

July 26, 2022

MEMORANDUM

FOR : THE REGIONAL EXECUTIVE DIRECTOR  
DENR MIMAROPA Region

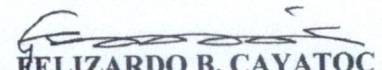
FROM : The Provincial Environment and  
Natural Resources Officer

SUBJECT : **FORMAL CHARGED AGAINST ROSE MARIE E. LIWAG WITH  
CASE NO. M-01-22-A**

Forwarded is the answer to the Formal Charge filed against the respondent LMO II Rose Marie E. Liwag for Conduct Prejudicial to the Best Interest of the Service and Simple Neglect of Duty with DENR Case No. M-10-22-A.

The copy of the Formal Charge was received by the respondent on July 15, 2022 as shown in the copy of said document hereto attached.

For information and record.

  
FELIZARDO B. CAYATOC



Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA REGION  
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE  
Province of Palawan

DENR REGIONAL  
PALAWAN  
RECEIVED  
07-25-2022 22:0718

July 25, 2022

MEMORANDUM

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

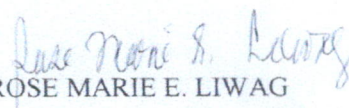
THRU : The Provincial Environment and  
Natural Resources Officer

FROM : Rose Marie E. Liwag  
Land Management Officer II

SUBJECT : FORMAL CHARGED DATED JUNE 29, 2022

With reference to the Formal Charged dated June 29, which the undersigned received last July 15, 2022, I am forwarding herewith the answer of that formal charged,

For your information and record.

  
ROSE MARIE E. LIWAG



Republic of the Philippines  
Department of Environment and Natural Resources  
**MIMAROPA REGION**

**DENR MIMAROPA Region**

Represented by RED Lormelyn E. Claudio,  
Complainant,

-versus-

DENR Case No. M-01-22-A

**Rose Marie E. Liwag**  
**Land Management Officer II**

Respondent.

For: Conduct Prejudicial to the  
Best Interest of the Service and  
Simple Neglect of Duty

X ----- X

**ANSWER**

RESPONDENT, by herself, unto this Honorable Office, respectfully alleges the following:

1. On July 15, 2022, I received a Formal Charge from the DENR MIMAROPA Region per DENR Case No. M-01-22-A, for Conduct Prejudicial to the Best Interest of the Service and Simple Neglect of Duty.
2. The Formal Charge specifically pointed out the following assertions, to wit:

*"Please be informed that we are now in the process of computerization of the leave credits of the PENRO Palawan personnel, a method we adapted from the MIMAROPA Regional Office.*

*During the process, in the case of retired CENRO Florencio C. Diaz, we found out that in CY 2006, there was a discrepancy in the computation of his leave credits that appeared to have a negative balance of 161.451 days while as reflected in your computed leave cards, Mr. Diaz has still a leave balance of 17.94 days."*

Attached as Annex "1" is the copy of the Formal Charge mentioned above.

3. The abovementioned assertions were the exactly the same as that stated in the Memorandum dated June 13, 2017, issued by PENRO Felizardo B. Cayatoc, which I have answered by submitting my explanation as to the issues raised therein, to wit:

*"With reference to your memorandum and in compliance thereto and after reviewing the computation in the old CSC form of leave card and comparing to the new adapted form from the original office I also found that there is an error in the computation.*

*Rose Marie E. Liwag*



*The undersigned inadvertently copied the total brought forward for CY 2003 instead of balance forward for CY 2005.*

*The undersigned was tasked to compute and process the earned leave of PENRO personnel upon assumption to duty since 1994 as HRMO. Computation of leave continues every time the Daily Time Record was submitted to my Office until I reported as Budget Officer in December 2013. Reviewing of leave card at the CENRO level was done every time we avail the monetization for the year. Errors on the entry of leave and monetization also been observed and were corrected by the undersigned per query to CSC Officer in one of meeting attended.*

*Further, please be informed that I have no intention to falsify the said record.*

*In this regard, may I seek your understanding and kind heart that human error cannot be avoided."*

Attached as Annex "2" is the copy of my answer dated June 22, 2017.

