.7.3

No __2_7_3 Series of 2019

SUBJECT :

CREATION OF INVESTIGATION TEAM ON THE COMPLAINT OF MS. NORMA F. DELA AUSTRIA ADDRESSED TO THE PACC CHAIRMAN, CHRISTOFFER BONG GO AGAINST DENR EMPLOYEES OF PENRO ROMBLON ALLEGEDLY FOR CONDUCTING LAND SURVEY ON A PARCEL OF LAND WITHOUT AUTHORITY IN CONSIDERATION OF PHP 30,000.00 IN PHILIPPINE CURRENCY.

In the interest of the service and in view of the complaint filed by Ms. Norma F.Dela Austria addressed to the Presidential Action Complaint Center (PACC) implicating certain DENR employees of PENRO, Romblon namely Leni Ferri and Roger Briones on the alleged survey without authority in consideration of Php 30,000 00 in Philippine currency on a parcel of land claimed by the complainant, a team composing of Regional Office and DENR Romblon personnel is hereby created, to wit

Team Leader

DENNIS B VALDEZ

Supervising Administrative Officer

Administrative Division

Members

LMO 1, Enforcement Division

ERIBERTO MAGNAYE Cartographer I, SMD

PENRO-ROMBLON REPRESENTATIVE

Administrative Unit

The team shall

- 1 Conduct in-depth investigation over the land subject of the survey.
- 2 Verify as to whether the survey was clothed with approved survey authority.
- 3 Determine and validate the veracity of the complaint on the alleged survey by the DENR personnel in consideration of Php 30,000.00 pesos in Philippine currency:
- 4 Inform the parties concerned on the conduct of the investigation,

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

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HENRY A. ADORNADO, Ph.D.
Reginnal Executive Director

Maraming Salamat po at bangad namin na kayo ay muling mapaglingkuran...

Nais po naming ipabatid sa inyo na kalakip dito ang kopya ng kegional Special Order na bumubuo ng grupo na mag sisiyasat sa inyong lupain at sa inyong reklamo laban sa mga nabanggit na empleyado ng PENRO Romblon at makaka-asa kayo na mabibigyang linaw ang inyong mga hinaing

No po ay patungkol sa inyong liham na may petsa na ika-09 ng Hunyo taong 2019 at sa liham ni G. Micanora R. Fracldonia hinggil sa reklamo laban sa mga empleyado ng PEMR Office sa Romblon na sina Line Ferri at Roger Briones na may kaugnayan sa inyong problema sa lupa na matatagpuan sa Budiong, Odiongan, Romblon.

Jeang maka-kalikasang araw po sa inyo!

Ginang dela Austria:

GINANG NORMA DELA AUSTRIA, S505 Sitio Hang-Hang, Brgy, Budiong, Tablas, Odiongan, Romblon

8102 7 1 JUL



IN THE MATTER OF THE COMPLAINT FILED BY MRS. NORMA DELA AUSTRIA AGAINST CARTOGRAPHER I LENI L. FERRY OF PENRO ROMBLON

X-----X

DENR CASE No. M-01-21-A

RESOLUTION

This case stemmed from the unsubscribed complaint dated January 25, 2019 filed by Mrs. Norma Dela Austria against DENR employees, specifically referring to Mr. Leni Ferry, and a certain Mr. Roger Briones, not an employee of DENR, due to the alleged unauthorized survey of Lot 3545 under Cadastral Survey No. Cad-341-D located at Barangay Canduyong, Odiongan, Romblon. Initially, an investigation was conducted by the PENRO Romblon and an investigation report was submitted through a Memorandum dated April 29, 2019.

Regional Special Order (RSO) No. 273, Series 2019, was issued creating a team from the Regional Office to conduct an in-depth investigation on the complaint.

The complaint dated January 25, 2019 is quoted as follows:

"Mahal naming Ginoong

Christoffer Bong Go

Chairman PACC Malacañan Manila

Sfm 3.17. 2021

Sumulat po kami sa inyo para matapus na ang gusot sa lupa ng lolo kom rito sa Budiong, Odiongan, Romblon po! Ito po ay dahil sa kagagawan pagresurvey po ni Ginoong Line Ferry at kasama na si Roger Briones. Napag alaman po namin na di pala siya otoresadong magsusurvey at kanyang kasama. Dahil di naman sila lisensyado at lihitimong surveyor. At sila ay nagpapapirma sa isang may lisensyadong geodetic engineer. Nagmamakaawa po kame sa inyo Ginoong Christoffer Bong Go.

