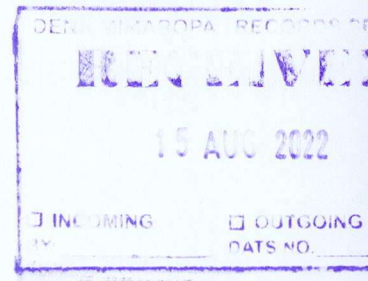




Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Provincial Environment and Natural Resources Office

2

August 10, 2022



MEMORANDUM

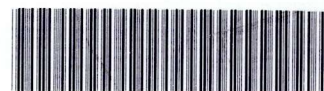
FOR : The Regional Executive Director
MIMAROPA Region

FROM : The In-Charge, Office of the PENRO
Oriental Mindoro

SUBJECT : **REPORT ON THE APPREHENDED TWENTY (20) PIECES
GMELINA LUMBERS HAVING A TOTAL VOLUME OF 75
BOARD FEET AT SO. GUPAS, BRGY. MANAUL, MANSALAY,
ORIENTAL MINDORO**

Forwarded is the compliance of CENRO Roxas, Oriental Mindoro regarding the above subject together with the needed documents for further instructions.


ALMA E. GIBE



DENRPENRO2208000015



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No. : 0917 876 9985/ 0917 113 5572
VOP: (043) 289-7118
Email: cenroroxas_orientalmin@yahoo.com

August 1, 2022

MEMORANDUM

FOR: Chief, Enforcement Division
DENR MIMAROPA Region
1515 DENR by the Bay Building
Roxas Boulevard, Ermita Manila

THRU : The PENR Officer
DENR, PENRO, Suqui, Calapan City

FROM: CENR Officer
Roxas, Oriental Mindoro

SUBJECT: **REPORT ON THE APPREHENDED TWENTY (20) PIECES OF LUMBER OF GMELINA SPECIES HAVING A TOTAL VOLUME OF 75 BD. FT. AT SITIO GUPAS, BRGY. MANAUL, MANSALAY, ORIENTAL MINDORO**

This refers to your electronic message dated July 27, 2022. Attached is the minutes and summary of the administrative hearing relative to the above subject.

For your information.

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
ORIENTAL MINDORO	
PENRO TRACKING NO.	
RECEIVED BY:	<i>[Signature]</i>
DATE:	2202 8 0 509
TIME:	

[Signature]
ENGR. CAESAR E. QUEBEC
CENR Officer



June 29, 2022

MEMORANDUM

FOR : The Regional Executive Director
1515 L&S Building, Roxas Blvd.
Ermita Manila

THRU : The PENR Office
Suqui, Calapan City,
Oriental Mindoro

FROM : Hearing Officer

SUBJECT : **SUBMISSION OF THE RESULT OF ADMINISTRATIVE PROCEEDINGS ON ILLEGALLY SOURCE FOREST PRODUCT APPREHENDED AT BRGY. MANAUL, MANSALAY, ORIENTAL MINDORO**

Attached is the transcript of the Minutes of the Administrative Hearing undertaken on the case *Department of Environment and Natural Resources –versus- Junior Guro* for violation of Section 77 formerly Section 68 Presidential Decree 705 as amended by Executive Order 277 series of 1987. Please be informed that Administrative Hearing was conducted last June 28, 2022 in accordance with Item 2, Section 7 of DAO 97-32 which was attended by respondent, with the following observations:

1. Based on the spot report of the Municipal Police of Mansalay, they received a tip from a concerned citizen that there was an on-going illegal logging activity at So. Gupas, Manaul, Mansalay, Oriental Mindoro.
2. On or about 5:20 pm of June 17, 2022, MPS Mansalay led by PLT Aristotle S. Ermeno went to the area to verify the information. Thereafter, they saw Junior Guro in the act of cutting lumbers using chainsaw.
3. That when personnel of MPS Mansalay were about to alight in their service vehicle, Junior Guro was fleeing the scene while carrying the chainsaw.
4. During the administrative hearing, Junior Guro denied that he was seen at 5:20 pm. He stated that he was with the Barangay Captain at that time. That he did not cut any tree but only cut the lumber that was affected by the road widening long ago.
5. He averred that he was told by Kenneth Calinog, the owner of the lot where the lumber was situated that it was his. Kenneth Calinog ordered him to cut the lumber for his own personal use. However, they have no permit from the DENR for the possession of such.
6. The subject sawn lumbers of Gmelina were turned-over by the apprehending officers to the nearest authorized Seizure Officer pursuant to Section 3 of DAO 97-32.



