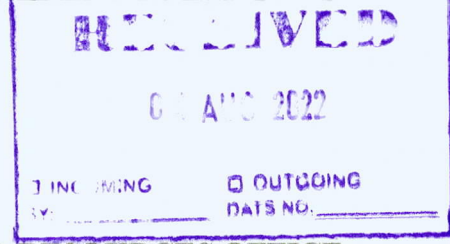




Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Mamburao, Occidental Mindoro



JUL 21 2022

MEMORANDUM

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

FROM : The OIC PENR Officer

SUBJECT : **RESOLUTION NO. 2022-039**

Respectfully forwarded herewith is the memorandum from CENR Officer Efren L. delos Reyes dated July 08, 2022 regarding the result of administrative adjudication on the apprehended one hundred twenty seven (127) pieces of Gmelina lumber with a total volume of 441.0 and one (1) unit of STIHL Chainsaw with Serial No. 04081675-A at Barangay Ansiray , San Jose, Occidental Mindoro .

For your information and record.


ERNESTO E. TAÑADA



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

JUL 08 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
Ermita, Manila

THRU : The OIC-PENR Officer
Mamburao, Occidental Mindoro

FROM : The CENR Officer

SUBJECT : **RESOLUTION NO. 2022-039**


Respectfully submitting herewith is the Resolution No. 2022-039 as a result of administrative adjudication on the apprehended one hundred twenty seven (127) pieces of Gmelina lumbers with a total volume of 441.00 bdft. and one (1) unit of STIHL chainsaw with a Serial Number 04081675-A at Brgy. Ansiray, San Jose, Occidental Mindoro last March 16, 2022.

For your information and record.


EFREN L. DELOS REYES

Cc:
PENRO
CENRO SJ Records
EMS File

RECORDS	
RECEIVED BY: 	
DATE: 7/13	TIME: 8
RELEASED BY:	
DATE:	TIME:

PENRO	
RECEIVED BY: 	
DATE: 7/14/22	TIME: 40-2
RELEASED BY:	
DATE:	TIME:



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

RE: APPREHENSION OF ABANDONED ONE HUNDRED TWENTY SEVEN (127) PIECES OF GMELINA LUMBERS WITH A DIMESION OF NINETY TWO (92) PIECES 1"x6"x6' GMELINA; TWENTY FIVE (25) PIECES 1"x6"x10' GMELINA; TEN (10) PIECES 1"x6"x8' GMELINA; WITH A TOTAL VOLUME OF 441.00 BDFT. AND ONE (1) UNIT OF STIHL CHAINSAW WITH A SERIAL NO. 04081675-A, AT BRGY. ANSIRAY, SAN JOSE, OCCIDENTAL MINDORO, ON MARCH 16, 2022 AT AROUND 2:49 IN THE AFTERNOON.

X-----X

RESOLUTION No. 2022-039

This pertains to the apprehension of the Abandoned One Hundred Twenty Seven (127) pieces of Gmelina lumbers with a total volume of 441.00 bdft., and One (1) unit Chainsaw with a serial number 04081675-A at Brgy. Ansiray, San Jose, Occidental Mindoro, on March 16, 2022, at around 2:49 in the afternoon by the Personnel from Enforcement and Monitoring Section (EMS) by the DENR CENRO, San Jose, Occidental Mindoro.

The facts of the subject case are as follows, to wit:

1. That on March 16, 2022, the Enforcement and Monitoring Section (EMS) Personnel's of the DENR through Chief EMS Hector S. Aragones Jr. received instruction from CENRO Efren Delos Reyes that a vital information from the anonymous citizen from Brgy. Ansiray, San Jose, Occidental Mindoro signifying that there has been an ongoing illegal activity regarding the cutting of trees with the forestland of the same barangay. The team proceeded at the said area and they found and apprehended scattered undocumented Gmelina lumbers as well as one (1) unit of Chainsaw with a serial number 04081675-A. The said forest products and the chainsaw were found abandoned. *(Please see attached spot report and geo-tag photos)*
2. That the team apprehended One Hundred Twenty Seven (127) pieces of Gmelina lumbers with a total volume of 441.00 bdft. and One (1) unit Chainsaw with a serial number 04081675-A. The said forest products and the chainsaw were found abandoned. These was temporarily impounded at the DENR CENRO, San Jose, Occidental Mindoro, for safekeeping. *(Please see attached spot report.)*
3. That the corresponding Apprehension Receipt with CENRO Control No.2022-F439 was issued by the apprehending officer Forest Technician Dominic L. Vidal. *(please see attached apprehension receipt)*
4. That after verifying the existence of a prima facie case against the offender, the Seizure Officer Forester III Hector S. Aragones, Jr. issued the Seizure Order with CENRO Control Number 2021-F439 for One Hundred Twenty Seven (127) pieces of Gmelina lumbers with a total volume of 441.00 bdft. and One (1) unit Chainsaw with a serial number 04081675-A. *(please see attached seizure order)*

5. That a recapitulation and assessed value of the abandoned forest products was made by EMS Deputy Chief, Forester I Jomar B. Serquina. (*please see attached recapitulation and assessed value report*)
6. That a PABATID SA PUBLIKO (Notice to the Public) was posted in the following dates of March 29, 2022 and April 5 and 12, 2022 in that succeeding days and in conspicuous places such as at the Brgy. Hall of Barangay Ansiray, San Jose, Occidental Mindoro. (*please see attached PABATID SA PUBLIKO*)
7. No Administrative hearing was made because the said forest products was ABANDONED.

The issues to be resolved in this case are as follow;

1. Whether or not the Abandoned **ONE HUNDRED TWENTY SEVEN (127) PIECES OF GMELINA LUMBERS WITH A DIMESION OF NINETY TWO (92) PIECES 1"x6"x6' GMELINA; TWENTY FIVE (25) PIECES 1"x6"x10' GMELINA; TEN (10) PIECES 1"x6"x8' GMELINA; WITH A TOTAL VOLUME OF 441.00 BDFT.,** will be confiscated in favor of the government.
2. Whether or not, the apprehended **AND ONE (1) UNIT OF STIHL CHAINSAW WITH A SERIAL NO. 04081675-A.** Shall be confiscated in favor of the government.

The grounds for apprehension and seizure of the forest products and the chain saw is valid, as the abandoned forest product is not supported with any cutting permit and the chainsaw registration permit issued by the office of the DENR CENRO San Jose, Occidental Mindoro.

Presidential Decree No. 705, May 19, 1975, revising Presidential Decree No. 705 otherwise Known as the Forestry Reform Code of the Philippines, as amended by Executive Order No. 277 and republic Act No. 7161, states that;

SECTION 77. Cutting, Gathering and/or collecting Timber, or Other Forest Products Without License. – Any person who shall cut, gather, collect, removed timber or other forest products from any forest land, or timber from alienable or disposable public land, or from private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forest laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code

xxx

SECTION 77-A. Administrative Authority of the Department Head or His Duty Authorized Representative to Order Confiscation. – In all cases of violations of this Code or other forest laws, rules and regulations, the Department Head or his duly authorized representative, may order the confiscation of any forest products illegally cut, gathered, removed, or possessed or abandoned, and all conveyances used either by land, water or air in the commission of the offense and to dispose of the same in accordance with pertinent laws, regulations or policies on the matter.

xxx

Sec. 2. Items subject to apprehension, seizure, confiscation and forfeiture.

- a. **ILLEGAL FOREST PRODUCTS** - Any forest products(s) defined in Section 1(e) above that are removed, cut, collected, processed and/or transported; (a) without the requisite authorization or permit; or (b) with incomplete required supporting documents 1; (c) with genuine authorizations or permits and/or supporting documentation that have an expired validity, have been cancelled or that contain forged entries; or (d) with spurious (fake) authorizations, permits and/or supporting documentation. In implementing these Rules, original documents shall be required at all times to actually accompany any forest products being moved or transported to any place and for any purpose. Whenever the requisite authorization and/or supporting documentation are required to but do not actually accompany the forest products, such absence constitutes a violation covered by these Rules.

CHAIN SAW ACT RA 9175

Presidential Decree No. 9175, November 7, 2002, **AN ACT REGULATING THE OWNERSHIP, POSSESSION, SALE, IMPORTATION AND USE OF CHAIN SAWS, PENALIZING VIOLATIONS THEREOF AND FOR OTHER PURPOSES**, states that;

SECTION 7. Cutting, Gathering and/or collecting Timber, or Other Forest Products Without License. - Selling, Purchasing, Re-selling, Transferring, Distributing or Possessing a Chain Saw Without a Proper Permit. - Any person who sells, purchases, transfer the ownership, distributes or otherwise disposes or possesses a chain saw without first securing the necessary permit from the Department shall be punished with imprisonment of four (4) years, two (2) months and one (1) day to six (6) years or a fine of not less than Fifteen thousand pesos (P15,000.00) but not more Thirty thousand pesos (30,000.00) or both at the discretion of the court, and the chain saw/s confiscated in favor of the government.

xxx

SECTION 14. DAO 2003-04. - CONFISCATION OF CHAINSAWS. - Chainsaws used in the cutting, gathering, collecting, removing and/or processing timber or forest products without legal documents shall be subject to Judicial and/or administrative confiscation under Section 68 and 68A of PD 705 as amended, and as implemented by DAO 97-32 and other subsequent forestry regulations that may be promulgated.

xxx

Department Administrative Order No. 2003-04

Sec. 12. Items subject to apprehension, seizure, confiscation and forfeiture.

12.1 SELLING, PURCHASING, RE-SELLING, TRANSFERRING, DISTRIBUTING, OR POSSESSING, A CHAINSAW WITHOUT A PROPER PERMIT- Any person who sells, purchases, transfers the ownership, distributes, or otherwise disposes or possess a chainsaw without first securing the necessary permit from the Department shall be punished with imprisonment of four (4) years, two (2) months and one (1) day to six (6) years or a fine of not less that Fifteen Thousand (15,000) pesos but not more than

Thirty Thousand Pesos (P30,000.00) or both at the discretion of the court and the chainsaw confiscated in favor of the government

DEPARTMENT ADMINISTRATIVE ORDER 97-32

Sec. 8. Abandoned Illegal Forest Products.

The following procedures apply in cases where illegal forest products and other items listed in Section 2 hereof are abandoned, or when the owner, claimant, custodian or other interested Party(ies) is unknown, cannot be determined, or cannot otherwise be found.

Par.3. Summary Seizure/Confiscation Proceedings shall be conducted by the hearing officer designated in these rules. In such cases the Notice of Hearing shall be posted at least three (3) times, once a every week for three (3) consecutive weeks, in at least three (3) public places, including but not limited to: (a) the Barangay Hall of the apprehension site; (b) the Bulletin Board of the DENR Offices where the Proceedings will be conducted, and (c) at the Municipal Hall of the apprehension site.