Paimbestigahan po ninyo kung anu ang katungkulan ni Ginoong Line Ferry at si Gnioong Roger Briones sa ahensiya. At kung bakit silang dalawa ay nagresurvey na walang resulta naman. At binayaran sila ng tatlongpong libo -P30,000.00- at wala naman po silang opisina na nagsasaad na lihitimo silang surveying office na rehistrado sa Munisipyo, Department of Trade and Industry at Bureau of Internal Revenue- at sabi po dito sa Municipal Agrarian Reform office na sila at pribading surveyor. Kaya gusto po naming malaman ang kanyang pagkakalihitimong surveyor. At kung anu si Line Ferry at Roger Briones sa ahensiya ng gobyerno -DENR- Gusto po naming mag anak na matapos na ang gusut ng lupa ng lolo naming. na si Ginoong Line Ferry at Ginoong Roger Briones ang nagsurvey sapagkaalam naming ay ang pagresurvey ay dapat lahat kaming mag anak ay pinadalhan ng surveyor ng sulat na magresurvey sila. Pati mga kahongga ng lupa ng lolo namin. Ay walang ganon na nangyari kaya po kamiy nagmamakaawa sa inyo na maayos ang gusot na ito na matransfer ang titulo sa aming mag anak.

1515 L. & S Building, Roxas Boulevard, Ermita, Manila 1000
DENR VOIP (632) \$2483367/82483468/82493367 local 2717 (Regional Executive Director); 2709 (Legal Division)
Direct Line: (632) \$84050157; Facsimile: (632) \$84050046
Website https://mimaropa.dem.gov.ph
Email: mimaroparegion@denr.gov.ph; denr4blegal@gmail.com

Page 1 of 3

Sa sinasabi nilang Extra-Judicial Partition Settlement Jan. 6, 2009 pa ginawa itong pag resurvey at hanggang nagyon po ay wala ng resulta. Matanda na po kami at gusto naming matapos ang gusot naming mag anak na ito. Dahil sa kagagawan nila Line Ferry at Roger Briones sa pagresurvey nila. Gusto po naming na maayos ang gusot na ito. Sa ganitong sitwasyon nakikita naming ang katiwalian sa pagresurvey at sa inyo po kami nag susumamo para malaman po naming lahat ng katotohanan. Baka hindi lang kami ang naloko rito sa mga katiwaliang ito baka mana nipa. Dapat ay maisaayos na ito. Para mawala ang kaguluhan sa lupa ng lolo namin. At ng makatira uli kami ng matiwasay sa lupa ng lolo naming na maibigay sa aming mag anak ang kanya, kanya ng parti ng lupa. At mabigyan kami ng tamang impormasyon at kaukulan. At mawala ang crusada ng Pangulong Mayor Rodrigo Roa Duterte tungkol sa katiwalian. Itong lupa na ito ay pamana ng lahi ng aming lolo bilang katotobo galing Banton, ang tubo ng mga ASI. Tulongan po niyo kami na iyan ng gusting mangyari ng Pangulong Mayor Rodrigo Roa Duterte. Hintaying po naming ang marangyang sagot ninyo sa lalong madaling panahon. Kalakip po dito itong sulat ng kamag anak ko at iba pa.'

The regional investigation team conducted an ocular inspection and found that portions of the area are in the possession and occupation not only of Mrs. Norma Dela Austria but also by her co-heirs who are all descendants of Isidro Forio. The team sent an invitation to the heirs of Isidro Forio for a conference/meeting in order to resolve their dispute.

During the conference/meeting held at the PENR Office, majority of the heirs of Isidro Forio was present. Mr. Roger Briones was also present and he showed a sepia of the approved survey plan of the lot to the heirs, but he stated that he will only give them a copy once the remaining balance for the payment of the subdivision plan is settled by the heirs.

