

REPUBLIC OF THE PHILIPPINES  
CIVIL SERVICE COMMISSION  
Constitution Hills, Batasang Pambansa Complex  
Diliman Quezon City

ORLANDO M. RADA  
Forest Technician II  
Petitioner

**PETITION FOR REVIEW**

COMES NOW, the undersigned petitioner unto this Honorable Civil Service Commission respectfully avers:

That on June 25, 2019 petitioner filed an Appeal (D1720021119)

That on July 16, 2021 petitioner received a copy of the Decision dated March 23, 2021.

That on July 21, 2021 petitioner filed a motion for reconsideration.

That on April 08, 2022 petitioner received a copy of Resolution dated December 01, 2021

DENR vs Gregorio Daraman, G.R. No. 125797, February 15, 2002.

*"The vehicle had already been administratively confiscated by the DENR which had been used in violation of Section 68 of PD 705 as amended by E.O 277 and pursuant to Section 2. of E.O. No. 277, July 25, 1987"*

DENR vs Gregorio Daraman, G.R. No. 125797, February 15, 2002 had pursuant to Section 2. of EO No. 277, July 25, 1987 and pursuant to Second (2<sup>nd</sup>) paragraph of Section 80 of PD No. 705 as amended by PD No. 1775.

The case of Castor Rey Rojas vs People of the Philippines had pursuant to Section 1. of EO No. 277, July 25, 1987 and pursuant to First (1<sup>st</sup>) paragraph of Section 80 of PD No. 705 as amended by PD No. 1775.

Resolution dated September 17, 2018 issued by Prosecutor II Nerissa G. Guirao and approved by Deputy Provincial Prosecutor Cesar Romero Carreon III findings probable cause and recommended that an Information for violation of PD No. 705, as amended by EO No. 277, against respondent Castor Rey Rojas be filed in court. Under page 3 of the said Resolution.

*"After a fair and judicious evaluation of the complainant's affidavit with annexes, vis-à-vis the counter affidavit of the respondent which merely consist of bare denials and alibis, it is evident that there is sufficient ground to engender a well-founded belief that an offence has been committed (that of violation of section 77, formerly section 68 of the Revised Forestry Reform Code, amounting to Qualified Theft), and that the respondent is probably guilty thereof Hence the undersigned prosecutor finds PROBABLE CAUSE to hold Respondent CASTOR REY ROJAS for trial for Violation of P.D. 705 otherwise known as The Forestry Reform Code of the Philippines, as amended by P.D. 1559, E.O. 277 and R.A. 7161, specifically section 68 now section 77.*

*Under said section 68 (now section 77) of said law, to wit*

*"Sec 68. Cutting, Gathering and/or collecting Timber, or Other Forest Products Without License.- Any person who shall cut, gather, collect, removed timber or other forest products from any forest land, timber from alienable or disposable public land, or from private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forest laws and regulations, shall be punished*



*with the penalties imposed under Article 309 and 310 of the Revised Penal Code: Provided, That in case of partnerships, associations, or corporations, the officers who ordered the cutting, gathering, collection or possession shall be liable, and if such officers are aliens, they shall, in addition to the penalty, be deported without further proceedings on the part of the Commission on Immigration and Deportation.*

*The court shall further Order the confiscation in favor of the government of the timber or any forest products cut, gathered, collected, removed, or possessed as well as the machinery, equipment, implements and tools illegally used in the area where the timber or forest or forest products are found. (Emphasis supplied)".*

It is Clear in a said Resolution and Section 1. of EO No. 277 that the Court shall further Order the confiscation in favor of the government of the timber or any forest products cut, gathered, collected, removed, or possessed as well as the machinery, equipment, implements and tools illegally used in the area where the timber or forest products are found. (Emphasis Supplied)

RTC Romblon, Romblon Branch 81 had subpoena dated September 21, 2021 copy are hereto attached as Annex "A"


RTC Romblon, Romblon Branch 81 had issued a certification dated December 6, 2021 copy are hereto attached as Annex "B"

### PRAYER


**WHEREFORE**, premises considered, it is respectfully prayed to the Commission to review and Resolution to Preventive Suspension Appeal (D172002111) provided under Section 33 and 70 of 2017 RACCS and to recommend to the President Rodrigo Roa Duterte that the administrative penalties imposed by DENR MIMAROPA Region be remove provided under Section 78 of 2017 RACCS.

Other reliefs just and equitable are likewise hereto prayed for.

April 11, 2022, Magdiwang, Romblon, Philippines.

  
**ORLANDO M. RADA**  
Petitioner

SUBSCRIBED AND SWORN TO BEFORE ME, this 11<sup>th</sup> day of April 2022 at Cajidiocan, Romblon, Philippines, Affiant showing his Non-Professional Driver License No. D10-16-000405 issued on August 30, 2018 issued by DOT-LTO and hereby certify that I have personal examined the affiant and am satisfied that he freely and voluntarily executed the forgoing instrument and that he understood his statements made thereof.

  
**ATTY. EMERSON J. FELONGCO**  
PAO LAWYER III  
Pursuant to R.A. 9406

Copy furnished:

Lormelyn E. Claudio, CESO IV  
OIC, Regional Executive Director  
DENR MIMAROPA Region