



DENR Mimaropa Region <mimaroparegion@denr.gov.ph>

Re: [ARTA] COMPLAINT RECEIVED AGAINST DENR - COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE (CENRO), BROOKE'S POINT, PALAWAN

1 message

Better Regulations Office - Sectoral Division A <brodiv.a@arta.gov.ph>

Tue, Jan 31, 2023 at 3:09 PM

To: "hea@denr.gov.ph" <hea@denr.gov.ph>, Office of the Secretary <osec@denr.gov.ph>, "cenrobrookespoint@denr.gov.ph" <cenrobrookespoint@denr.gov.ph>, "mimaroparegion@denr.gov.ph" <mimaroparegion@denr.gov.ph>

Cc: "agorgenara66@gmail.com" <agorgenara66@gmail.com>

Dear **Secretary Yulo-Loyzaga**:

We write relative to the complaint we received from Ms. Florecita Palanca, Attorney-in-fact of Ms. Marissa Cruz Morales (Attached as **Annex A**) regarding the inaction of the Department of Environment and Natural Resources – Community Environment and Natural Resources Office (DENR-CENRO) on the alleged encroachment of Rio Tuba Nickel Mining Corporation (RTNMC) on the parcel of land owned by her principal. The documents highlight, among others, the request of the complainant for a dialogue between RTNMC and DENR-CENRO, as well as the latter's failure to furnish the complainant copies of the reports they prepared on 21 October 2021 and 12 November 2021, that were subsequently attached to their letter, after a year.

Upon careful perusal of the documents, we agree with the DENR-CENRO, in their response letter to Ms. Palanca dated 2 November 2022, that the encroachment complaint should be brought before the appropriate courts since ejectment proceedings require judicial intervention.

However, DENR's failure to furnish the complainant with copies of the reports may fall under:

1. Section 5 of Republic Act No. 6713 or the "Case of Conduct and Ethical Standards for Public Officials and Employees", which provides that written requests, petitions, or motions sent by means of letters, telegrams, or the like shall be acted upon within fifteen (15) working days from receipt thereof; and
2. Section 9(b)(1) of RA 11032 which states that, "All applications or requests submitted shall be acted upon by the assigned officer or employee within the prescribed processing time stated in the Citizen's Charter which shall not be longer than three (3) working days in the case of simple transactions and seven (7) working days in the case of complex transactions from the date the request and/or complete application or request was received."

Given the foregoing, we respectfully request your preferential action and assistance to the complainant to provide an update with regards to her request for possible intervention from the DENR.

Should you have inquiries, please feel free to contact our Better Regulations Division assigned at brodiv.a@arta.gov.ph.

Sincerely,

(sgd)

SECRETARY ERNESTO V. PEREZ

Director General

Copy furnished:

MS. FLORECITA PALANCA

Atty-in-fact of Ms. Marissa Cruz Morales

agorgenara66@gmail.com**SECTORAL DIVISION A
BETTER REGULATIONS OFFICE
ANTI-RED TAPE AUTHORITY**4th & 5th Floors, NFA Building, NFA Compound
Visayas Avenue, Brgy. Vasra, Diliman, Quezon City

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From: Better Regulations Office - Sectoral Division A**Sent:** Tuesday, January 31, 2023 3:06 PM**To:** hea@denr.gov.ph <hea@denr.gov.ph>; Office of the Secretary <osec@denr.gov.ph>; cenbrookespoint@denr.gov.ph <cenbrookespoint@denr.gov.ph>; mimaroparegion@denr.gov.ph <mimaroparegion@denr.gov.ph>**Cc:** agorgenara66@gmail.com <agorgenara66@gmail.com>**Subject:** [ARTA] COMPLAINT RECEIVED AGAINST DENR - COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE (CENRO), BROOKE'S POINT, PALAWANDear **Secretary Yulo-Loyzaga:**

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Sincerely,

(sgd)

SECRETARY ERNESTO V. PEREZ

Director General

Copy furnished:

MS. FLORECITA PALANCA

Atty-in-fact of Ms. Marissa Cruz Morales
agorgenera66@gmail.com



**SECTORAL DIVISION A
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ANTI-RED TAPE AUTHORITY**

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2 attachments

 **Letter to DENR.pdf**
1000K

 **ANNEX A.pdf**
10479K