

Republic of the Philippines Department of Environment and Natural Resources

Visayas Avenue, Diliman, Quezon City
Tel Nos. {632} 929-66-26 to 29; {632} 929-62-52;
929-66-33 to 35; 292-70-41 to 43
Voice-Over-Internet-Protocol (VOIP) Trunkline (632) 755-3330; (632) 755-3300
Website: http://www.denr.gov.ph E-mail: web@denrgov.ph

FEB 2 2 2022 MEMORANDUM

FOR

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The Regional Executive Director

DENR MIMAROPA Region

Roxas Blvd., Manila

FROM

The Director

Legal Affairs Service

SUBJECT

LETTER-COMPLAINT OF MR. ANTONIO BAGUINSA ON THE MINING OPERATIONS OF RIO TUBA NICKEL MINING

CORPORATION WHICH ALLEGEDLY ENCROACHES HIS TITLED PROPERTIES IN SITIO GOTOK, BRGY. SANDOVAL,

BATARAZA, PALAWAN

We refer the Referral Form dated 10 February 2022 of Director Jedrek Ng of the Legal and Public Assistance Office, Anti-Red Tape Authority (ARTA), with Reference Code No. <u>CTN-2021-1109-0107</u>, on the above subject.

Kindly inform Mr. Baguinsa of your latest action taken on the matter copy furnished this Office and the ARTA.

For information and compliance.

NORLITO A. ENERAN, LL.M., CESO III

Copy furnished:

Director Jedrek C. Ng
Legal and Public Assistance Office
Anti-Red Tape Authority
4th and 5th Floor NFA Building
NFA Compound, Visayas Avenue, QC
Email addresses: info@arta.gov.ph and ipao@arta.gov.ph

Ref. Code: CTN-2021-1109-0107

The Chief, Management Division

Head Secretariat, Committee on Anti-Red Tape DENR Central Office

The Head/Focal Person

Regional Committee on Anti-Red Tape (CART) DENR R4-B (MIMAROPA Region)

Mr. Antonio Baguinsa c/o Angelito Aspiras aspirasangel16@gmail.com



REFERRAL FORM

appropriate

Feb. 15,23

TO: ATTY. ERNESTO D. ADOBO JR

Chairperson, CART- Department of Environment and Natural Resources Undersecretary for Administration, Human Resources, and Legislative

Affairs

THRU: EVELYN G. NILLOSAN

Secretariat, CART- Department of Environment and Natural Resources

Chief - Management Division

RE: Antonio Baguinsa vs. DENR – Region 4B docketed as CTN 2021-1109-

0107

DATE: 10 February 2022

Pursuant to **ARTA's Memorandum Circular No. 2021-08** otherwise known as *Guidelines for the Pilot Implementation of Referral and Handling of Complaints involving Section 21(a) to (g) of R.A. No. 9485, as amended by R.A. No. 11032*, the above complaint is referred to the Committee on Anti-Red Tape of DENR as follows:

Name of Complainant: <u>Antonio Baguinsa (c/o Angelito Aspiras)</u> Contact Details of Complainant: <u>aspirasangel16@gmail.com</u> Government Transaction Involved: Complaint

Classification of Government Service as per Citizen's Charter:

✓ Simple transaction

Complex transaction

☐ Not specified in the Citizen's Charter

Alleged violation of R.A. No. 11032:

Refusal to accept application or request with complete requirements being submitted
by an applicant or requesting party without due cause;
Imposition of additional requirements other than those listed in the Citizen's Charter;
Imposition of additional costs not reflected in the Citizen's Charter;
Failure to give the applicant or requesting party a written notice on the disapproval of
an application or request;

✓ Failure to render government services within the prescribed processing time on any application or request without due cause;

(w/esl) Admin 3-290-3



Failure to attend to applicants or requesting parties who are within the premises of the office or agency concerned prior to the end of official working hours and during lunch
break; Failure or refusal to issue official receipts;
December 1 Company of the Company of
Documents Received from the Complainant: 1. Complaint letter with supporting documents
Evaluated by:
Solla
PAULA KRIZELLE L. GONZAGA
Complaint Officer
Reviewed by:
JOYCE ANNE CERIA - PEREÑA
Division Chief for Public Assistance Division
Action taken by Director for Legal:
Approved for transmittal to CART/Agency:
 Approved for transmittal to CART/Agency; Disapproved for transmittal to CART/ Agency, refer back to PAD for observance of existing ARTA Rules of Procedure.
Respectfully,
ATTY. JEDREK C. NG, LL. M.
Director for Legal and Public Assistance Office
Copy Furnished:

ANTONIO BAGUINSA (C/O ANGELITO ASPIRAS)

aspirasangel16@gmail.com

NOTICE TO COMPLAINANT

As provided under the rules, during the period that the Complaint is with the CART/Agency, the Complainant may, at any time, submit a Request For Termination of Referral to ARTA based on any of the following grounds:

The government official complained of is the approving Chairperson of the CART or the Head of Agency;



- Employment of improper conduct by any of the officials of the government agency concerned which tends to harass or influence the Complainant to withdraw his or her complaint;

 Lapse of twenty working (20) days or any extension from the time of the referral and no resolution is
- c) met;
- And other analogous instances

For any questions or queries on this matter, please send your email to lpao@arta.gov.ph

Mai dounder ferrer Region IVB arta Email add

Subject:

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calaurigan ny Hali Bayan ny Bataraga cendro Brookes H. Parangay Ra Juba PALAWAN RECORDS

RECEIVED

BY
ONIE B 18-2804 CM 24-24-74

Eng. Sorethan Chief Plan Pondro 140. Princesa PRICE OF THE CENTO

and owner Report on Rangegayorin and Survey my RTV campany peter mares 3, 2021.

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per sin. Any penag-usapan motion my joint surrey Tapes rang rereletamo Kayo, ting penahintulatan ay 2 muchon lang any supopation ngayon arow peter 3 ng mareo, at baket magnelocate kayo ng walang pahin/ulat, parang trempasing kays, ma walong DENR Pendro at walong court order, at kingbukasan Peter 3 ng mareo, umaakgat kami Adan Jares Eresnae paguinea antonio, Baguinea Barok pami ay saga land ourner paris , any dunating as area, naroon na ang mga impleggedo ng RTN ngunet wals si Eng. Salue lings peopletic my RTN myn Trucken lang, at to any nanyyari se pagaulat, nagaimula sh muchon # 2 ga taar my aplay patable so muchon #1 Chalanoung steasyon paturngs) na titulado, magulio sela paturngo sa steasyon papuntang mutan # 1. surricke uld paperolary mechon # 5, burnick side 24 mukon #1, dalawarg stangon patungo sa muchon papuntary muchon # 2 na nawawala. Praydating doon nag stangon alla my 2 papuntary muhon #3, tapes ainitip nila na punasak sa titukadong hya ni one. Baguinea Ga gitna, aimula para muhan #3 at langues stasyon, at aimilip rula or muhan #9 mi mr. Baguinea at mulion 5 at palebas ma Ra Jupa ni mr. Beginner vost : my dalawary mukon no singsobi ny Eng. ng Rtv ay wala rin napita na muhon doon er area ayon en renseri ng Eng. RTD. noong confronce at may april me too my RTD any magarikal at 3 kaine ma galing ar Land owner. Adan Jared Eresmes, Cr. Ontonio Beginnen, out and Bagunes. Kami ay alfual no

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Republic of the Philophies
Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU
MIMAROPA Region

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28 JN 2021

MR. MARTIN ANTONIO G. ZAMORA
President
RIO TUBA NICKEL MINING CORPORATION
2971. NAC Tower
32° Street Hanifacio Global City
Toguig City

Attention: Engr. Cynthia E. Rosero Resident Mine Manager

Dear Mr. M.A. G. Zamora:

This refers to the undated letter of Mr. Antenio L. Baguinsa to the Office of the President of the Philippines, complaining on the alleged encroachment on his titled properties situated in Brgy, Sandovel, Bataraza, Polawan by the mining aperations of the Tuba Nickel Mining Corp. (RENMC) under its Mineral Production Shoring Agreement No. 213-2005 IVB.

A copy of the said letter was forwarded to us by Mr. Angelife L. Aspiras. Alterney-In-Fact of Mr. A. L. Baguinsa, via EBC, which we received on 22 July 2021.

Mr. A. L. Baguinsa claimed that there was a prior agreement made to settle the encraached portion of his land by the representative of RTNMC, Mr. Butch Abioa. To wit:

"Ang sabi ni Gineang Butch Ablag sa akin na patunayan ke kung may na encroach ay babayaran din ng RIN company, yan pa ang aming pinagusapan at panindigan ninyo yan bilang isang lao, at tao nin ako dahli sakin yan waki kayong karapatan."

in this regard, we are forwarding copies of the documents for your commant/s or you may reply directly to Mr. A. L. Baguinsa, copy turnished this Office.