FINDINGS AND RECOMMENDATIONS:

The undersigned after having reviewed the documents at hand and the statements of the respondent, and the Administrative Hearing conducted, determines that the TWENTY (20) pieces sawn lumbers (Gmelina species) with a total volume of 75 board feet has no legal documents or papers from the DENR to warrant the cutting, gathering and/or possessing the same. This act is in violation of Sec. 77 of PD. 705 as amended.

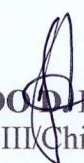
In view of the foregoing these are the findings and recommendations of the hearing officer:

JUNIOR GURO respondent for CENRO Case No. 2022- 15 violated Sec. 77 of PD 705 as amended hence:

The TWENTY (20) pieces sawn lumbers with a total volume of 75 board feet **shall be forfeited** in favor of the government and **shall be disposed** in accordance with existing forestry laws, rules and regulations.

This case has been filed to Oriental Mindoro Provincial Prosecution Office with *NPS Docket No. IV-07b-22F-00061* for Violation of Sec.77 of PD 705 as amended by E.O.277.

Attached are the minutes of the Administrative Hearing and the necessary documents for your review and further instruction.


REYNALDO D. PUDIQUET
Forester III/Chief MES



SUBJECT:

DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES

Plaintiff

VERSUS -

CENRO CASE NO. 2022- 15

JUNIOR GURO

: For Violation of Sec.77 of PD 705 as amended
by E.O. 277

X- -----X

PRELIMINARY HEARING

Minutes of the Administrative Hearing undertaken on the above-mentioned case on June 28, 2022 at 9:10 am at CENRO-Roxas, Oriental Mindoro.

REYNALDO D. PUDIQUET
Hearing Officer

CATHERINE C. OLAVERIA
Legal Researcher

APPEARANCE:

JUNIOR GURO

Petsa at Oras : June 28, 2022, 9:10-9:35 am

HEARING OFFICER:

SA BISA NG KAPANGYARIHANG IPINAGKALOOB SA AKIN ALINSUNOD SA ITINADHANA NG SEKSYON 45 NG PRESIDENTIAL DECREE 705 AT DEPARTMENT ADMINISTRATIVE ORDER NO. 97-32, ANG PAGDINIG NA ITO AY KAUGNAY SA KASONG ADMINISTRATIBO, SA SEC. 77 NG PD 705 "PAG-AANGKIN O PAGTATAGLAY NG MGA NILAGARING KAHoy NA WALANG LEGAL NA DOKUMENTO O PAPELES O WALANG KAUKULANG PERMIT" AY MAGKAKAROON NGAYON NG PORMAL NA PAGDINIG. PINAPAKIUSAPAN ANG LAHAT NA NARIRITO NA MANAHIMIK LAMANG AT HUWAG MAKIALAM O MAMAGITAN NA MAARING MAKAAANTALA SA PAGDINIG AT ITO AY HINDI PINAHIHINTULUTAN. BUKOD DITO, GUSTO KONG IPABATID SA LAHAT NA NARIRITO NG MGA SAKSI AT SUSPEK SA NASABING KASO NA KAYO AY BINIBIGYAN NG TANGING PREBILIHINO NA GAMITIN ANG INYONG ABOGADO UPANG TAGAPAYO, ALINSUNOD SA TINADHANA NG BAGONG SALIGANG BATAS NG PILIPINAS.