Should the owner, claimant or other interested Party fail to appear at the Proceedings, such failure shall be deemed a waiver of the right to appear and of any/all rights to the items apprehended in favor of the Government.

xxx

Sec.13 THE FOLLOWING CHAINSAW ARE SUBJECT TO CONFISCATION

13.1. Chainsaws sold, purchased, resold, transferred, distributed, leased, rented, lent or possessed without proper permit or authority from the Department.

xxx

3. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended abandoned **ONE HUNDRED TWENTY SEVEN (127) PIECES OF GMELINA LUMBERS WITH A DIMESION OF NINETY TWO (92) PIECES 1"x6"x6' GMELINA; TWENTY FIVE (25) PIECES 1"x6"x10' GMELINA; TEN (10) PIECES 1"x6"x8' GMELINA; WITH A TOTAL VOLUME OF 441.00 BDFT. AND ONE (1) UNIT OF STIHL CHAINSAW WITH A SERIAL NO. 04081675-A, shall be confiscated in favour of the government since those lumbers are product of an illegal act.**

Based in the case at bar, the cutting of forest products without legal documents if proven is a violation of Section 77 of PD 705 as amended by Executive Order No. 277 and Republic Act 7161 AND the use One (1) unit of Chain saw thus subject to confiscation as it violates RA 9175 and Department Administrative Order (DAO) 2003-04. Moreover, in occasion where the said illegal forest products was said to be abandoned it shall also be confiscated in favor of the Government, under Section 8 Par. 3 of Department Administrative Order (DAO) 97-32.

Wherefore, pursuant to Section 77 and 77-a of PD 705 as amended, section 2 and 7 of DENR Administrative Order No. 97-32, series of 1990 and based on DAO 98-24 (Manual of Approvals) the following are hereby recommended:

1. The abandoned **ONE HUNDRED TWENTY SEVEN (127) PIECES OF GMELINA LUMBERS WITH A DIMESION OF NINETY TWO (92) PIECES 1"x6"x6' GMELINA; TWENTY FIVE (25) PIECES**

1"x6"x10' GMELINA; TEN (10) PIECES 1"x6"x8' GMELINA; WITH A TOTAL VOLUME OF 441.00 BDFT. AND ONE (1) UNIT OF STIHL CHAINSAW WITH A SERIAL NO. 04081675-A, shall be confiscated in favour of the government since those lumbers are product of an illegal act.

Issued this _____ day of JUL 07 2022 at DENR-CENRO San Jose, Occidental Mindoro.

Prepared by:


HECTOR S. ARAGONES, JR.
Forester III/Hearing Officer

Noted by:


EFREN L. DELOS REYES
CENR Office 



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

EMAIL FOR TRANSMISSION
March 17, 2022

FOR: THE REGIONAL EXECUTIVE DIRECTOR
DENR-MIMAROPA REGION
ERMITA, MANILA

THRU: PENR OFFICER
MAMBURAO, OCCIDENTAL MINDORO

FROM: THE CENR OFFICER

PLEASE BE INFORMED THAT THE PERSONNEL FROM ENFORCEMENT AND MONITORING SECTION OF CENRO SAN JOSE CMA OCCIDENTAL MINDORO HAD APPREHENDED ONE (1) UNIT STIHL CHAINSAW CMA WITH TAMPERED SERIAL NUMBER 04081675-A CMA ONE HUNDRED TWENTY SEVEN (127) PCS LUMBER OF GMELINA LUMBER WITH DIFFERENT DIMENSIONS HAVING AN AGGREGATE VOLUME OF 441.00 BDFT. AT BRGY ANSIRAY CMA SAN JOSE CMA OCCIDENTAL MINDORO ON MARCH 16, 2022 ON OR ABOUT 2:49 IN THE AFTERNOON PD

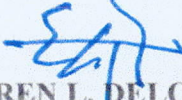
BE FURTHER INFORMED THAT THE SAID MAJOR FOREST PRODUCTS AND EQUIPMENT WAS FOUND ABANDONED AND NO CLAIMANT APPEARED DURING THE TIME OF APPREHENSION PD

THE SAID EQUIPMENT AND MAJOR FOREST PRODUCTS WAS BROUGHT TO DENR CENRO SAN JOSE OFFICE COMPOUND AT BRGY. LABANGAN CMA SAN JOSE CMA OCCIDENTAL MINDORO FOR SAFEKEPPING PURPOSES PD

FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

CENRO DELOS REYES

SENDER:


EFREN L. DELOS REYES
CENR Officer



Republic of the Philippines
Department of Environment and Natural Resources

MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
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EMAIL FOR TRANSMISSION
March 17, 2022

FOR: THE REGIONAL EXECUTIVE DIRECTOR
DENR-MIMAROPA REGION
ERMITA, MANILA

THRU: PENR OFFICER
MAMBURAO, OCCIDENTAL MINDORO

FROM: THE CENR OFFICER

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FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

CENRO DELOS REYES

SENDER:


EFREN L. DELOS REYES

 CENR Officer



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

Community Environment and Natural Resources Office

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

March 17, 2022

MEMORANDUM

FOR : The CENR Officer *203/17/22*
THRU : The EMS Chief
FROM : Enforcement and Monitoring Section Staffs
SUBJECT : **REPORT REGARDING THE APPREHENSION OF ONE HUNDRED TWENTY SEVEN (127) PIECES ABANDONED GMELINA LUMBERS (10 PCS.=1X6X8, 15 PCS.=1X6X10, 92 PCS.=1x6x6) WITH A TOTAL VOLUME OF 441.00 BOARD FEET AND ONE (1) UNIT OF CHAINSAW AT BRGY. ANSIRAY, ILIN ISLAND, SAN JOSE, OCCIDENTAL MINDORO ON MARCH 16, 2022**

Submitted herewith is the report regarding the apprehension of the above mentioned subject:

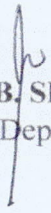
1. That on the morning of March 16, 2021, EMS Chief Hector S. Aragon, Jr. received an instruction from CENR Officer Efren L. Delos Reyes that a vital information from an anonymous citizen from Brgy. Ansiray, San Jose, Occidental Mindoro signifying that there has been an ongoing illegal activity regarding cutting of trees within the forest land of the same barangay.
2. EMS Chief Hector S. Aragon, Jr. instructed EMS Deputy Chief Jomar B. Serquiña to conduct surveillance at the said area to verify the veracity of the said information.
3. At around 12:00 noon, EMS Deputy Chief Jomar B. Serquiña together with Forest Rangers Delfin N. Casticimo, Jr., Carl Emmanuel A. Urieta, Ronald D. Fresnillo and Forest Protection Officers Louie James D. Antonio and Ednor C. Legaspi, Jr. and Deputized ENR Officer Emmanuel Pacaul proceeded to Brgy. Ansiray, Ilin Island, San Jose, Occidental Mindoro to conduct surveillance regarding the said information.
4. The team arrived at the said barangay at around 02:10 PM and proceeded to the Barangay Hall to properly coordinate with Brgy. Captain Marlon S. Ramintas and Barangay Kagawad Ricardo M. Sampilo regarding the said information. After that, the team proceeded to the said area to verify the information. **(SEE ANNEX I)**
5. The team conducted surveillance in the said area and discovered stock piles of abandoned lumbers and STIHL chainsaw with tampered Serial No. 04081675-A within the vicinity. **(SEE ANNEX II)**

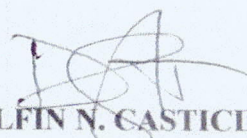
6. After that, the team conducted inventory of the said abandoned lumber and chainsaw. **(SEE ANNEX III)**
7. The team then hauled the said abandoned lumber with a volume of 100.00 board feet (12 pcs. 1x6x10), (10 pcs. 1x6x8) and chainsaw back to the DENR CENRO San Jose for safekeeping and left the remaining 341.00 board feet (92 pcs. 1x6x6), (13 pcs. 1x6x10) at the Barangay Hall of Brgy. Ansiray, Ilin Island, San Jose, Occidental Mindoro for temporary custody. **(SEE ANNEX IV)**

The team recommends to conduct close monitoring at the barangays of Ilin and Ambulong Islands and to intensify the conduct of IEC and coordination with the BLGU Officials.

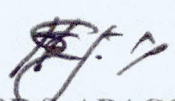
For your information and further instruction.

Prepared by:


JOMAR B. SERQUINA
Forester I/Deputy Chief EMS


DELFIN N. CASTICIMO, JR.
Forest Ranger

Reviewed by:

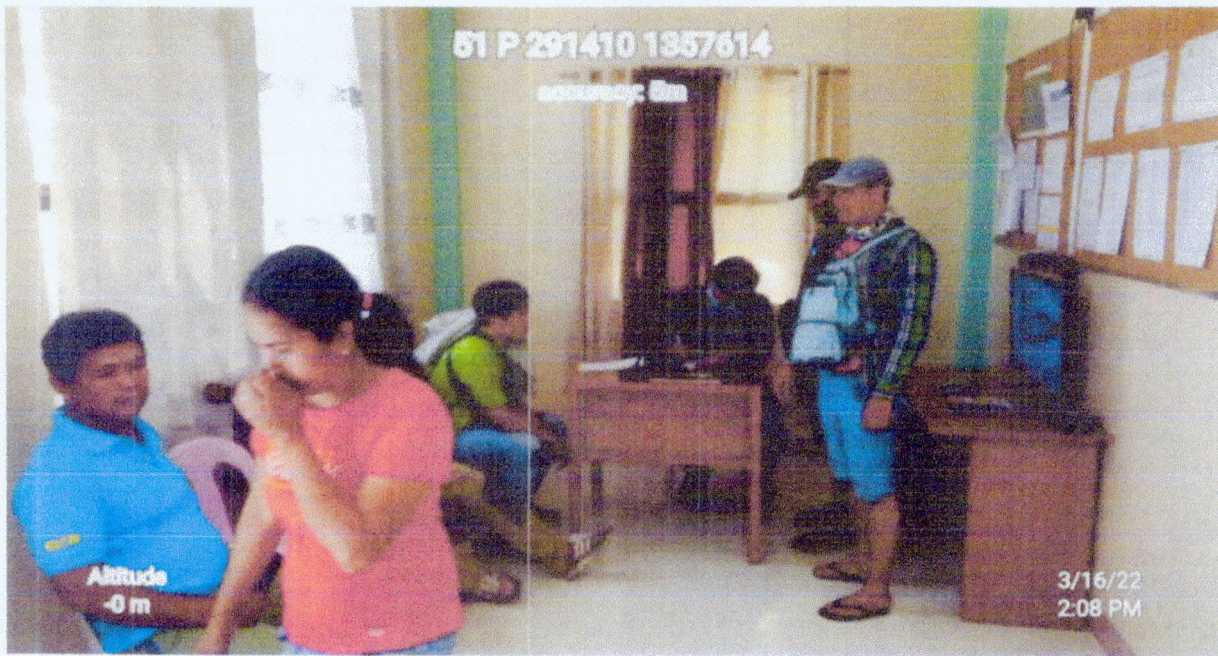

HECTOR S. ARAGON, JR
Forester III / Chief, EMS



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
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ANNEX I

The team coordinated with Brgy. Ansiray Captain Marlon S. Ramintas and Barangay Kagawad Ricardo M. Sampilo of Brgy. Ansiray, Ilin Island, San Jose, Occidental Mindoro.