Thank you.

Very mily yours.

Regional Circle of

Enc't: As stated

"MINING SHALL BE PRO-PEOPLE AND PRO-ENVIRONMENT IN SUSTAINING WEALTH CREATION AND IMPROVED QUALITY OF LIFE."



Republic of the Proppines
Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU
MIMAROPA Region

Control Courses (1915 Revent Course on Course March Tember No. 1952) MARCH 1962 (1952) March Course Course (1922 September



30 Septyembre 2021

MR. ANTONIO L. BAGUINSA Brgy. Sandoval, Bataraza Palawan aspirasangel foliamail.com

Ginoong A. L. Baguinsa:

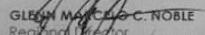
Ito ay patungkol sa inyong Liham na may petsarig ika-14 ng Septyembre 2021 hingil sa inyong reklamo sa alleged encroachment ng mining operations ng Rio Tuba Nickel Mining Corporation sa inyong pagmamayoring lupa sa Brgy. Sandoval, Bataraza, Palawan.

Kaugnay nito, nais naming ipahatid sainyo na maari kayong makipagugnayan sa Rio Tuba Nickel Mining Corporation (RTNMC) at sa Department of Environment and Natural Resources (DENR) - MIMAROPA Region sa pamamagitan ng pag email sa mga sumusunad na email addresses:

- RTNMC rommet.cruzienickelasia.com cynthia.rosero@rtn.nickelasia.com rogel.cabauatan@nickelasia.com
- DENR MIMAROPA Region mimaroparegion@denr.gov.ph

Maraming Salamat.

Lubos na gumagalang.





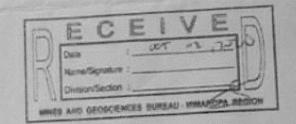
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The po any inyong tulong.

G. Ingelians, Asp. alloway in free

MIMAROPA Region

MEMORANDUM

The PENR OFFICER

Sta. Monica, Puerto Princesa City

ATTENTION :

THE CENR OFFICER Brooke's Point, Palawan

EROM

THE REGIONAL EXECUTIVE DIRECTOR

SUBJECT

REQUEST FOR LAND SURVEY AND INVESTIGATION OF LAND OF MR. ANTONIO L. BAGUINSA LOCATED IN BRGY. SANDOVAL, BATARAZA, PALAWAN

MOV-2 5 2070

This pertains to the Memorandum dated October 20, 2020 (with enclosures) of Dir. Roland A. De Jesus, CESO IV, Regional Director of Mines and Geosciences Bureau MIMAROPA Region regarding the letter of Atty. Angelito L. Aspiras, Attorney-in-fact of Mr. Antonio L. Baguinsa requesting for assistance in conducting of survey and investigation on the land located in Brgy. Sandoval, Bataraza, Palawan to which the quarrying operations of Rio Tuba Nickel Mining Corporation (RTNMC) had allegedly encroached owned by Mr. Baguinsa.

In this regard, you are hereby instructed to directly coordinate with the concerned party and take appropriate actions in accordance with the existing policies, rules and regulations. Copy furnish the Office of the Regional Director of Mines and Geosciences Bureau MIMAROPA Region and this office, action taken on the matter for monitoring purposes.

For your immediate compliance.

Cz

Dir. Robert De Jesus, CESO IV Regional Director Mines and Deveniences Itanua MIMAROPA Region. 79 DE NR Bidg., 1515 Rosas Rivd., Ermes, Manila

For Antonio Beginner Brgy, Sandeval, Flatanin, Palawan

Any Angelita L. Aspiras Attorney-In-fact Begs. Rim Tubis. Hatavasa, Polisiese:



Barangay Sandoval So. Gotok

Paumanhin po Minamahal naming Pangulo
Rodrigo Roa Dutento:
Magandang araw po G Director General Jeremiah
Belgiea ad sa inyong Personel Staff.
Complainant Landowner: Mrl mrc antonio Bagoinsa d Family
Dimplain ko po si DENR Director ma Lourdes Ferrer Cas
ng Mimaropa Peans We are palabase awas bosses

complain ke po si DENR Director ma Lourdes Ferrer cesow ng mimaropa Region IVB sa i papalabas niyang bagong report, fungkol sa (o) dalawang motion sa lupa. Hindi po namin matatanggap yan, ang sabi ni a DENR Eriberto Saños sa amin. Tapos na po ang lahat, mula sa pagenspiksiyon, survey at pag-embistiga, mayrun na pang Sinumiting report result sa encroached at ears dalawang motion na ginawa ni G. Deoditic Engr. Jonathan Geller chief Survey and mapping Unit ng Government Judicial Body DENR PENRO (Puerto) · Puerto Princesa city Palawan. Sa pamagitan ng memo · order ni ang. Director ma. Lourdes Ferrer Covernment Judicial Body DENK. ngayon gagawa naman siya · ng panibagong order, ano po kaya ang dahilan? I lan kaya na bisis i Tollow-up ko sa kanya. Bakit · hindi natin igalang ang ginawa ng Deoditic Enge.

neer. Tapos na po ang Bola" ng DENR, sa ginawang activities sa nababanggit na aktibidad. kaya po ang mo. Lourdes Ferrer Government Judicial Body. Bakit ka po nagpalabas ng bagona

Ngayon po a Engr Glen Noble averment Judieur Body ng mas Director Mines and acosciences Bureau na sa 140ng kamay ang kalutasan sa problemang ito at kong bakit Kiroli mo talaga ito maaksiyonan complete na po ang mga do eu m ento, bakit Kiroli niyo po pag istadihan, Sagutin ne Jang po a Director niyo po pag istadihan, Sagutin ne Jang po a Director Glen Noblo at ang Director ma Lourdes Ferrer ang katanungan ng AKTA Kay a Director General Jeremiah Belgica Government Judicial Body AKTA pana maging transparent sa problemang ito.

Yan po ang aming complain, para po sa dalawang Director mae af DENR

sopurta G. Director General Jeremiah Belgica ARTA

Rep. Act. 7992 Odd. 1995 PD 512

Lubos na Crumagalang,

Antonio Baguinsa

Annalih 1 1.



Resource of the Parameter
Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU
MIMAROPA Region

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October 20, 2020

MR. MARTIN ANTONIO G. ZAMORA President Rio Tuba Nickel Mining Corporation 29/F NAC Tower, 32⁵² Street Bonifacio Global City, Taguig

Attention:

Engr. Cynthia E. Rosero

Resident Mine Manager

Subject:

Alleged Encroachment to the lot of Certain Mr. Antonio L. Baguinsa

located in Brgy, Sandoval, Bataraza, Pulawan

Dear Mr. M.A. Zamora:

Please find the letter and attachments dated September 8, 2020 of Mr. Angelito L. Aspiras, Attorney-in-fact of Mr. Antonio L. Baguinsa. As mentioned, the quarrying operations of Rio Tuba Nickel Mining Corporation (RTNMC) in Sitio Gotok, Brgy. Sandoval, Bataraza, Palawan had allegedly encroached on the property of Mr. Baguinsa.

Moreover, Mr. Baguinsa stated in his letter dated August 29, 2020, that RTNMC personnel had already conducted their land survey but it was not his lot. Accordingly, RTNMC then advised Mr. Baguinsa to conduct his own land survey and RTNMC will pay if it encroached his lot.

In this regard, may we request for your comments on the allegations raised by Messrs.

Aspiras and Baguinsa.

Your preferential attention on the matter is highly appreciated.

Very truly yours,

ROLAND A. DE JESUS, CESO V

Regional Director

Eoul: as stated

Antonio L. Bagoinsa Brgy, Sandoval, Bataraza, Palawan

> Angeleo L. Aspires Attomsty-In-Fact Begy. Rio Tuba, Bataraza, Palawan

MINING SHALL BE PRO-PEOPLE AND PRO-ENVIRONMENT



Republic of the Philippines
Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU
MIMAROPA Region

7.6 Chinal Subtory 1516 Street Southwest, Errode, Market Souther South Street, Errode, Market Souther Southern Street, Street,



October 20, 2020

MEMORANDUM

FOR: MA. LOURDES G. FERRER, CESO IV

Regional Executive Director DENR MIMAROPA Region

1515 L & S Building, Roxas Boulevard, Ermita, Manila

ATTN: THE PENR OFFICER

Provincial Environment and Natural Resources Office - Palawan

Puerto Princesa City, Palawan

THE CENR OFFICER

Community Environment and Natural Resources Office - B Point

Brooke's Point, Palawan

FROM: ROLAND A. DE JESUS, CESO V

Regional Director

This Office

SUBJECT: Request for Land Survey and Investigation of Lot of a Certain Mr.