SALAYSAY NI GINOONG JUNIOR GURO

- Hearing Officer: Bago po tayo magsimula sa ating pagdinig sa oras na ito, maaari niyo po ba na ipakilala ang inyong sarili? Ang inyong pangalan edad at address?
- S. Junior: Ako si Junior Guro, kasalukuyang naninirahan sa So. Burabod, Barangay Budburan, Mansalay, Oriental Mindoro, edad limapu't apat (54) taong gulang.
- Hearing Officer: Noong Hunyo 17, sa ganap na ika-5:50 ng hapon sa So. Gupas, Brgy. Manual, Mansalay, Silangang Mindoro, kayo ay nahuli ng Pulis ng Mansalay na naglalagari ng kahoy subalit ng sila'y inyong makita ay agad kayo tumakbo papalayo.
- S. Junior: Hindi po. Naglalagari ako ng umaga. Nag umpisa ako ng alas-otso.
- Hearing Officer: Kaugnay nito, kayo ay nahaharap sa kasong administratibo at kriminal. Kayo ay pinadalan ng Notice of Hearing para sa kasong administratibo noong Hunyo 21, 2022. Nakasaad dito na maari kayo magbigay ng written explanation at inaanyayahan ang inyong presensya sa opisina ng DENR-CENRO sa Hunyo 28, 2022 para magpaliwanag at magbigay ng salaysay.
- Hearing Officer: Ano po ang inyong trabaho?
- S. Junior: Nagtatanim ng gulay.
- Hearing Officer: Nung araw at oras po ng pangyayari, nasaan kayo at ano ang inyong ginagawa?
- S. Junior: Nasa bahay po ako ni kapitan.
- Hearing Officer: Anong puno po ang inyong pinutol.
- S. Junior: Hindi po ako nagputol ng puno. Naglalagari po ako.
- Hearing Officer: Ano po ang inyong nilalagari?
- S. Junior: Gmelina
- Hearing Officer: Maari nyo po ba isalaysay ang pangyayari?
- S. Junior: Nung umaga po naglagari ako hanggang 11:30. Pumunta na po ako sa bahay ni kapitan. Hanggang hapon na po ako kina kapitan dahil hinihintay namin ang may-ari ng kahoy.
- Hearing Officer: Sino ba talaga ang may ari ng kahoy na nahuli? At saan ito dadalhin?
- S. Junior: Si Kenneth Calinog. Pang-katre po yun.
- Hearing Officer: Saan po nanggaling ang kahoy?
- S. Junior: Galing po yung kahoy sa pinutol na puno ng mga nagroad-widening.



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Email: cenroroxas_orientalmin@yahoo.com

- Hearing Officer: Matagal na bang naputol ang puno?
- S. Junior: Matagal na po. Halos kasing taas ko na ang suloy.
- Hearing Officer: May permit po ba ang pagtataglay ninyo ng kahoy o yung may-ari?
- S. Junior: Yung may-ari po ng kahoy. Sabi nya ay sa kanya at may titulo sya. Galing naman poi yon sa road widening.
- Hearing Officer: May chainsaw po kayo?
- S. Junior: Meron po.
- Hearing Officer: May permit po ba ang chainsaw nyo?
- S. Junior: Meron po.
- Hearing Officer: Ito po ay unang pagkakataon na kayo ay nagkaroon ng ganitong kaso?
- S. Junior: Opo.
- Hearing Officer: Meron po ba kayong gustong sabihin o idagdag sa inyong salaysay?
- S. Junior: Yung kahoy ay mabubulok na sabi ng may-ari, kaya pinalagari nya sa akin. May titulo naman yung lupa at may permit yung chainsaw. Iniwan lang ng nag road widening yung puno sa gilid ng kalsada.
- Hearing Officer : Maraming salamat po sa inyong pagunlak sa aming paanyaya nang pagdinig sa araw na ito at pasensya sa kaunting abala. Kami ay umaasa sa inyo na maging responsable sa ating kapaligiran. Ipagpaalam na din ninyo na ang DENR at talagang maghihigpit para mapursige ang pag iimplementa ng batas hindi lang sa Roxas kundi sa buong Pilipinas. Kaya ang pakiusap po namin sa inyo ay maging responsable tayo sa ating kalikasan. Salamat po ng marami.

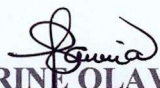
Nagsasalaysay:

JUNIOR GURO

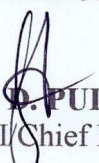
Administrative Hearing adjourned: 9:35 am

Aking lalagdaan ang testimonyang ito ngayong ika-28 nang Hunyo taong 2022 sa DENR-CENRO San Mariano, Roxas, Oriental Mindoro.

I HEREBY CERTIFY that this instrument consisting of 3 pages including this page are true and correct to the best of my knowledge and belief.


CATHERINE OLAVERIA
Legal Researcher/Recorder

SUBSCRIBED AND SWORN to before me this 28th day of June 2022 at DENR CENRO-Roxas, Oriental Mindoro.


REYNALDO P. PUDIQUET
Forester III/Chief MES