



Republic of the Philippines  
**Department of Environment and Natural Resources**  
**Region IV- MIMAROPA**  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
Barangay III (Poblacion), Roxas, Palawan  
Contact No. 09171606578 / 09175028647  
Email address: [cenroroxaspalawan@denr.gov.ph](mailto:cenroroxaspalawan@denr.gov.ph)

April 19, 2022

**MEMORANDUM**

**FOR** : The Head, DENR Action Center/Hotline  
Visayas Avenue, Diliman, Quezon City  
  
The Regional Executive Director  
MIMAROPA Region

**THRU** : The Provincial Environment and  
Natural Resources Officer  
Sta. Monica, Puerto Princesa City

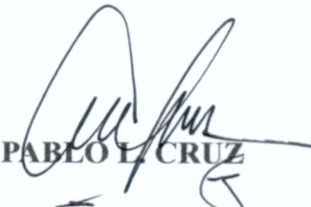
**FROM** : The Community and Environment and  
Natural Resources Officer  
Roxas, Palawan


**SUBJECT** : **ANSWER TO THE COMPLAINT AGAINST DENR-  
CENRO ROXAS, PALAWAN EMPLOYEES (DMO RONIE B.  
GANDEZA AND LMO III RONNIE P. LILANG) REGARDING  
THEIR ALLEGED INCOMPETENCE, IGNORANCE OF THE  
LAW AND HARASSMENT WITH TICKET REFERENCE  
CODE NO. PM-CAM-03-09-2022-054**

Enclosed herewith is the answer to the complaint lodged by Mr. Gerry Cebuano against DENR-CENRO Roxas, Palawan employees, Ronie B. Gandeza and Ronnie P. Lilang regarding their alleged incompetence, ignorance of the law and harassment with ticket reference code no. PM-CAM-03-09-2022-054.

Please be informed further that herein reply was already emailed on April 11, 2022 to that Office copy furnished with the complainant thru registered mail.

For your information and record.

  
PABLO L. CRUZ

**DENR-CENRO ROXAS  
RELEASED  
DATE 25 APR 2022  
BY:   
DOC. NO. 2022-04-0583**



Republic of the Philippines  
**Department of Environment and Natural Resources**  
**Region IV- MIMAROPA**  
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April 19, 2022

Mr. Gerry Cebuano  
Bgy. New Barbacan, Roxas, Palawan

Dear Mr. Cebuano

This pertains to your complaint on March 8, 2022 lodged to the Office of the President, through the Presidential Complaint Center with a Ticket Reference No. PM-CAM-03-09-2022-054.

A cursory reading of the complaint shows that you are complaining as to the Notice to Vacate issued by the CENRO Roxas against Mrs. Margie Salaber for violation of Article 51 of Presidential Decree No. 1067. Hence, you filed a complaint for incompetence, ignorance of the law and harassment against Ronie B. Gandeza, the then OIC, CENRO, and and Ronnie P. Lilang, Chief – Regulation and Permitting Section.

However, you misled and deliberately withheld the material facts or you are not well informed by Mrs. Salaber the bottom of this issue as you are not one of the involved individual or respondent as per our records of this Office, when you lodged your above-stated complaint as shown below. The above mentioned personnel vehemently denied all your allegations that they executed a one-sided decision over the on-going case involving parcel of land in Cabugan Island nor they supported the Notice to Vacate against Mrs. Margie Salaber, which as claimed by you, constitute an administrative incompetence as public officials, ignorance of the law and harassment.

To further clarify the issues at hand, we would like to present to you the following facts duly supported by documentary evidence, to wit:

1. The herein matter started during the time of the late CENRO Emer D. Garraez which Ronie B. Gandeza, succeeded after her untimely demise;
2. A letter-complaint dated November 2, 2020 was sent by Mr. Sergio Pellina to CENRO Garraez, alleging therein that a certain Rey Bernal is encouraging a group of people to construct houses within the timberland area of Cabugan Island;
3. Acting on the lette-complaint of Mr. Pellina, the CENRO Roxas dispatched a team to investigate the matter. The CENRO Roxas team found out that there were several people in Cabugan Island who are occupying the area within the timberland area and easement zone. The team also conducted a dialogue to explain to the occupants that their occupations within the subject area is illegal pursuant to Section 78 of Presidential Decree No. 705, as amended, and Article 51 of Presidential Decree No. 1067, respectively (*Photos during the first dialogue*



*between the CENRO Team and the Occupants of Cabugan Island were hereto attached as ANNEX "A");*

