



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

01 April 2022

MEMORANDUM

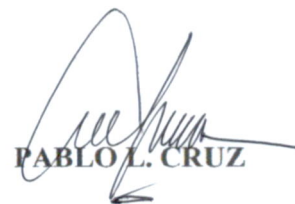
FOR : The PENR Officer
FROM : CENR Officer
SUBJECT : **CLAIMS INVOLVING LOT 6 OF CCS. 04-002297-D
WITH 2.1037 HECTARES IN BGY. PORT
BARTON, SAN VICENTE, PALAWAN**

Already passed upon with dispatch in memoranda of 08 February 2021 and 08 February 2022 (respective copy attached) by this Office, recent circumstances disclose that Rabang exercises physical control of the contested area hence, a suit for forcible entry filed against her by Jaranilla and in connection with which, the court has ordered the undersigned to execute a judicial affidavit.

Owing to Section 95 of CA 141 (The Public Land Act as amended) which gives to the occupant the preference to appropriate use of public lands, i.e., even at the expense of the applicant, this jurisdiction can not now help but wait for a court ruling on better right of possession.

The latest on the matter before this administrative body is the complainant's request for further investigation by the PENRO apparently involving misgivings Ms. Jaranilla holds against named CENRO personnel and premises attendant to which, shall be clarified in a forthcoming meeting scheduled on 07 April 2022, as instructed.

For information.


PABLO L. CRUZ

Copy: DENR Action Center
PCC and DENR Central Office 8888 at denr8888.gov.ph
The RED
file

DENR-CENRO ROXAS
RELEASED
DATE: 04/08/2022
BY: [Signature]

NO. 2022-04-0501



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February 8, 2022

MEMORANDUM

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

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

SUBJECT : **COMPLETED STAFF WORK (CSW) RE: FOLLOW UP OF LETTER COMPLAINT FROM MARLE A. JARANILLA, PPC CODE NO. GL-GDP-12-04-2020-1180 (JULY 28,2021)**

I. BACKGROUND

On June 7, 2021, this Office received an e-mail complaint from Paul Hudson Acha Jaranilla alleging therein that the Rabang family violated what was agreed upon during their hearing in CENRO-Roxas, last April 6, 2021, that no party should make any activity in the disputed land without the presence of both parties so as the Barangay Officials and DENR personnel. According to Mr. Jaranilla, the Rabang family made some clearings in the subject area and thereon erected fences neither notifying nor informing the Jaranilla's party. Thus, Mr. Jaranilla requested this Office to halt the said activity.

On July 6, 2021, the CENRO-Roxas team launched an investigation on the complaint of Mr. Jaranilla. The team found out that there were cut poles near the tree stumps in the subject area. The team inventoried these cut poles and identified it as species of Basa, Bunot-bunot, Putat and Kansilay. When the team checked the barbed wire posts which were used as fences, they observed that said posts were probably cut more than a year ago as it shows some decays. Moreover, the team concluded that the barbed wire posts were possibly obtained from another area since the number of posts did not match the tree stumps seen in the subject area.

In an interview with Mrs. Mildred Rabang-Casencia, daughter and representative of Mrs. Belinda Rabang, she averred that they got the barbed wire posts from an approved tree plantation of Mr. Florentino Casencia in So. Pamuyan, Bgy. Port Barton.

Based on the findings of the team, they recommended that an administrative hearing shall be conducted to further elicit information on the herein subject matter.

II. CHRONOLOGY OF THE EVENTS

Date Received/ Released	Document
07 June 2021	- E-mail complaint from Paul Hudson Acha Jaranilla (pjaranilla21@gmail.com) averring therein that Rabang's party made some clearings and erected a fence in the disputed area. Thus, violating their agreement during the hearing in CENRO-Roxas (<i>Attached hereto as Annex "A"</i>).
12 July 2021	E-mail from Paul Hudson Acha Jaranilla (pjaranilla21@gmail.com) requesting the result of the scaling done on July 6, 2021 (<i>Attached hereto as</i>



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Annex "B").

