



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

ANSWER TO THE SHOW CAUSE MEMORANDUM IN RELATION TO THE CONDUCT OF ADMINISTRATIVE ADJUDICATION PROCEEDINGS ON THE APPREHENDED ONE (1) UNIT TRICYCLE WITH PLATE NO. 2484VI LOADED WITH 52 PIECES OF LUMBER HAVING A TOTAL VOLUME OF 336 BOARD FEET AT BARANGAY URDANETA, VICTORIA, ORIENTAL MINDORO

1 message

R4B CENRO Sablayan <cenrosablayan@denr.gov.ph>

Tue, Jun 27, 2023 at 11:55 AM

To: DENR Mimaropa Region <mimaroparegion@denr.gov.ph>, DENR Mimaropa Region <denrmimaropa@denr.gov.ph>, DENR Mimaropa Region <r4b@denr.gov.ph>, ADMIN MIMAROPADENR <aodenrmimaropa@gmail.com>, PENRO Or Mindoro <penro_orientalmin@yahoo.com>



June 27, 2023

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA REGION
Roxas Boulevard, Ermita, Manila

ATTN. : The Chief, Legal Division

FROM : The CENR Officer

SUBJECT : **ANSWER TO THE SHOW CAUSE MEMORANDUM
IN RELATION TO THE CONDUCT OF ADMINISTRATIVE
ADJUDICATION PROCEEDINGS ON THE APPREHENDED
ONE (1) UNIT TRICYCLE WITH PLATE NO. 2484VI LOADED
WITH 52 PIECES OF LUMBER HAVING A TOTAL VOLUME
OF 336 BOARD FEET AT BRGY. URDANETA, VICTORIA,
ORIENTAL MINDORO**

The undersigned respectfully files this answer to the Show Cause Memorandum dated May 8, 2023. In the interest of public service, there was no purpose to evade the process provided under DAO-97-32 specifically the:

"NOTICE OF HEARING – A Notice of Hearing shall be issued by the DENR Officer who issued the SEIZURE ORDER scheduling a format, summary hearing at a specified place and date within one (1) calendar week from the date of the SEIZURE ORDER or, upon written request and signature of all interested parties, within two (2) calendar weeks from said date, in no case shall the hearing so scheduled be postponed without the written request of the offender(s) and/or the owner or other person(s) interested in the seized item(s)."

With due respect, below are the reasons why the undersigned issued the notice of hearing only on June 3, 2020, at CENRO Socorro, Oriental Mindoro and should not be charged administratively, knowing that based on facts the issuance of the Seizure Order was on November 6, 2019:

- 1) The Administrative Adjudication Proceedings (AAP) are dependent on the scheduling of the Chief of the Enforcement and Monitoring Section (EMS) and the availability of the cases to be heard. After the Chief of EMS informed the undersigned, the latter attends, performs and exercises his authority (as the CENR Officer) to hear, try, decide and recommend the case to the Regional Executive Director thru the PENR Officer;
- 2) The previous voluminous administrative cases were given priority. Besides, the conducting of Administrative Adjudication Proceedings (AAP) is not the only activity being performed by said section. There are a lot and probably this is one of the reasons why it was not scheduled immediately;
- 3) The entire country is under Enhanced Community Quarantine (ECQ) locked down due to the spread of Covid 19 Coronavirus on March 2020 until May 2020, and

- 4) The Chief of EMS inadvertently overlooked the scheduling of the administrative notice of hearing due to the voluminous cases and bulk of the workload.

Therefore, the occurrence of the above events was beyond the control of the undersigned and inevitable for him.

Also, the undersigned is well informed and guided by the provisions of Section 5 of Republic Act No. 6713 otherwise known as the "Code of Conduct and Ethical Standards for Public Officials and Employees," to wit:

Section 5. Duties of Public Officials and Employees. — In the performance of their duties, all public officials and employees are under obligation to:

(a) Act promptly on letters and requests. — All public officials and employees shall, within **fifteen (15) working days from receipt thereof**, respond to letters, telegrams or other means of communications sent by the public. The reply must contain the action taken on the request.

(b) Submit annual performance reports. — All heads or other responsible officers of offices and agencies of the government and of government-owned or controlled corporations shall, within **forty-five (45) working days from the end of the year**, render a performance report of the agency or office or corporation concerned. Such report shall be open and available to the public within regular office hours.

(c) Process documents and papers expeditiously. — All official papers and documents must be processed and completed within a reasonable time from the preparation thereof and must contain, as far as practicable, not more than three (3) signatories therein. In the absence of duly authorized signatories, the official next-in-rank or officer-in-charge shall sign for and on their behalf.

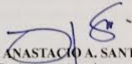
(d) Act immediately on the public's personal transactions. — All public officials and employees must attend to anyone who wants to avail himself of the services of their offices and must, at all times, act promptly and expeditiously.

(e) Make documents accessible to the public. — All public documents must be made accessible to, and readily available for inspection by, the public within reasonable working hours.

It is worth mentioning also that during my stint in CENRO Socorro as Officer-In-Charge, I discharged my duties and responsibilities with utmost dedication and was of service to the people whom I am bound to serve. Furthermore, as mentioned in the first paragraph, there was no intent to delay the process to favor one's request. The past record shows that we have done our job excellently in favor of the government.

Premises considered, the undersigned has not violated the provision of DAO 97-32 specifically Section 7 for this instant case because of the reasons stated above. Hence, it is fervently prayed that the Show Cause be DISMISSED.

For your information and kind consideration.


FORESTER NASTACIO A. SANTOS, MPA
Community Environment and
Natural Resources Officer

The Chief, Administrative Division – DENR MIMAROPA Region
The PENR Officer, Oriental Mindoro

GOOD DAY!

PLEASE SEE THE ATTACHED FILE AND ACKNOWLEDGE UPON RECEIPT. THANK YOU.