4. However, the verbal request of the CENRO Roxas team remains unheeded. Thus, the first Notice to Vacate was issued against the unlawful occupants. Among those unlawful occupants is Mrs. Margie Salaber who illegally erected structures within the easement zone and within the timberland area located outside her Stewardship Area in Cabugan Island, Barangay I, Roxas, Palawan (*Sketch Map is attached hereto as ANNEX "B"*). Moreover, in view of her environmental infractions, the first Notice to Vacate dated April 12, 2021, signed by CENRO Garraez, was furnished to her (*Attached hereto as ANNEX "C"*);
5. On July 19, 2021, when Ronie B. Gandeza already assumed as the OIC\_CENRO of Roxas, he received a Memorandum from the Provincial Environment and Natural Resources Office (PENRO)-Palawan, dated June 21, 2021 with attached letter-complaint of Mr. Sergio Pellina. The Memorandum directed them to submit a status report and update the notices to the residents of Cabugan Island (*PENRO's Memorandum and letter-complaint of Mr. Pellina are attached as ANNEX "D-1" and "D-2"*);
6. In the performance of his duties and responsibilities as the OIC-CENRO of Roxas and in compliance also with the Memorandum of the PENRO, he instructed the Monitoring and Enforcement Section to conduct another investigation and to issue a 2<sup>nd</sup> Notice to Vacate against the unlawful occupants who continuously occupying the easement zone and/or timberland area;
7. Included to those occupants who are still unlawfully occupying the timberland area and the easement zone is again Mrs. Margie Salaber. Therefore, a 2<sup>nd</sup> Notice to Vacate was issued to her (*Attached hereto as ANNEX "E"*);
8. On September 2, 2021, another PENRO Memorandum with attached letter from Mr. Sergio Pellina was received by CENRO Roxas. The Memorandum instructed them to implement the existing laws, DENR Rules and regulations (*The Memorandum and the letter-complaint of Mr. Pellina are attached hereto as ANNEX "F-1" and "F-2"*);
9. In view of the said PENRO Memorandum, another CENRO Roxas Team was dispatched to Cabugan Island to verify the continuous unlawful occupation. During the investigation, a dialogue between the CENRO-Roxas and the occupants of Cabugan Island was conducted. The Occupants were again informed that their continuous occupation was in violation of Section 78 of PD 705, as amended and/or Article 51 of PD 1067. However, despite of this, the occupants ignored our request to vacate the area. This prompted us to issue the 3<sup>rd</sup> and Final Notice to Vacate. Again, Mrs. Margie Salaber also received the 3<sup>rd</sup> and Final Notice to Vacate due to her continuous unlawful occupation (*Attached hereto as ANNEX "G"*);

Based on the foregoing, there is no speck of evidence to support your allegations.

We respectfully inform you that our authority in an administrative land dispute is limited only in conducting investigations. Pursuant to Section 19 of DENR Administrative Order No. 2016-31, the Regional Executive Director has the authority to decide on land

claims and/or conflicts cases over unregistered and/or unpatented lands. Section 19 is hereunder quoted, viz;

*"Section 19. Decision of the RD. Within thirty (30) days from receipt of the draft Decision, the RD may modify, affirm or overturn it, taking into consideration all pleadings and documents submitted. The RD shall rendered a Decision therefor."*

Accordingly, it cannot be gainsaid that they executed a one-sided decision in this case since first and foremost they do not have any authority to decide on land claims and/or conflicts submitted before this Office.

Moreover, there is no formal protest filed by certain Mrs. Margie Salaber against Mr. Sergio Pellina appearing in the records of this Office. If you are referring to an "on-going case" as court case, we respectfully inform you that a pendency of a court case does not bar the DENR from enforcing the environmental laws in Cabugan Island unless a valid Court Order was issued to prevent the same.

Furthermore, your allegation that they supported the issuance of Notice to Vacate against Mrs. Margie Salaber despite the on-going case between her and Mr. Sergio Pellina does not hold water. The on-going case between the two parties does not prevent the issuance of Notice to Vacate as it was primarily intended for the purpose of informing the occupant of his/her environmental violation. These Notices are also intended to afford them due process in proving the legality of their occupation within the timberland and/or easement zone.

To address the issue of Notice to Vacate against Mrs. Margie Salaber, we respectfully state that the issuance of three (3) Notices to Vacate were due to her illegal structures and continuous occupation in an area classified as timberland and easement zone, thereby violating Section 78 of PD 705, as amended and Article 51 of PD 1067, respectively.

To reiterate, the structures of Mrs. Salaber is situated outside the coverage of her Certificate of Stewardship in Cabugan Island. Hence, without a valid tenurial instrument and permit to support the legality of her occupation in the subject area, it is considered unlawful.

We trust that you are properly informed and clarified

  
PABLO L. CRUZ  
CENRO

Copy furnished:

- Presidential Complaint Center  
Ticket Ref. Code No. PM-CAM-03-09-2022-054G20200511-785-15

DENR-CENRO ROXAS  
**RELEASED**  
DATE. 25 APR 2022  
BY: \_\_\_\_\_  
DOC. NO. 2022-04-0582