Antonio L. Baguinsa located in Brgy. Sandoval, Bataraza, Palawan

Please find the letter and attachments dated September 8, 2020 of Mr. Angelito I. Aspiras, Attorney-in-fact of Mr. Antonio L. Baguinsa. As mentioned, the quarrying operations of Rio Tuba Nickel Mining Corporation (RTNMC) in Sitio Gotok, Brgy. Sandoval, Bataraza, Palawan had allegedly encroached on the property of Mr. Baguinas.

Moreover, Mr. Baguinza stated in his letter dated August 29, 2020, that RTNMC personnel had already conducted their land survey but it was found out that it was not the complainant's lot. Accordingly, RTNMC then advised Mr. Baguinsa to conduct his own land survey, but unfortunately, Mr. Baguinsa has no capacity to shoulder the expenses in conducting the said activity.

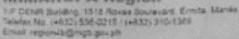
In this regard, may we request for a land survey and investigation on the lot of Mr. Baguinsa located in Brgy Sandoval, Bataraza, Palawan as we are unable to conduct such activity due to the travel restrictions brought by the COVID-19 pandemic.

For the Regional Executive Director's information and consideration.

ROLAND A. DE JESUS, CESO V Regional Director



MINES AND GEOSCIENCES BUREAU MIMAROPA Region





October 20, 2020

MR. MARTIN ANTONIO G. ZAMORA President Rio Tuba Nickel Mining Corporation 29/F NAC Tower, 32nd Street Bonifacio Global City, Taguig

Attention: Engr. Cynthia E. Rosero

Resident Mine Manager

Subject: Alleged Encroachment to the lot of Certain Mr. Antonio L. Baguinsa

located in Brgy. Sandoval, Bataraza, Palawan

Dear Mr. M.A. Zamora:

Please find the letter and attachments dated September 8, 2020 of Mr. Angelito L. Aspiras, Attorney-in-fact of Mr. Antonio L. Baguinsa. As mentioned, the quarrying operations of Rio Tuba Nickel Mining Corporation (RTNMC) in Sitio Gotok, Brgy. Sandoval, Bataraza, Palawan had allegedly encroached on the property of Mr. Baguinsa.

Moreover, Mr. Baguinsa stated in his letter dated August 29, 2020, that RTNMC personnel had already conducted their land survey but it was not his lot. Accordingly, RTNMC then advised Mr. Baguinsa to conduct his own land survey and RTNMC will pay if it encroached his lot.

In this regard, may we request for your comments on the allegations raised by Messrs. Aspiras and Baguinsa.

Your preferential attention on the matter is highly appreciated.

Very truly yours,

ROLAND A. DE JESUS, CESO V

Regional Director

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Encl: an stated

Antonio L. Haguinsa Brgy, Sandoval, Batarara, Palawan

> Angelito L. Aspiras Attomey-In-Fact Brgy. Rio Tuba, Bataraza, Palawan

> > "MINING SHALL BE PRO-PEOPLE AND PRO-ENVIRONMENT

Province of Palawall Municipality of Bataraga Barangay Sandoval So Gotok

Paumanhin po Minamahal naming Pangulo Rodrigo Roa Duterte, hingi po kami ng fulong Para sa kalutasan ng problemang ito.

Request for motion consediration na magkaroon ng zoom hearing conference sa na babanggit na pangalan dahil hindi poito naaksiyonan ng mgb ang aming request.

Government Judicial Body Arta

- kung maari po sana hingiin po namin ang inyong pahintulot
- na kayo po ang magiging hearing officer.

2) G Engr Glen Noble
Government Judicial Body Director mas
Thines and Geosciences Bureau

3) G. martin Antonio Zamora. NAC PRESIDENT

4) ang. Cynthia Rosero Resident mine manager

Government Judicial Body Penns Chief Survey and maping Unit

Of G. antonio Baguinsa dand runu at angelito Aspiras Oruthorized Person

Sabi po kasi mi Gi Direct. Engr. Glen N Hintayin and report na gawin me Sa (3) dalawary motion sa fou cell Direct ma. Lourdes Ferrer turgles! kay a. Aspum