ANNEX II

The team discovered abandoned gmelina lumbers and chainsaw at Brgy. Ansiray, Ilin Island, San Jose, Occidental Mindoro.



ANNEX III

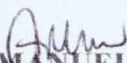
Inventory of the abandoned lumbers and chainsaw with scale sheet.



ANNEX III continuation
Scale Sheet of the said Abandoned Gmelina Lumbers

SPECIES	PIECES	DIMENSION	BOARDFEET
Gmelina	92	1x6x6	276.00
Gmelina	13	1x6x10	65.00
Gmelina	12	1x6x10	60.00
Gmelina	10	1x6x8	40.00
TOTAL	127 pieces		441.00 board feet

Scaled by:


CARL EMMANUEL A. URIETA
Forest Ranger

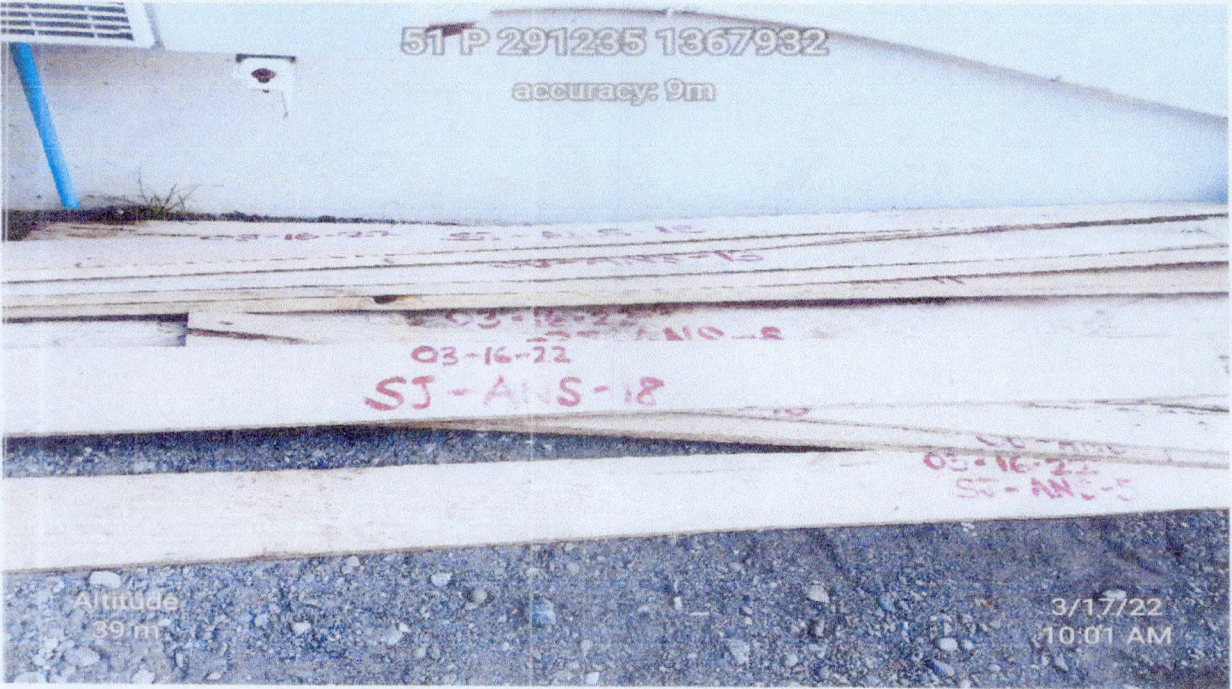
ANNEX IV

Hauling of the said abandoned Gmelina Lumbers to Barangay Hall of Brgy. Ansiray, San Jose, Occidental Mindoro



ANNEX IV continuation

The said abandoned Gmelina Lumbers at DENR CENRO San Jose, Occidental Mindoro.







Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address: Labangan, San Jose, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Control No.: 2022- F439
E-FMS No: 2022-175110- F439

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person
N/A	N/A	N/A	N/A	N/A	N/A

pursuant to the provision of P.D. 705 as amended by E.O. No. 277 and DENR Administrative Order No. 97-32 Series of 1997 for the following Forest Products, Conveyances, Machinery/Equipment, Tool and Implements that have been apprehended, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
Lumber			LUS	Gmelina	92	1x6x6=276.00	12,420.00	DENR-CENRO Office Compound	
					25	1x6x10=125.00	5,625.00		
					10	1x6x8=40.00	1,800.00		
					127	441.00bdft/Php 45.00	19,845.00		

Minor Forest Products				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Conveyance involved								
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.	Engine No.	Chassis No.	Accessories
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
			Estimated Value:					

If Animal			
Kind	Quantity	Gender	Color
N/A	N/A	N/A	N/A

Equipment Involved					
Type	Quantity	Details	Impounding Area	Custodian	Estimated Value
chainsaw	1	STIHL with Serial Number 04081675-A	DENR-CENRO San Jose Office Compound		20,000.00

Implements Involved	
Type	Quantity
N/A	N/A

2. The subject Forest Products and other items have undergone the following Apprehension proceedings.

APPREHENSION						
Date and Time of Apprehension	Place of Apprehension				Apprehending Officer	Factual Legal Basis for Apprehension
	Province	City/Municipality	Barangay	Sitio		
March 16, 2022 2:49pm	OCC. MINDORO	SAN JOSE	ANSIRAY	N/A	DENR Personnel	RA 9175 & PD 705


Is/are hereby declare under apprehension on the following FACTUAL reasons:

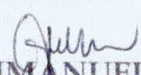
- _____
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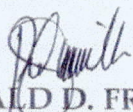
The subject forest products, conveyances, machinery/equipment, tool and implements and others apprehended should be kept and protected from defacement in any manner, destruction or loss and should not be altered or removed until otherwise ordered by the Secretary of the Department of Environment and Natural Resources or his duly authorized representative.

Done this 16th day of March , year 2022 at San Jose, Occ. Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)

- 

1. JOMAR B. SERQUINA
Position: Forester I
Address: DENR-CENRO San Jose, Occ. Mindoro
- 

2. CARL EMMANUEL A. URIETA
Position: Forest Ranger
Address: DENR-CENRO San Jose, Occ. Mindoro
3. DELFIN CASTICIMO JR.
Position: Forest Ranger
Address: DENR-CENRO San Jose, Occ. Mindoro
- 

4. RONALD D. FRESNILLO
Position: Forest Ranger
Address: DENR-CENRO San Jose, Occ. Mindoro

WITNESSES:

OWNER/CLAIMNANT/REPRESENTATIVE/DRIVER
(Signature over Printed Name)

1.

Position:

Address:
3.

Position:

Address:
2.

Position:

Address:
4.

Position:

Address:

Copy Received by:

Signature over Printed Name

Date/Time

Remarks:

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address : Labangan San Jose, Occidental Mindoro

SEIZURE ORDER

CENRO Control No.: 2022-F439
E-FMS No: 2022-175110-F439

Pursuant to the provision of P.D. 705 as amended by E.O. No. 277 and DENR Administrative Order No. 97-32 Series of 1997 the following forest products are hereby ordered seized, to wit:

FACTS

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
Lumber			LUS	Gmelina	92	1x6x6=276.00	12,420.00	DENR- CENRO Office Compound	Forester III Hector S. Aragones Jr.
					25	1x6x10=125.00	5,625.00		
					10	1x6x8=40.00	1,800.00		
					127	441.00 bdft/ Php 45.00	19,845.00		

Minor forest products				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Conveyance Involved					
Type	Make/ Model/ Year	Plate No.	Color/Markings	CR No.	OR No.
N/A	N/A	N/A	N/A	N/A	N/A

Conveyance Involved (Additional Details)				
Engine No.	Chassis No.	Accessories	Estimated Market Value	Custodian*
N/A	N/A	N/A	N/A	N/A

*turned over to the highest officer of the Regional Office concerned if government-owned vehicle.

If Animal					
Kind	Quantity	Gender	Age (Adult/Young)	Color	Custodian
N/A	N/A	N/A	N/A	N/A	N/A

Equipment Involved				
Type	Quantity	Details	Estimated Value	Custodian
chainsaw	1	STIHL with Serial Number 04081675-A	20,000.00	Forester III Hector S. Aragoness Jr.

Implements Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

The subject Forest Products and other items were apprehended while under the possession/ control/ownership of.

Name	Address	Civil Status	Age	Participation	Status of the Person
N/A	N/A	N/A	N/A	N/A	N/A

2. The subject Forest Products and other items have undergone the following Seizure proceedings.

SEIZURE						
Date and Time of Seizure	Place of Seizure				Seizing Officer	Legal Basis for Seizure
	Province	City/Municipality	Barangay	Site		
March 17, 2021 9:20 pm	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	Forester III Hector S. Aragoness Jr.	PD 705 & RA 9175

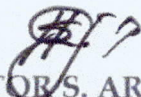
Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated March 16, 2022 and all relevant documents submitted, and after examining personally the apprehending officers and witnesses of the apprehension about the violation committed, it was determined that there is prima facie evidence that existing laws and DENR regulations have been violated and that the offender is probably guilty thereof.

Hence, the foregoing forest products/conveyance/equipment/implement are hereby ordered seized and now under government custody (except government-owned vehicles).

So ordered this 16th day of March, 2022 at Brgy. Labangan, San Jose, Occidental Mindoro.


HECTOR S. ARAGONES JR.
Seizure Officer/ Hearing Officer



SKETCH MAP

OF
APPREHENDED UNDOCUMENTED
GMELINA LUMBER

LOCATED AT:

BARANGAY: ANSIRAY
MUNICIPALITY: SAN JOSE
PROVINCE: OCCIDENTAL MINDORO

APPROXIMATED AREA: 07 HA.

SCALE: 1:5,000



Projection: Universal Transverse Mercator - Zone 51 (N)

Datum: GCS WGS 1984



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Region IV-MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
San Jose, Occidental Mindoro

CERTIFICATION

This is to certify that this is the correct map
through geo-tagged photos under as describe herein
and prepared based from the consolidated data and
other references available in this office.