The team asked if the heirs know the aggregate area they are claiming. One of them stated that it is more than seven (7) hectares, while the others stated that it is seven thousand four hundred sixty-six (7,466) square meters. The team explained that per record on file the subject area is only equivalent to 0.7466 hectares or seven thousand four hundred sixty-six (7,466) square meters.

The team also asked the heirs if they were aware of the allegations on the payment of Php30,000.00 given to Mr. Leni Ferry, a PENRO employee, in consideration of the survey and to present any acknowledgment receipt as proof of the alleged payment. The heirs executed a "Katibayan" to prove that the allegations have no basis whatsoever. Moreover, Mr. Briones, also executed an Affidavit stating that Mr. Leni Ferry was not with them during the survey.

The team was also able to verify that Isidro Forio, the grandfather of complainant Mrs. Norma Dela Austria, was the listed survey claimant of Lot 3545. Mr. Forio filed his Free Patent Application over the parcel of land on October 4, 1963 and the corresponding Original Certificate of Title (OCT) No. P-22678 was registered on December 13, 1963 by the Registry of Deeds of Romblon, Romblon. Lot 3545 was subjected to a subdivision survey on August 15, 2009 and was approved on November 24, 2009. Lot 3545, Cad 341-D was subdivided into nine (9) lots per Subdivision Plan Psd-04-205809. However, there was no copy of any Deed of Partition or Extrajudicial Settlement executed by the heirs.

On the alleged payment of survey money as stated by Mrs. Norma Dela Austria, there was no evidence presented to prove that there was money given to Mr. Leni Ferry in the conduct of land survey. However, it was confirmed that Jun Forio, one of the heirs of Isidro Forio, paid Geodetic Engineer Simplicio M. Manipol in the amount of Fourteen Thousand Pesos (Php 14,000.00) as partial payment for the Subdivision Survey of Lot 3545. The money was received by Mr. Roger Briones, Engr. Manipol's representative.

In their investigation report dated September 9, 2019, the team recommended that:

"IN VIEW OF THE FOREGOING, considering that the parcel of land subject of investigation has long been titled, this Office has no jurisdiction over the matter. Any future

Page 2 of 3

1515 L. & S. Building, Roxas Boulevard, Ermita, Manila 1000
DENR VOIP (632) 82483367/82483468/82493367 local 2717 (Regional Executive Director); 2709 (Legal Division)
Direct Line (632) 84050157; Facsimile: (632) 84050046
Website: https://milmaropa.denr.gov.ph
Ermil mimaroparegion@denr.gov.ph, denr4blegal@gmail.com

Sty 3.17.2421

complaint relative thereto shall no longer be entertained. Likewise, Subdivision Survey Plan covering Lot 3545, Cad 341-D, Odiongan Cadastre has long been approved with resultant Subdivision Plan Psd-04-205809. Further, Leni Ferry (sic) is hereto absolved and free from any obligation or consequences of guilt. The complainant/s hereto failed to show any supporting document/s as evidence to prove their allegations. The case is considered close and considered for filing for future reference. xxxxx"

In the case of *Balasbas vs. Monayao¹*, the Court stated that while technicalities may be dispensed with in administrative proceedings, "this does not mean that the rules on proving allegations are entirely dispensed with. Bare allegations are not enough; these must be supported by substantial evidence at the very least."

WHEREFORE, premises considered, the complaint against Cartographer I Leni Ferry of PENRO Romblon is hereby DISMISSED.

SO ORDERED.

Manila, Philippines. MA

MAR 12 2021

VOURDES G. FERRER, CESO III
Regional Executive Director

Copy furnished:

Norma Dela Austria Sitio Ilang Ilang Budiong, Odiongan, Romblon

Acting Director Joaquin Romeo Santiugo Public Concerns Office Presidential Management Staff Malacahang, Manila

The OIC Assistant Secretary
Field Operations - Southern Luzon

Undersecretary and Chief of Staff

PENRO Rombion

Leni L. Ferry
c/o PENRO Rombion

MHARDIA Region

Doe ID 15018

Shw 3-17, 2021

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ARD-MS/LD