- | | |
|-------------------|--|
| 14 July 2021 | - Memorandum from CENRO-Roxas with subject: Verification and Scaling Report on the request of Ms. Marle Jaranilla re: Cutting of trees used as barb wire post in fencing Lot No. 6 situated in Barangay Port Barton, San Vicente, Palawan (<i>Attached hereto as Annex "C"</i>). |
| 21 July 2021 | - Letter of Reply from CENRO-Roxas informing Ms. Marle A. Jaranilla that the result of scaling cannot be furnished in view of DENR Freedom of Information (<i>Attached hereto as Annex "D"</i>). |
| 22 September 2021 | - PENRO Memorandum with subject: Electronic Mail from DENR Action Center/Hotline re: Follow-up Letter of Ms. Marle A. Jaranilla (PCC Code No. GL-CYR-09-02-2021-038 (<i>Attached hereto as Annex "E"</i>). |
| 24 September 2021 | - Follow-up from Ms. Marle A. Jaranilla on the status of request for permit to cut trees at Port Barton, San Vicente, Palawan (<i>Attached hereto as Annex "F"</i>). |
| 27 September 2021 | - CENRO Roxas' Letter of Reply to Ms. Marle A. Jaranilla for complaints with PPC-Code No. GL-GDP-12-04-2020 and PCC-Code No. GL-CYR-09-02-2021-038 (<i>Attached hereto as Annex "G"</i>). |
| 29 September 2021 | - E-mail from Atty. Julius M. Concepcion, counsel of Ms. Marle A. Jaranilla, requesting for a copy of the scaling report (<i>Attached hereto as Annex "H"</i>). |
| 06 October 2021 | - CENRO-Roxas' Letter of Reply to the request of Atty. Julius M. Concepcion (<i>Attached hereto as Annex "I"</i>). |

III. COMMENTS

1. *The CENRO-Roxas was constrained not to furnish the official scaling report to Ms. Marle A. Jaranilla as it is still the subject of an on-going investigation.* Pursuant to Item no. 8, Annex C of DENR DAO 2016-29, investigation proceedings may not be disclosed if the premature disclosure thereof may pre-empt the resolution of the case. The scaling report forms part of the investigation proceedings as it may be used as a basis in filing the appropriate criminal charges. In addition thereto, Ms. Jaranilla did not clarify her purpose in securing the scaling report. Thus, the CENRO-Roxas decided to withhold the said report as release thereof may prejudice the actions that may be undertaken by this Office on the herein matter.

As to the furnishing of the scaling report to Atty. Julius M. Concepcion, please be informed that only the tabular inventory of the scaled forest trees was provided to the former and not the official scaling report. According to Atty. Concepcion, said scaling will only be used for guiding Ms. Jaranilla in her path of actions on this matter. Thus, what was provided to them were only information regarding the scale of inventoried cut trees from the scaling report.

IV RECORDS

1. In letters of 11 March and 22 April 2020 (Annexes 1 and 2) received by the Office, Ms. Jaranilla narrated (both paragraph 5 of the letters) that in the year 2000, she requested and paid for survey (of land apparently in Port Barton). That she was issued respective titles over the resultant lots except over Lot 6, the one immediately bounding the property of one Belinda Rabang. Ms. Jaranilla continued that when she visited the Office in March 5 to inquire of the status of Lot 6 of Ccs. 04-



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000297-D, she was informed (by a representative of the Office seemingly) that Belinda Rabang filed a complaint (par. 3 and 9 of the letters) against her involving a piece of land which does not belong to her. In par. 7 of her second letter, she was already aware that her application was overtaken by the moratorium on public land titling (the very answer to par. 8 of her first letter seeking explanation what caused the delay in the processing of her application).

2. In May and December 2020, while the moratorium on public land activities remains in effect in San Vicente, this Office sent Ms. Rabang letters (copy attached as Annexe 3 and 4) giving her space within which to comply with what were required of objections against public land applications.
3. The same information which Ms. Jaranilla already knew were also reminded of her in Office letters of December 2020 and January 2021, each a copy of which are hereto attached as Annexes 5 and 6.
4. In a memorandum of 08 February 2021 (Annex 7) and a letter of 06 August 2021 (Annex 8) the Regional Office and the provincial government were likewise made aware of premises surrounding the matter.

V LAW

Section 95 of the Public Land Act provides that should a tract of land be found occupied by a claimant other than the applicant, land officials are expected to give the occupant prior right to apply when qualified. Section 102 thereof provides that objections may be filed against any public land application grounded on issues sanctioned by the Act.