Surveyed by:

JOMAR B. SERQUINA
Forester I

Prepared by:

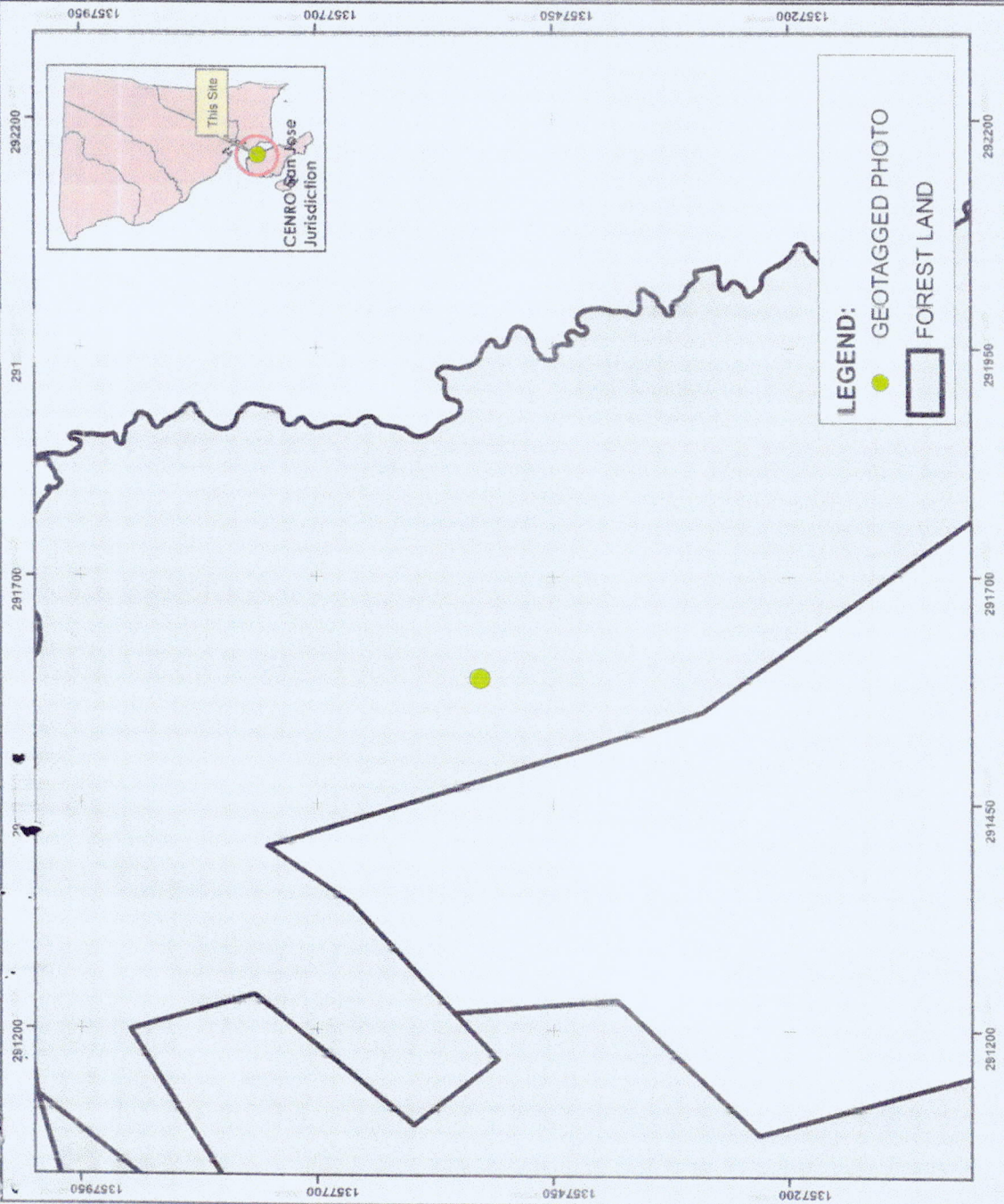
CARL EMMANUEL A. URIETA
Forest Ranger/GIS Operator

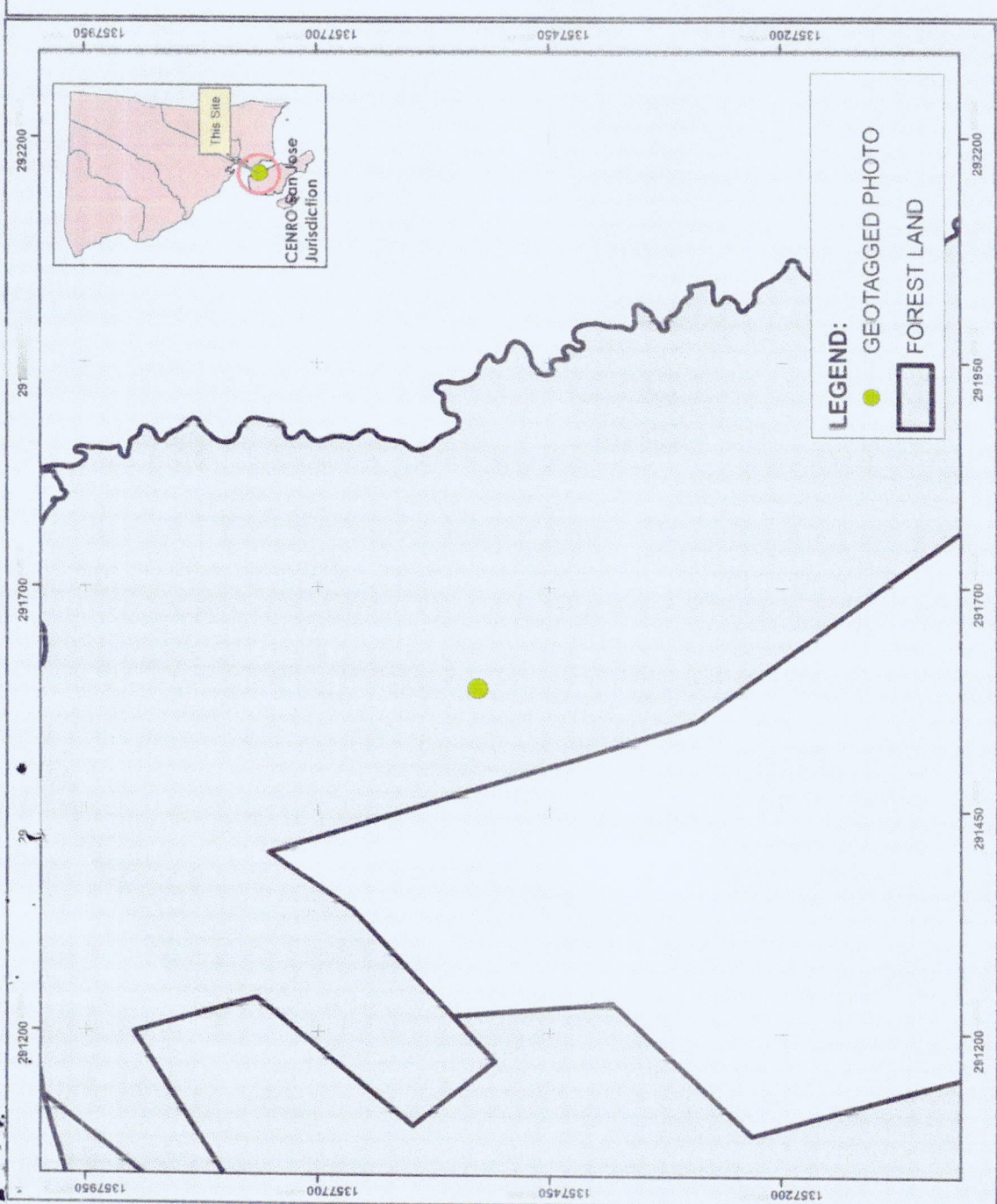
Certified by:

HECTOR S. ARAGONES, JR.
Forester III/Chief, EMS

Attested by:

EFREN L. DELOS REYES
CENR Office





SKETCH MAP

OF

APPREHENDED UNDOCUMENTED

GMELINA LUMBER

LOCATED AT:

BARANGAY: ANSIRAY

MUNICIPALITY: SAN JOSE

PROVINCE: OCCIDENTAL MINDORO

APPROXIMATED AREA: .07 HA.

SCALE: 1:5,000

Projection: Universal Transverse Mercator - Zone 51 (N)

Datum: GCS WGS 1984

Republic of the Philippines

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Region IV-MIMAROPA

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

San Jose, Occidental Mindoro

CERTIFICATION

This is to certify that this is the correct map through geo-tagged photos under as describe herein and prepared based from the consolidated data and other references available in this office.

Surveyed by:

JOMAR B. SERQUINA

Forester I

Prepared by:

CARL EMMANUEL A. URIETA

Forest Ranger/GIS Operator

Checked by:

HECTOR S. ARAGONES, JR.

Master III/Chief, EMS

Approved by:

EFREN L. DELOS REYES

ENR Officer



Republic of the Philippines
Department of Environment and Natural Resources

MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro

Tel. Number (043) 457- 0236 / (043) 742-6627

Email: cenrosanjose@denr.gov.ph

March 29, 2022

PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG ISANDAAN AT DALAWAMPU'T PITONG (127) PIRASONG GMELINA NA KAHOY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUNANG DAMI NA 441.00 BDFT. NA INABANDONA SA BRGY. ANSIRAY, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-16 NG MARSO, 2022 SA GANAP NA HUMIGIT-KUMULANG ALAS 2:49 NG HAPON.