4. However, I have not received any resolution or memorandum since the date of the submission of my answer last 2017. I only received the formal charge last July 15, 2022 which I am ordered to submit my answer in writing under oath in not less than three (3) days but not more than ten (10) days from receipt thereof.
5. With all honesty and good faith, the error in the computation of the leave credits of CENRO Florencio C. Diaz was purely human error, unintentional, and with no intention to defraud the government. The entries were erroneously and inadvertently copied the total brought forward for CY 2003 instead of balance forward for CY 2005. There were neither false entries nor any attempt to make the same. There were no concealment nor distortion of truth. Hence, the image and integrity of the PENRO was not tarnished.
6. Likewise, it is equally important to note that my right to the speedy disposition of the case was violated. Since 2017, the date of the last submission of the pleadings, the violation claimed against the respondent was never prosecuted. No actions were taken after the submission of my answer. Indeed, my right to due process under the 1987 Constitution was violated.
7. Under the Revised Rules on Administrative Cases in the Civil Service, the procedural requirements were clearly laid down, to wit:

"Section 17. Duration of the Investigation. – A preliminary investigation shall commence not later than five (5) days from receipt of the complaint by the disciplining authority and shall be terminated within twenty (20) days thereafter.

"Section 18. Investigation Report. – Within five (5) days from the termination of the preliminary investigation, the investigating officer shall submit the Investigation Report with recommendation and the complete records of the case to the disciplining authority."

*San Maria S. Reyes*



8. Following the above-enumerated requirements, it is evident that the respondent was denied of the speedy disposition of her case for failure to observed the same; a right protected by the laws of our land.
9. It is worthy to remember that the Constitution guarantees the right of a person to a speedy disposition of cases — be they criminal or civil before the courts, or administrative proceedings before quasi-judicial agencies of the government. As such, jurisprudence dictates that inordinate delay warrants dismissal of the case for violation of speedy disposition of cases. In this case, the inordinate delay has been five (5) years, more or less, from the last submission of the pleadings. Applying the abovementioned constitutional guaranty, it is just and right that the herein case be dismissed.

### PRAYER

**WHEREFORE**, it is respectfully prayed that the complaint be dismissed for lack of factual basis and for being devoid of merit.

Other just and equitable reliefs are also prayed for.

July 25, 2022, Puerto Princesa City.

*Rose Marie E. Liwag*  
**ROSE MARIE E. LIWAG**  
Respondent  
ID No. RAM-LAMC 2-69-2014

SUBSCRIBED AND SWORN TO before me this July 25, 2022 in the City of Puerto Princesa.

DOC NO. 135  
PAGE NO. 28  
BOOK NO. XLV  
SERIES OF 2022



*[Signature]*  
**ATTY. MARCEDWARD P. BARONE**  
NPL No. 2022-016, Bar Roll No. 59947  
Until December 31, 2023  
Notary Public for the City of Puerto Princesa and in  
the Mun. of Aborlan, Narra, Cuyo, Agutaya, and  
Magsaysay, Province of Palawan  
PTR No. 1632686/PPC/01-03-2022  
IBP Lifetime No. 017976/PAL/8-29-2017  
MCLE Compliance No. VII-0005368/10-26-2021  
Chiu Bldg., Lacao St., cor Carandang St., PPC





DENR MIMAROPA Region  
Rep. by RED Lormelyn E. Claudio,  
Complainant

DENR Case No. M-01-22-A

- versus -

For: **Conduct Prejudicial to the Best  
Interest of the Service and  
Simple Neglect of Duty**

Rose Marie E. Liwag  
Land Management Officer II,  
Respondent.

X ----- X 071522

### FORMAL CHARGE

Records show that there was a discrepancy in the computation you made in the leave cards of former CENRO Florencio C. Diaz with a total negative balance of 161.451 days equivalent to One Hundred Ninety-Nine Thousand Seven Hundred Fifty Eight Pesos and 97/100 (P199,758.97).<sup>1</sup>

On June 13, 2017, OIC, PENR Officer, Palawan Felizardo B. Cayatoc issued a *Show-Cause Memorandum* instructing you to shed light on the matter of the discrepancy in the computation of leave credits of retired CENR Officer Florencio C. Diaz:

*"Please be informed that we are now in the process of computerization of the leave credits of the PENRO Palawan personnel, a method we adapted from the MIMAROPA Regional Office.*

*During the process, in the case of retired CENRO Florencio C. Diaz, we found out that in CY 2006, there was a discrepancy in the computation of his leave credits that appeared to have a negative balance of 161.451 days while as reflected in your computed leave cards, Mr. Diaz has still a leave balance of 17.94 days."*

In response thereto, you submitted a Memorandum dated June 22, 2017 for the PENR Officer, Palawan, stating that:

*"With reference to your memorandum and in compliance thereto and after reviewing the computation in the old CSC form of leave card and comparing to the new adapted form from the regional office I also found that there is an error in the computation.*

*The undersigned inadvertently copied the total brought forward for CY 2003 instead of balance forward for CY 2005.*