VI OBSERVATION

While it is not uncommon for inspecting officers advising lot claimants of making sure lot corners are accessible for site validation, one in the right mind especially coming from the DENR would never order clearing prohibited trees especially those belonging to another person. The Office only facilitates interests over lands free from adverse claims and/or conflict. One's inability to maintain physical care of a land claim cannot be faulted upon another, including government employees.

VII RECOMMENDATION

Just as before, to advise Ms. Jaranilla to tarry until the prohibition in titling activities in the area is finally lifted and/or leave the matter to the Barangay or Provincial Governments on interests she may have waived in the their favor, if any.

(Original signed)
PABLO L. CRUZ

Copy: file

Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

31 March 2022

GNG. MARLE A. JARANILLA
City Employees Village, Bgy. San Jose
Puerto Princesa City

Gng. Jaranilla,

Pagbati!

Ukol po sa aming panyaya para sa isang pagpupulong na itinakda sa ika-5 ng Abril 2022 may kinalaman sa inyong hiling na karagdagang pagsisiyasat ukol sa lupang kilala bilang Lot 6 ng Ccs. 04-002297-D at nagtataglay ng 2.1037 ektarya sa Bgy. Port Barton, San Vicente, Palawan kinsilang...



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08 February 2021

MEMORANDUM

FOR : The Regional Executive Director

THRU : The Provincial Environment and
Natural Resources Officer

FROM : The CENR Officer

SUBJECT : **LETTER COMPLAINT OF MS. MARLE A. JARANILLA
ADDRESSED TO THE PRESIDENTIAL COMPLAINT
CENTER (PCC) RE: LAND PROBLEM IN PORT BARTON,
SAN VICENTE, PALAWAN (PCC CODE NO. GL-
NEM-06-16-2020-031/DENRCO-OHEA-2020-000403)**

Referring to the complaint subject hereof, please be informed that as before instructed this Office has addressed the same in letters of 14 December 2020 and 14 January 2021 each a copy of which are hereto attached as ANNEXES A, B, and C.

It appears that when the subdivision Jaranilla herself sought was allowed and conducted, the surveyor found out that the line separating Lot 5034 and Rabang's Lot 4643 is not consistent with the actual situation on the ground hence, the inclusion of Rabang's claim in the subdivision correcting the discrepancy by making it conform seemingly to that which Jaranilla identified on site. It consequently diminished Rabang's original area, the only reason seen of the latter's letter requesting to hold processing of Jaranilla's application over the portion affecting part of Lot 4643 and hence, ANNEX B hereof.

Owing however to the moratorium on Public Land Titling in San Vicente, this Office can only recommend that Jaranilla be advised to secure the premises of Lot 6, Ccs. 04-002297-D so as to keep visible especially the line separating Lots 6 and 7 in anticipation of the prohibition's final lifting.

(Original Signed)
EMER D. GARRAEZ

Copy: The PENRO
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31 March 2022

GNG. MARLE A. JARANILLA
City Employees Village, Bgy. San Jose
Puerto Princesa City

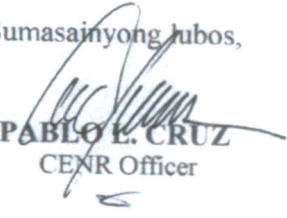
Gng. Jaranilla,

Pagbati!

Ukol po sa aming panyaya para sa isang pagpupulong na itinakda sa ika-5 ng Abril 2022 may kinalaman sa inyong hiling na karagdagang pagsisiyasat ukol sa lupang kilala bilang Lot 6 ng Ccs. 04-002297-D at nagtataglay ng 2.1037 ektarya sa Bgy. Port Barton, San Vicente, Palawan kinailangan po itong iurong sa ika-7 ng Abril 2022 ganap na ika-10 ng umaga dahil sa pagkakasabay-sabay ng mga aktibidad tulad ng DENR MIMAROPA Regional Management Conference at iba pang appointments.

Marami pong salamat sa inyong pang-unawa gayon din sa inyong pagdalo.

Sumasainyong lubos,


PABLO E. CRUZ
CENR Officer

ENR-CENRO ROXAS
RELEASED
DATE. 24/04/2022

2022-04-0469

mga sipi:

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