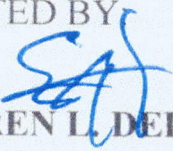
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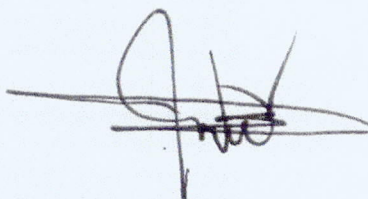
KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


HECTOR S. ARAGONES JR.
Forester III
Seizure Officer/ Hearing Officer

NOTED BY


EFREN L. DELOS REYES
CENR Officer





Republic of the Philippines
Department of Environment and Natural Resources

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March 29, 2022

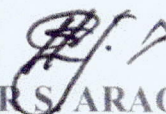
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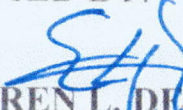
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KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


HECTOR S. ARAGONES JR.
Forester III
Seizure Officer/ Hearing Officer

NOTED BY:


EFREN L. DILOS REYES
CENR Officer



Republic of the Philippines
Department of Environment and Natural Resources

MIMAROPA Region

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April 5, 2022

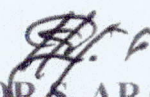
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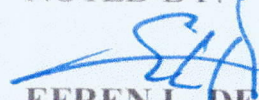
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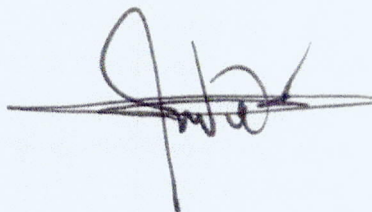
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LUBOS NA GUMAGALANG,


HECTOR S. ARAGONES JR.
Forester III
Seizure Officer/ Hearing Officer

NOTED BY:


EFREN L. DELOS REYES
CENR Officer





Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
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April 5, 2022

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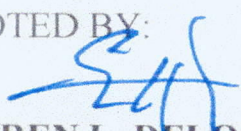
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LUBOS NA GUMAGALANG,


HECTOR S. ARAGONES JR.
Forester III
Seizure Officer/ Hearing Officer

NOTED BY:


EFREN L. DELOS REYES
CENR Officer



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April 12, 2022

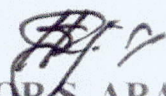
IKATLONG PABATID SA PUBLIKO

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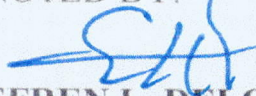
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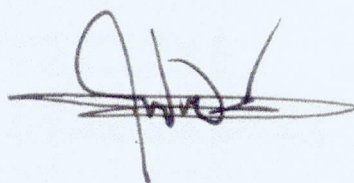
KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


HECTOR S. ARAGONES JR.
Forester III
Seizure Officer/ Hearing Officer

NOTED BY:


EFREN L. DELOS REYES
CENR Officer





Republic of the Philippines
Department of Environment and Natural Resources

MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro

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April 12, 2022

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ANG NASABING KAHOY AY DINALA SA OPISINA NG DENR-CENRO SAN JOSE SA BRGY. LABANGAN SAN JOSE, OCCIDENTAL MINODRO PARA SA PANSAMANTALANG PANGANGALAGA.

KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


HECTOR S. ARAGONES JR.

Forester III

Seizure Officer/ Hearing Officer

NOTED BY:


EFREN L. DELOS REYES

CENR Officer





Republic of the Philippines
Department of Environment and Natural Resources

MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro

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RECAPITULATION AND ASSESSED VALUE

A. Major Forest Products:

Species	Pieces	Dimension	Volume (bdft)	Estimated Value
Gmelina	92	1x6x6	276.00	12,420.00
	25	1x6x10	125.00	5,625.00
	10	1x6x8	40.00	1,800.00
TOTAL:	127		441	19,845.00

B. Conveyance

UNIT	ESTIMATED VALUE
One Unit Chainsaw STIHL with serial number 04081675-A	Php 20,000.00

GRAND TOTAL:

Php 39,845.00

Prepared by:

JOMAR B. SERQUINA
Forester I



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Mamburao, Occidental Mindoro

JUL 21 2022

MEMORANDUM

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

FROM : The OIC PENR Officer

SUBJECT : **RESOLUTION NO. 2022-039**

Respectfully forwarded herewith is the memorandum from CENR Officer Efren L. delos Reyes dated July 08, 2022 regarding the result of administrative adjudication on the apprehended one hundred twenty seven (127) pieces of Gmelina lumber with a total volume of 441.0 and one (1) unit of STIHL Chainsaw with Serial No. 04081675-A at Barangay Ansiray , San Jose, Occidental Mindoro .

For your information and record.


ERNESTO E. TAÑADA

Purok Pag-asa, Barangay Payompon, Mamburao, Occidental Mindoro
Email Address: tsdoccmin042@gmail.com



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

JUL 08 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
Ermita, Manila

THRU : The OIC-PENR Officer
Mamburao, Occidental Mindoro

FROM : The CENR Officer

SUBJECT : **RESOLUTION NO. 2022-039**

Respectfully submitting herewith is the Resolution No. 2022-039 as a result of administrative adjudication on the apprehended one hundred twenty seven (127) pieces of Gmelina lumbers with a total volume of 441.00 bdft. and one (1) unit of STIHL chainsaw with a Serial Number 04081675-A at Brgy. Ansiray, San Jose, Occidental Mindoro last March 16, 2022.

For your information and record.

EFREN L. DELOS REYES

Cc:
PENRO
CENRO SJ Records
EMS File

RECORDS	
RECEIVED BY: <i>8</i>	
DATE: 7/13	TIME:
RELEASED BY:	
DATE:	TIME:

PENRO	
RECEIVED BY: <i>Qd. 40-2</i>	
DATE: 7/14/22	TIME:
RELEASED BY:	
DATE:	TIME:



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

RE: APPREHENSION OF ABANDONED ONE HUNDRED TWENTY SEVEN (127) PIECES OF GMELINA LUMBERS WITH A DIMESION OF NINETY TWO (92) PIECES 1"x6"x6' GMELINA; TWENTY FIVE (25) PIECES 1"x6"x10' GMELINA; TEN (10) PIECES 1"x6"x8' GMELINA; WITH A TOTAL VOLUME OF 441.00 BDFT. AND ONE (1) UNIT OF STIHL CHAINSAW WITH A SERIAL NO. 04081675-A, AT BRGY. ANSIRAY, SAN JOSE, OCCIDENTAL MINDORO, ON MARCH 16, 2022 AT AROUND 2:49 IN THE AFTERNOON.

X-----X

RESOLUTION No. 2022-039

This pertains to the apprehension of the Abandoned One Hundred Twenty Seven (127) pieces of Gmelina lumbers with a total volume of 441.00 bdft., and One (1) unit Chainsaw with a serial number 04081675-A at Brgy. Ansiray, San Jose, Occidental Mindoro, on March 16, 2022, at around 2:49 in the afternoon by the Personnel from Enforcement and Monitoring Section (EMS) by the DENR CENRO, San Jose, Occidental Mindoro.

The facts of the subject case are as follows, to wit:

1. That on March 16, 2022, the Enforcement and Monitoring Section (EMS) Personnel's of the DENR through Chief EMS Hector S. Aragones Jr. received instruction from CENRO Efren Delos Reyes that a vital information from the anonymous citizen from Brgy. Ansiray, San Jose, Occidental Mindoro signifying that there has been an ongoing illegal activity regarding the cutting of trees with the forestland of the same barangay. The team proceeded at the said area and they found and apprehended scattered undocumented Gmelina lumbers as well as one (1) unit of Chainsaw with a serial number 04081675-A. The said forest products and the chainsaw were found abandoned. *(Please see attached spot report and geo-tag photos)*
2. That the team apprehended One Hundred Twenty Seven (127) pieces of Gmelina lumbers with a total volume of 441.00 bdft. and One (1) unit Chainsaw with a serial number 04081675-A. The said forest products and the chainsaw were found abandoned. These was temporarily impounded at the DENR CENRO, San Jose, Occidental Mindoro, for safekeeping. *(Please see attached spot report.)*
3. That the corresponding Apprehension Receipt with CENRO Control No.2022-F439 was issued by the apprehending officer Forest Technician Dominic L. Vidal. *(please see attached apprehension receipt)*
4. That after verifying the existence of a prima facie case against the offender, the Seizure Officer Forester III Hector S. Aragones, Jr. issued the Seizure Order with CENRO Control Number 2021-F439 for One Hundred Twenty Seven (127) pieces of Gmelina lumbers with a total volume of 441.00 bdft. and One (1) unit Chainsaw with a serial number 04081675-A. *(please see attached seizure order)*

5. That a recapitulation and assessed value of the abandoned forest products was made by EMS Deputy Chief, Forester I Jomar B. Serquina. (*please see attached recapitulation and assessed value report*)
6. That a PABATID SA PUBLIKO (Notice to the Public) was posted in the following dates of March 29, 2022 and April 5 and 12, 2022 in that succeeding days and in conspicuous places such as at the Brgy. Hall of Barangay Ansiray, San Jose, Occidental Mindoro. (*please see attached PABATID SA PUBLIKO*)
7. No Administrative hearing was made because the said forest products was ABANDONED.

The issues to be resolved in this case are as follow;

1. Whether or not the Abandoned **ONE HUNDRED TWENTY SEVEN (127) PIECES OF GMELINA LUMBERS WITH A DIMESION OF NINETY TWO (92) PIECES 1"x6"x6' GMELINA; TWENTY FIVE (25) PIECES 1"x6"x10' GMELINA; TEN (10) PIECES 1"x6"x8' GMELINA; WITH A TOTAL VOLUME OF 441.00 BDFT.,** will be confiscated in favor of the government.
2. Whether or not, the apprehended **AND ONE (1) UNIT OF STIHL CHAINSAW WITH A SERIAL NO. 04081675-A.** Shall be confiscated in favor of the government.

The grounds for apprehension and seizure of the forest products and the chain saw is valid, as the abandoned forest product is not supported with any cutting permit and the chainsaw registration permit issued by the office of the DENR CENRO San Jose, Occidental Mindoro.

Presidential Decree No. 705, May 19, 1975, revising Presidential Decree No. 705 otherwise Known as the Forestry Reform Code of the Philippines, as amended by Executive Order No. 277 and republic Act No. 7161, states that;

SECTION 77. Cutting, Gathering and/or collecting Timber, or Other Forest Products Without License. – *Any person who shall cut, gather, collect, removed timber or other forest products from any forest land, or timber from alienable or disposable public land, or from private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forest laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code*

xxx

SECTION 77-A. Administrative Authority of the Department Head or His Duly Authorized Representative to Order Confiscation. – *In all cases of violations of this Code or other forest laws, rules and regulations, the Department Head or his duly authorized representative, may order the confiscation of any forest products illegally cut, gathered, removed, or possessed or abandoned, and all conveyances used either by land, water or air in the commission of the offense and to dispose of the same in accordance with pertinent laws, regulations or policies on the matter.*

xxx

Sec. 2. Items subject to apprehension, seizure, confiscation and forfeiture.

- a. **ILLEGAL FOREST PRODUCTS** - Any forest products(s) defined in Section 1(e) above that are removed, cut, collected, processed and/or transported; (a) without the requisite authorization or permit; or (b) with incomplete required supporting documents 1; (c) with genuine authorizations or permits and/or supporting documentation that have an expired validity, have been cancelled or that contain forged entries; or (d) with spurious (fake) authorizations, permits and/or supporting documentation. In implementing these Rules, original documents shall be required at all times to actually accompany any forest products being moved or transported to any place and for any purpose. Whenever the requisite authorization and/or supporting documentation are required to but do not actually accompany the forest products, such absence constitutes a violation covered by these Rules.