*The undersigned was **tasked to compute and process the earned leave of PENRO personnel upon assumption to duty since 1994 as HRMO.** Computation of leave continues every time the Daily Time Record was submitted to my Office until I reported as Budget Officer in December 2013. Reviewing of leave card at the CENRO level was done everytime we avail the monetization for the year. Errors on the entry of leave and monetization also been observed and were corrected by the undersigned per query to CSC Officer in one of meeting attended.*

*Further, please be informed that I have **no intention to falsify the said record.***

*In this regard, may I seek your understanding and kind heart that **human error cannot be avoided**" (emphases supplied)*

<sup>1</sup> Memorandum dated August 09, 2021 of then PENR Officer, Palawan Eniberto B. Saños



Under Section 19 of the 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS), preliminary investigation may be conducted by ex-parte evaluation of the records. Moreover, when the complaint is initiated by the disciplining authority, it or its authorized representative shall issue a show-cause order directing the person complained of to explain within the same period why no administrative case should be filed against the said person. The failure to submit a comment/counter-affidavit/explanation shall be considered a waiver thereof.


On May 13, 2022, Chief, Administrative Officer/MSD, Officer-In-Charge, PENRO Palawan, Franklin G. Hernandez, issued a memorandum stating that you filed for Optional Retirement effective July 01, 2022, and inquired whether you can be cleared from money accountabilities considering the discrepancy you made in the computation of leave credits of former CENR Officer Florencio C. Diaz, resulting to an overpayment of P199,758.97 during your stint as the Human Resource Officer.

Upon evaluation of all the documents submitted, there is a *prima facie* case to formally charge you with Conduct Prejudicial to the Best Interest of the Service and Simple Neglect of Duty under the 2017 RACCS.

**WHEREFORE**, premises considered, you are hereby ordered **TO SUBMIT YOUR ANSWER IN WRITING UNDER OATH IN NOT LESS THAN THREE (3) DAYS BUT NOT MORE THAN TEN (10) DAYS FROM RECEIPT HEREOF**. Indicate in your Answer whether or not you elect to have a formal investigation. You are advised that you may opt to be assisted by a counsel.

**SO ORDERED.**

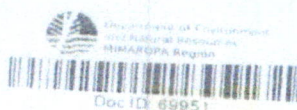
Manila, Philippines. JUN 29 2022

  
**LORMELYN E. CLAUDIO, CESO IV**  
Regional Executive Director

CC:

**Rose Marie E. Liwag**  
Land Management Officer II  
c/o PENRO Palawan

PENRO Palawan



**MARLENE M. BADILLA**  
Adm. Asst. III Records Office - Region 4  
Legal Division DENR MIMAROPA Region

ARD-MS/LD

DENR By the Bay Bldg., 1515 Roxas Boulevard, 1000 Ermita, Manila  
Telephone Number: (632) 84050046  
Website: <https://mimaropa.denr.gov.ph/>  
Email: [mimaroparegion@denr.gov.ph](mailto:mimaroparegion@denr.gov.ph); [denr4blegal@gmail.com](mailto:denr4blegal@gmail.com)

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Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA REGION  
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE  
Province of Palawan

June 22, 2017

MEMORANDUM

FOR : The Provincial Environment  
And Natural Resources Officer

FROM : LMO II Rose Marie E. Liwag  
Technical Services Division

SUBJECT : DISCREPANCY IN THE COMPUTATION OF  
LEAVE CREDITS OF RETIRED CENRO  
FLORENCIO C. DIAZ

DENR PENRO  
PALAWAN RECORDS  
RECEIVED

06-29-17 ON 17-1382

With reference to your memorandum and in compliance thereto and after reviewing the computation in the old CSC form of leave card and comparing to the new adapted form from the regional office I also found that there is an error in the computation.

The undersigned inadvertently copied the total brought forward for CY 2003 instead of balance forward for CY 2005.

The undersigned was tasked to compute and process the earned leave of PENRO personnel upon assumption to duty since 1994 as HRMO. Computation of leave continues every time the Daily Time Record was submitted to my Office until I reported as Budget Officer in December 2013. Reviewing of leave card at the CENRO level was done everytime we avail the monetization for the year. Errors on the entry of leave and monetization also been observed and were corrected by the undersigned per query to CSC Officer in one of meeting attended.

Further, please be informed that I have no intention to falsify the said record.

In this regard, may I seek your understanding and kind heart that human error cannot be avoided.

For your information, evaluation and consideration.

*Rose Marie E. Liwag*  
ROSE MARIE E. LIWAG

VERIFIED XEROX COPY

*Regalado*  
MAILAN L. REGALADO  
ADMINISTRATIVE OFFICER IV

Sta. Monica, Puerto Princesa City

Office of the Administrative Services	
Doc. No.	1382
Received By	JUL 03 2017
City	