CHAIN SAW ACT RA 9175

Presidential Decree No. 9175, November 7, 2002, **AN ACT REGULATING THE OWNERSHIP, POSSESSION, SALE, IMPORTATION AND USE OF CHAIN SAWS, PENALIZING VIOLATIONS THEREOF AND FOR OTHER PURPOSES**, states that;

SECTION 7. Cutting, Gathering and/or collecting Timber, or Other Forest Products Without License. - Selling, Purchasing, Re-selling, Transferring, Distributing or Possessing a Chain Saw Without a Proper Permit. - Any person who sells, purchases, transfer the ownership, distributes or otherwise disposes or possesses a chain saw without first securing the necessary permit from the Department shall be punished with imprisonment of four (4) years, two (2) months and one (1) day to six (6) years or a fine of not less than Fifteen thousand pesos (P15,000.00) but not more Thirty thousand pesos (30,000.00) or both at the discretion of the court, and the chain saw/s confiscated in favor of the government.

xxx

SECTION 14. DAO 2003-04. - CONFISCATION OF CHAINSAWS. - Chainsaws used in the cutting, gathering, collecting, removing and/or processing timber or forest products without legal documents shall be subject to Judicial and/or administrative confiscation under Section 68 and 68A of PD 705 as amended, and as implemented by DAO 97-32 and other subsequent forestry regulations that may be promulgated.

xxx

Department Administrative Order No. 2003-04

Sec. 12. Items subject to apprehension, seizure, confiscation and forfeiture.

12.1 SELLING, PURCHASING, RE-SELLING, TRANSFERRING, DISTRIBUTING, OR POSSESSING, A CHAINSAWA WITHOUT A PROPER PERMIT- Any person who sells, purchases, transfers the ownership, distributes, or otherwise disposes or possess a chainsaw without first securing the necessary permit from the Department shall be punished with imprisonment of four (4) years, two (2) months and one (1) day to six (6) years or a fine of not less that Fifteen Thousand (15,000) pesos but not more than

Thirty Thousand Pesos (P30,000.00) or both at the discretion of the court and the chainsaw confiscated in favor of the government

DEPARTMENT ADMINISTRATIVE ORDER 97-32

Sec. 8. Abandoned Illegal Forest Products.

The following procedures apply in cases where illegal forest products and other items listed in Section 2 hereof are abandoned, or when the owner, claimant, custodian or other interested Party(ies) is unknown, cannot be determined, or cannot otherwise be found.

Par.3. Summary Seizure/Confiscation Proceedings shall be conducted by the hearing officer designated in these rules. In such cases the Notice of Hearing shall be posted at least three (3) times, once a every week for three (3) consecutive weeks, in at least three (3) public places, including but not limited to: (a) the Barangay Hall of the apprehension site; (b) the Bulletin Board of the DENR Offices where the Proceedings will be conducted, and (c) at the Municipal Hall of the apprehension site.

Should the owner, claimant or other interested Party fail to appear at the Proceedings, such failure shall be deemed a waiver of the right to appear and of any/all rights to the items apprehended in favor of the Government.

xxx

Sec.13 THE FOLLOWING CHAINSAW ARE SUBJECT TO CONFISCATION

13.1. Chainsaws sold, purchased, resold, transferred, distributed, leased, rented, lent or possessed without proper permit or authority from the Department.

xxx

3. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended abandoned **ONE HUNDRED TWENTY SEVEN (127) PIECES OF GMELINA LUMBERS WITH A DIMESION OF NINETY TWO (92) PIECES 1"x6"x6' GMELINA; TWENTY FIVE (25) PIECES 1"x6"x10' GMELINA; TEN (10) PIECES 1"x6"x8' GMELINA; WITH A TOTAL VOLUME OF 441.00 BDFT. AND ONE (1) UNIT OF STIHL CHAINSAW WITH A SERIAL NO. 04081675-A, shall be confiscated in favour of the government since those lumbers are product of an illegal act.**

Based in the case at bar, the cutting of forest products without legal documents if proven is a violation of Section 77 of PD 705 as amended by Executive Order No. 277 and Republic Act 7161 AND the use One (1) unit of Chain saw thus subject to confiscation as it violates RA 9175 and Department Administrative Order (DAO) 2003-04. Moreover, in occasion where the said illegal forest products was said to be abandoned it shall also be confiscated in favor of the Government, under Section 8 Par. 3 of Department Administrative Order (DAO) 97-32.

Wherefore, pursuant to Section 77 and 77-a of PD 705 as amended, section 2 and 7 of DENR Administrative Order No. 97-32, series of 1990 and based on DAO 98-24 (Manual of Approvals) the following are hereby recommended:

1. The abandoned **ONE HUNDRED TWENTY SEVEN (127) PIECES OF GMELINA LUMBERS WITH A DIMESION OF NINETY TWO (92) PIECES 1"x6"x6' GMELINA; TWENTY FIVE (25) PIECES**


1"x6"x10' GMELINA; TEN (10) PIECES 1"x6"x8' GMELINA; WITH A TOTAL VOLUME OF 441.00 BDFT. AND ONE (1) UNIT OF STIHL CHAINSAW WITH A SERIAL NO. 04081675-A, shall be confiscated in favour of the government since those lumbers are product of an illegal act.

Issued this _____ day of JUL 07 2022 at DENR-CENRO San Jose, Occidental Mindoro.

Prepared by:


HECTOR S. ARAGONES, JR.
Forester III/Hearing Officer

Noted by:


EFREN L. DELOS REYES
CENR Office



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

EMAIL FOR TRANSMISSION
March 17, 2022

FOR: THE REGIONAL EXECUTIVE DIRECTOR
DENR-MIMAROPA REGION
ERMITA, MANILA

THRU: PENR OFFICER
MAMBURAO, OCCIDENTAL MINDORO

FROM: THE CENR OFFICER

PLEASE BE INFORMED THAT THE PERSONNEL FROM ENFORCEMENT AND MONITORING SECTION OF CENRO SAN JOSE CMA OCCIDENTAL MINDORO HAD APPREHENDED ONE (1) UNIT STIHL CHAINSAW CMA WITH TAMPERED SERIAL NUMBER 04081675-A CMA ONE HUNDRED TWENTY SEVEN (127) PCS LUMBER OF GMELINA LUMBER WITH DIFFERENT DIMENSIONS HAVING AN AGGREGATE VOLUME OF 441.00 BDFT. AT BRGY ANSIRAY CMA SAN JOSE CMA OCCIDENTAL MINDORO ON MARCH 16, 2022 ON OR ABOUT 2:49 IN THE AFTERNOON PD


BE FURTHER INFORMED THAT THE SAID MAJOR FOREST PRODUCTS AND EQUIPMENT WAS FOUND ABANDONED AND NO CLAIMANT APPEARED DURING THE TIME OF APPREHENSION PD

THE SAID EQUIPMENT AND MAJOR FOREST PRODUCTS WAS BROUGHT TO DENR CENRO SAN JOSE OFFICE COMPOUND AT BRGY. LABANGAN CMA SAN JOSE CMA OCCIDENTAL MINDORO FOR SAFEKEPPING PURPOSES PD

FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

CENRO DELOS REYES

SENDER:


EFREN L. DELOS REYES
CENR Officer



Republic of the Philippines
Department of Environment and Natural Resources

MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
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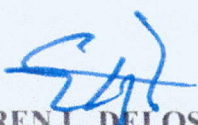
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FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

CENRO DELOS REYES

SENDER:


EFREN L. DELOS REYES
CENR Officer



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

Community Environment and Natural Resources Office

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

March 17, 2022

MEMORANDUM

FOR : The CENR Officer *203/17/22*
THRU : The EMS Chief
FROM : Enforcement and Monitoring Section Staffs
SUBJECT : **REPORT REGARDING THE APPREHENSION OF ONE HUNDRED TWENTY SEVEN (127) PIECES ABANDONED GMELINA LUMBERS (10 PCS.=1X6X8, 15 PCS.=1X6X10, 92 PCS.=1x6x6) WITH A TOTAL VOLUME OF 441.00 BOARD FEET AND ONE (1) UNIT OF CHAINSAW AT BRGY. ANSIRAY, ILIN ISLAND, SAN JOSE, OCCIDENTAL MINDORO ON MARCH 16, 2022**

Submitted herewith is the report regarding the apprehension of the above mentioned subject:

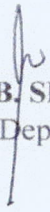
1. That on the morning of March 16, 2021, EMS Chief Hector S. Aragon, Jr. received an instruction from CENR Officer Efren L. Delos Reyes that a vital information from an anonymous citizen from Brgy. Ansiray, San Jose, Occidental Mindoro signifying that there has been an ongoing illegal activity regarding cutting of trees within the forest land of the same barangay.
2. EMS Chief Hector S. Aragon, Jr. instructed EMS Deputy Chief Jomar B. Serquiña to conduct surveillance at the said area to verify the veracity of the said information.
3. At around 12:00 noon, EMS Deputy Chief Jomar B. Serquiña together with Forest Rangers Delfin N. Casticimo, Jr., Carl Emmanuel A. Urieta, Ronald D. Fresnillo and Forest Protection Officers Louie James D. Antonio and Ednor C. Legaspi, Jr. and Deputized ENR Officer Emmanuel Pacaul proceeded to Brgy. Ansiray, Ilin Island, San Jose, Occidental Mindoro to conduct surveillance regarding the said information.
4. The team arrived at the said barangay at around 02:10 PM and proceeded to the Barangay Hall to properly coordinate with Brgy. Captain Marlon S. Ramintas and Barangay Kagawad Ricardo M. Sampilo regarding the said information. After that, the team proceeded to the said area to verify the information. **(SEE ANNEX I)**
5. The team conducted surveillance in the said area and discovered stock piles of abandoned lumbers and STIHL chainsaw with tampered Serial No. 04081675-A within the vicinity. **(SEE ANNEX II)**

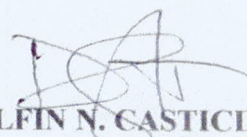
6. After that, the team conducted inventory of the said abandoned lumber and chainsaw. **(SEE ANNEX III)**
7. The team then hauled the said abandoned lumber with a volume of 100.00 board feet (12 pcs. 1x6x10), (10 pcs. 1x6x8) and chainsaw back to the DENR CENRO San Jose for safekeeping and left the remaining 341.00 board feet (92 pcs. 1x6x6), (13 pcs. 1x6x10) at the Barangay Hall of Brgy. Ansiray, Ilin Island, San Jose, Occidental Mindoro for temporary custody. **(SEE ANNEX IV)**

The team recommends to conduct close monitoring at the barangays of Ilin and Ambulong Islands and to intensify the conduct of IEC and coordination with the BLGU Officials.

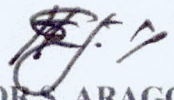
For your information and further instruction.

Prepared by:


JOMAR B. SERQUINA
Forester I/Deputy Chief EMS


DELFIN N. CASTICIMO, JR.
Forest Ranger

Reviewed by:


HECTOR S. ARAGONES, JR
Forester III / Chief, EMS



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Brgy. Labangan, San Jose, Occidental Mindoro
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ANNEX I

The team coordinated with Brgy. Ansiray Captain Marlon S. Ramintas and Barangay Kagawad Ricardo M. Sampilo of Brgy. Ansiray, Ilin Island, San Jose, Occidental Mindoro.



ANNEX II

The team discovered abandoned gmelina lumbers and chainsaw at Brgy. Ansiray, Ilin Island, San Jose, Occidental Mindoro.



ANNEX III

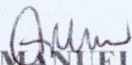
Inventory of the abandoned lumbers and chainsaw with scale sheet.



ANNEX III continuation
Scale Sheet of the said Abandoned Gmelina Lumbers

SPECIES	PIECES	DIMENSION	BOARDFEET
Gmelina	92	1x6x6	276.00
Gmelina	13	1x6x10	65.00
Gmelina	12	1x6x10	60.00
Gmelina	10	1x6x8	40.00
TOTAL	127 pieces		441.00 board feet

Scaled by:


CARL EMMANUEL A. URIETA
Forest Ranger

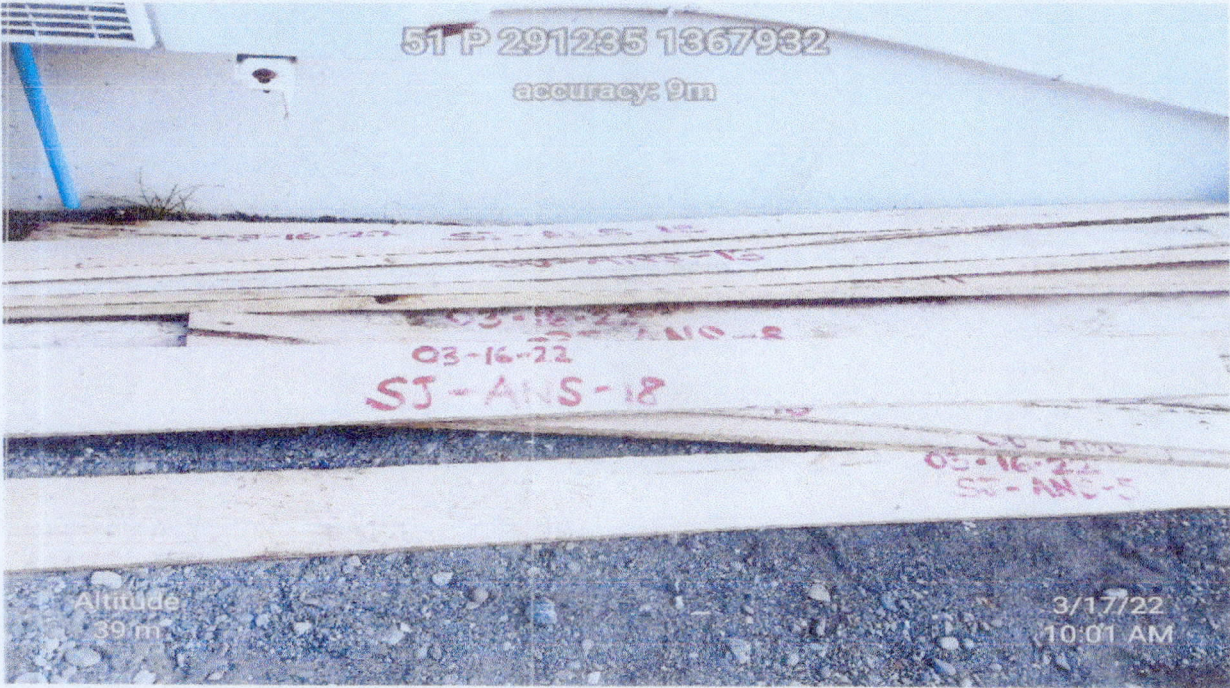
ANNEX IV

Hauling of the said abandoned Gmelina Lumbers to Barangay Hall of Brgy. Ansiray, San Jose, Occidental Mindoro



ANNEX IV continuation

The said abandoned Gmelina Lumbers at DENR CENRO San Jose, Occidental Mindoro.









APPREHENSION RECEIPT

CENRO Control No.: 2022- F43a

E-FMS No: 2022-175110- F43a

Name	Address	Civil Status	Age	Participation	Status of the Person
N/A	N/A	N/A	N/A	N/A	N/A

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
Lumber			LUS	Gmelina	92	1x6x6=276.00	12,420.00	DENR- CENRO Office Compound	
					25	1x6x10=125.00	5,625.00		
					10	1x6x8=40.00	1,800.00		
					127	441.00bdft/ Php 45.00	19,845.00		

Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.	Engine No.	Chassis No.	Accessories
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
			Estimated Value:					

If Animal			
Kind	Quantity	Gender	Color
N/A	N/A	N/A	N/A

Equipment Involved					
Type	Quantity	Details	Impounding Area	Custodian	Estimated Value
chainsaw	1	STIHL with Serial Number 04081675-A	DENR-CENRO San Jose Office Compound		20,000.00

Implements Involved	
Type	Quantity
N/A	N/A

2. The subject Forest Products and other items have undergone the following Apprehension proceedings.

APPREHENSION						
Date and Time of Apprehension	Place of Apprehension				Apprehending Officer	Factual Legal Basis for Apprehension
	Province	City/Municipality	Barangay	Sitio		
March 16, 2022 2:49pm	OCC. MINDORO	SAN JOSE	ANSIRAY	N/A	DENR Personnel	RA 9175 & PD 705

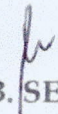
Is/are hereby declare under apprehension on the following FACTUAL reasons:

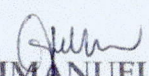
- _____
- _____
- _____

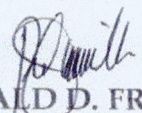
The subject forest products, conveyances, machinery/equipment, tool and implements and others apprehended should be kept and protected from defacement in any manner, destruction or loss and should not be altered or removed until otherwise ordered by the Secretary of the Department of Environment and Natural Resources or his duly authorized representative.

Done this 16th day of March , year 2022 at San Jose, Occ. Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)

- 

1. JOMAR B. SERQUINA
Position: Forester I
Address: DENR-CENRO San Jose, Occ. Mindoro
- 

2. CARL EMMANUEL A. URIETA
Position: Forest Ranger
Address: DENR-CENRO San Jose, Occ. Mindoro
3. DELFIN CASTICIMO JR.
Position: Forest Ranger
Address: DENR-CENRO San Jose, Occ. Mindoro
- 

4. RONALD D. FRESNILLO
Position: Forest Ranger
Address: DENR-CENRO San Jose, Occ. Mindoro

WITNESSES:

OWNER/CLAIMNANT/REPRESENTATIVE/DRIVER
(Signature over Printed Name)

1.

Position:

Address:

2.

Position:

Address:

3.

Position:

Address:

4.

Position:

Address:

Copy Received by:

Signature over Printed Name

Date/Time

Remarks:

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address : Labangan San Jose, Occidental Mindoro

SEIZURE ORDER

CENRO Control No.: 2022-F439
E-FMS No: 2022-175110-F439

Pursuant to the provision of P.D. 705 as amended by E.O. No. 277 and DENR Administrative Order No. 97-32 Series of 1997 the following forest products are hereby ordered seized, to wit:

FACTS

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
Lumber			LUS	Gmelina	92	1x6x6=276.00	12,420.00	DENR- CENRO Office Compound	Forester III Hector S. Aragones Jr.
					25	1x6x10=125.00	5,625.00		
					10	1x6x8=40.00	1,800.00		
					127	441.00 bdf/ Php 45.00	19,845.00		

Minor forest products				
Kind	Unit of Measur ement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Conveyance Involved					
Type	Make/ Model/ Year	Plate No.	Color/Markings	CR No.	OR No.
N/A	N/A	N/A	N/A	N/A	N/A

Conveyance Involved (Additional Details)				
Engine No.	Chassis No.	Accessories	Estimated Market Value	Custodian*
N/A	N/A	N/A	N/A	N/A

*turned over to the highest officer of the Regional Office concerned if government-owned vehicle.

If Animal					
Kind	Quantity	Gender	Age (Adult/Young)	Color	Custodian
N/A	N/A	N/A	N/A	N/A	N/A

Equipment Involved				
Type	Quantity	Details	Estimated Value	Custodian
chainsaw	1	STIHL with Serial Number 04081675-A	20,000.00	Forester III Hector S. Aragon Jr.

Implements Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

The subject Forest Products and other items were apprehended while under the possession/ control/ownership of.

Name	Address	Civil Status	Age	Participation	Status of the Person
N/A	N/A	N/A	N/A	N/A	N/A

2. The subject Forest Products and other items have undergone the following Seizure proceedings.

SEIZURE						
Date and Time of Seizure	Place of Seizure				Seizing Officer	Legal Basis for Seizure
	Province	City/Municipality	Barangay	Siti o		
March 17, 2021 9:20 pm	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	Forester III Hector S. Aragon Jr.	PD 705 & RA 9175

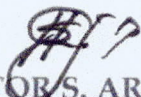
Examination Conducted by Seizure Officer:

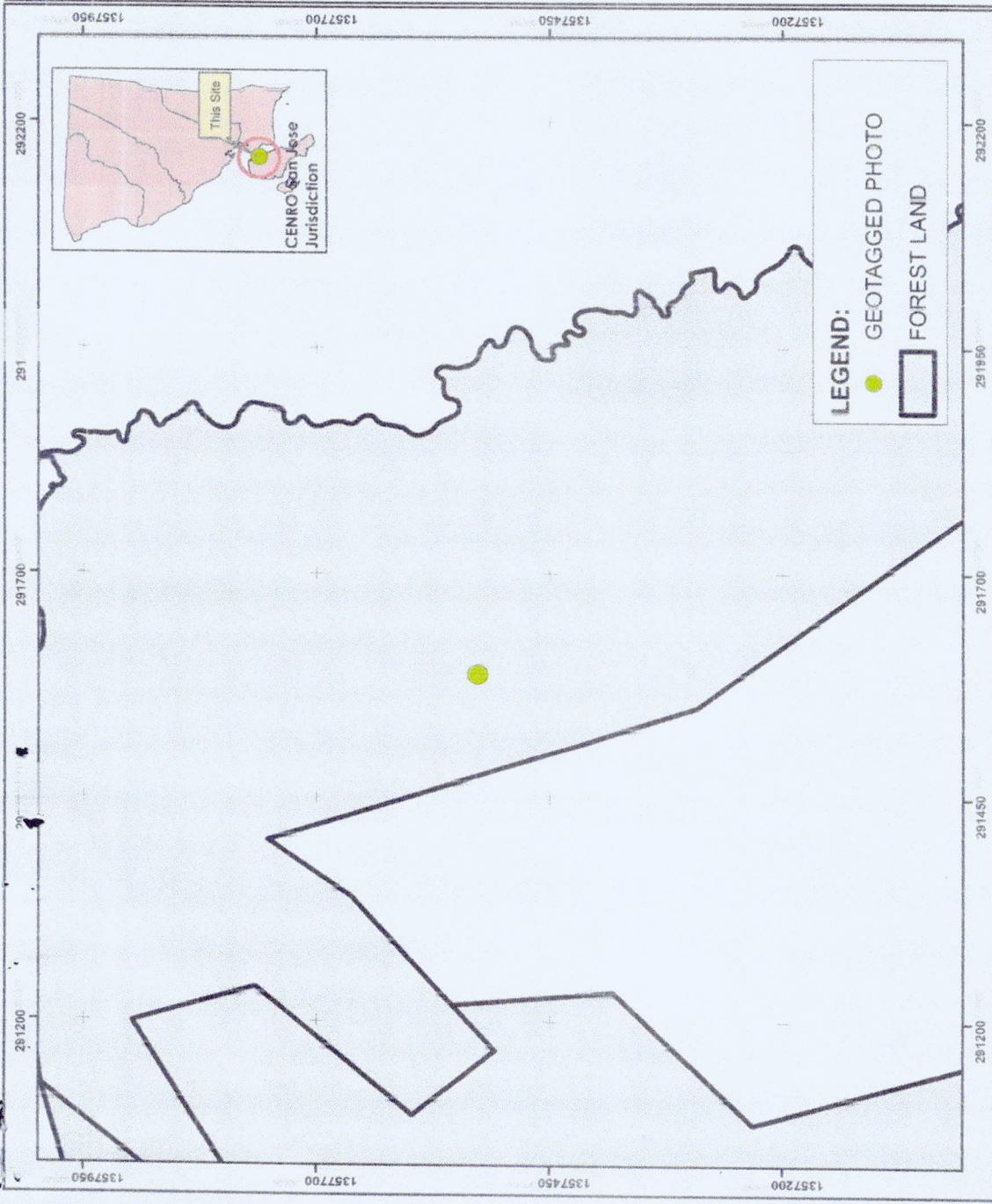
Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated March 16, 2022 and all relevant documents submitted, and after examining personally the apprehending officers and witnesses of the apprehension about the violation committed, it was determined that there is prima facie evidence that existing laws and DENR regulations have been violated and that the offender is probably guilty thereof.

Hence, the foregoing forest products/conveyance/equipment/implement are hereby ordered seized and now under government custody (except government-owned vehicles).

So ordered this 16th day of March, 2022 at Brgy. Labangan, San Jose, Occidental Mindoro.


HECTOR S. ARAGONES JR.
Seizure Officer/ Hearing Officer



SKETCH MAP

OF
APPREHENDED UNDOCUMENTED
GMELENA LUMBER

LOCATED AT:
BARANGAY: ANSIRAY
MUNICIPALITY: SAN JOSE
PROVINCE: OCCIDENTAL MINDORO

APPROXIMATED AREA: 07 HA.
SCALE: 1:5,000

Projection: Universal Transverse Mercator - Zone 51 (N)
Datum: GCS WGS 1984

Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Region IV-MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
San Jose, Occidental Mindoro

CERTIFICATION

This is to certify that this is the correct map through geo-tagged photos under as describe herein and prepared based from the consolidated data and other references available in this office.

Surveyed by:
JOMAR B. SERQUINA
Forester I

Prepared by:
CARL EMMANUEL A. URIETA
Forest Ranger/GIS Operator

Attested by:
HECTOR S. ARAGONES, JR.
Forester III/Chief, EMS

EFREN L. DELLOS REYES
CENR Office



SKETCH MAP OF APPREHENDED UNDOCUMENTED GMELINA LUMBER

LOCATED AT:
BARANGAY: ANSIRAY
MUNICIPALITY: SAN JOSE
PROVINCE: OCCIDENTAL MINDORO

APPROXIMATED AREA: .07 HA.
SCALE: 1:5,000



Projection: Universal Transverse Mercator - Zone 51 (N)

Datum: GCS WGS 1984



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DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Region IV-MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
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Forester I

Prepared by:

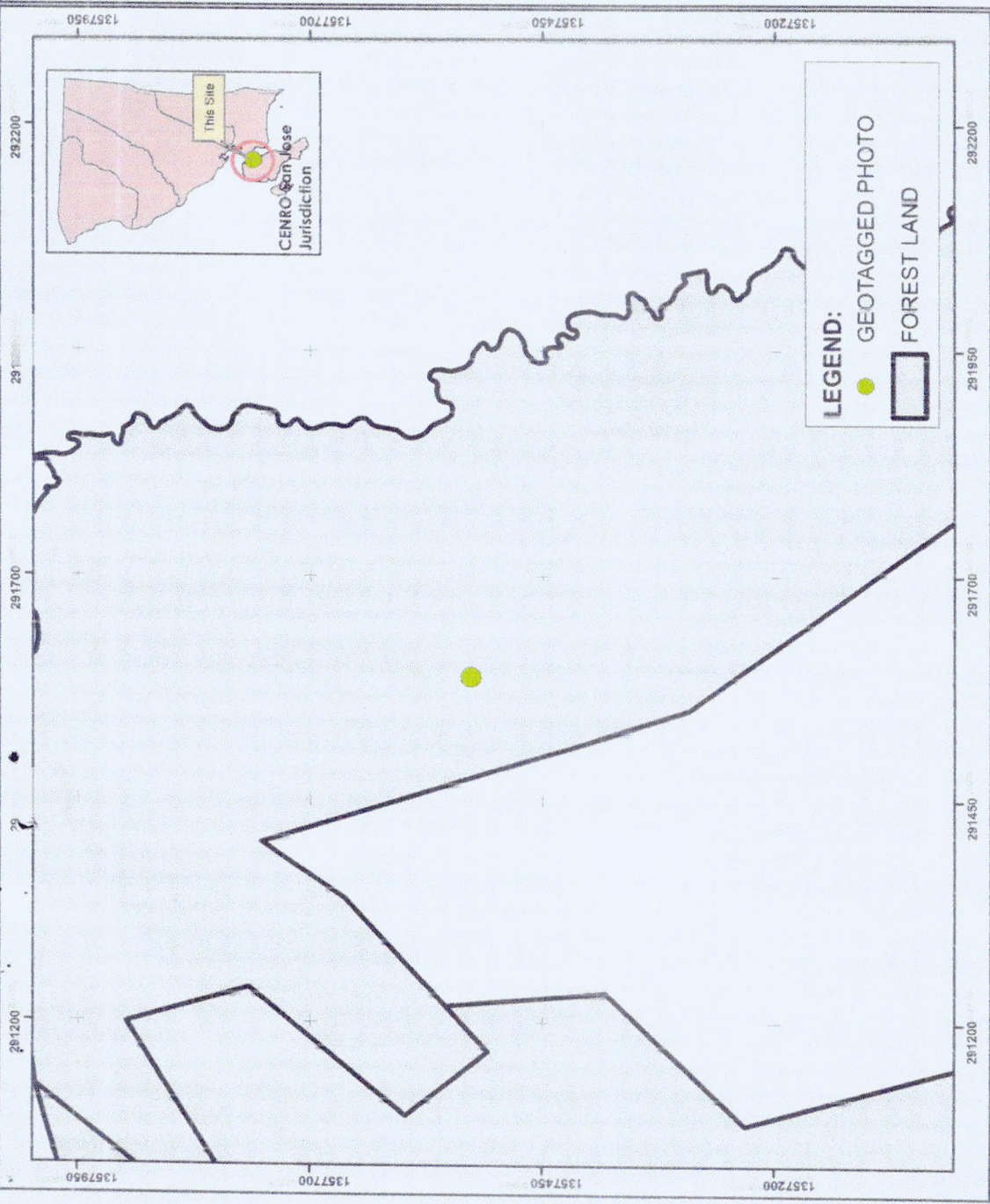
CARL EMMANUEL A. URIETA
Forest Ranger/GIS Operator

Checked by:

HECTOR S. ARAGONES, JR.
Asst. III/Chief, EMS

Approved by:

EFREN L. DELOS REYES
ENR Officer



LEGEND:
● GEOTAGGED PHOTO
□ FOREST LAND





Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

March 29, 2022


PABATID SA PUBLIKO

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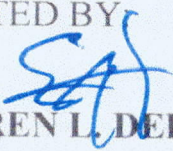
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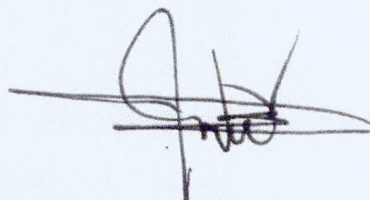
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LUBOS NA GUMAGALANG,


HECTOR S. ARAGONES JR.
Forester III
Seizure Officer/ Hearing Officer

NOTED BY


EFREN L. DELOS REYES
CENR Officer





Republic of the Philippines
Department of Environment and Natural Resources

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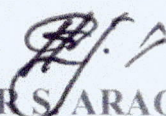
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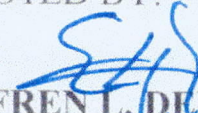
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April 5, 2022

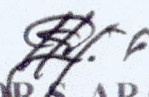
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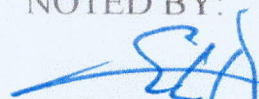
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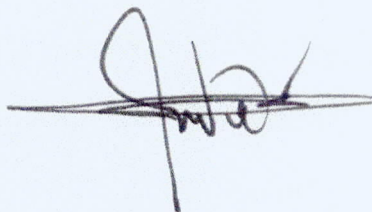
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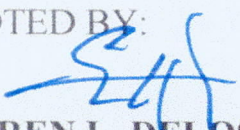
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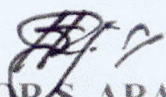
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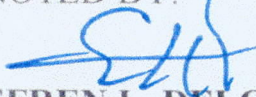
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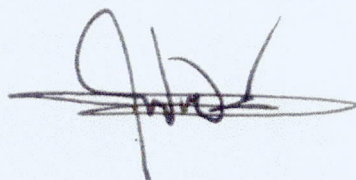
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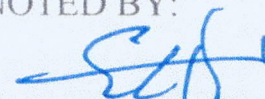
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RECAPITULATION AND ASSESSED VALUE

A. Major Forest Products:

Species	Pieces	Dimension	Volume (bdft)	Estimated Value
Gmelina	92	1x6x6	276.00	12,420.00
	25	1x6x10	125.00	5,625.00
	10	1x6x8	40.00	1,800.00
TOTAL:	127		441	19,845.00

B. Conveyance

UNIT	ESTIMATED VALUE
One Unit Chainsaw STIHL with serial number 04081675-A	Php 20,000.00

GRAND TOTAL:

Php 39,845.00

Prepared by:

JOMAR B. SERQUINA
Forester I