

5505 Sitio Ilang, Ilang Brgy. Budiong

Tablas Odiongan

Isla Romblon

07/24/2022

Thru= Lormelyn E. Claudio Ceso IV

DENR Mimaropa Region

1515 L& S Bldg. – Roxas Boulevard

Ermita, Manila 1000



Mahal na Ginang Lormelyn E. Claudio Eto ay sulat para sa pagtugon ko sa padala mong sulat. 28 January 2022 tungkul sa mga taong nag imbestiga sa amin. Ayon sa sulat ng Regional Executive Director Ginoong Henry A. Adornado Ph. D. ang katotohanan ay walang nangyaring imbestigasyong ginawa sila pinapapirma kami sa blangkong papel na ang mga sumusunod Lucia Rito Anastacio – Necanora Rito Faeldonia, Mayunito Forio Rito, Lordez Forio Vicente, Antonio Forio, Norma Forio Dela Austria. Bakit di nag pirma sina Dennis B. Valdez, Eriberto Magnaye, Bibian Lyn T. Aguha, Ann Adrigues, Roger Briones , Joel Mendiola Forio, Robinson Fernando Fopalan na kanilang

ginawa sa PENRO, kaya ang report ni Bibian Lyn T. Aguha yong imbestigasyon ay walang katotohanan walang imbestigang nangyari sa amin bakit pinatawag ni Bibian Lyn T. Aguha si Inocensio Falcutila Forio na siya ang nag pa survey. Bakit yong kapatid niyang si Lourdez Forio Vicente ang pinapunta na walang alam. Sa imbestigasyong nangyari dito sa PENRO Romblon na report sabi nila ay dismiss ang kaso ni Leni Ferri wala naming nag akusa sa kanya at pinapalabas lang nila na mapa wlang sala si Leni Ferri sa katotohanan sila ni Roger Briones ang mag kasama na nag susurvey dito at ang nag pipirma ay si Simplecio Manipol sabi pa ni Bibian Lyn T. Aguha ay puyde siyang mag survey. Bakit siya nagsasabi ng di tama sa Sina-saad sa batas siya ay Cartographer si Briones di naman alam kong Geoditic Engineer siya bakit siya ay nagbibigay ng serbisyong mag survey wala siyang Business Permit ng municipyo – DTI, BIR at kung saan ang surveying Service niya dapat mapanagutan ito ni Roger Briones at ngayon naka report sa imbestigasyon na nagbigay siya ng SEPIA at bakit doon kami magbabayad sa barangay kapitan na si Robinson Fernaldo Fopalan bakit hindi deretso sa kanya inuulit ko kailangang ma expleka ito ni Bibian Lyn T. Aguha kasi sabi niya ay pag hindi ito maayos kahit pa saan kami pumunta ay hindi kami tutulungan kung hindi ito matugunan, idudulog koi to sa iba pang ahensiya ng gobyerno. Ang pananakit, abuso at

katiwalian sa kagawaran, nandiyan naman sina Senador Raffy Tulfo, Ruben Padilla na puydeng hingian ng impormasyon tungkul sa katiwalian na ginawa ng mga tauhan ng gobyerno. Ang kagawaran ng mga katarungan Supreme Court, Civil Service – CSC ARTA at iba pa napakabuti niyo Ginang Lournelyn E. Claudio na pina unlakan niyo na imbestigahan ang Investigative Team kaya bago pa dumating ang sulat n Adornado ay inunahan ni Bibian Lyn T. Aguha na pumunta rito para mag usap ng mga taong mag bibigay ng ulat sa iba. Bakit di niya si Inocensio Falcultila Forio na siya ang nag pa survey. P.S akoy nagpadala ng sulat sa inyo noong March 05, 2022 salamat.

Elderly Senior Citizen
NORMA F. DELA AUSTRIA

4267

DAYS No.:

0101-15014

JUN 11 2019

REGIONAL SPECIAL ORDER

No. 273
Series of 2019.

SUBJECT : CREATION OF INVESTIGATION TEAM ON THE COMPLAINT OF MS. NORMA F. DELA AUSTRIA ADDRESSED TO THE PACC CHAIRMAN, CHRISTOFFER BONG GO AGAINST DENR EMPLOYEES OF PENRO ROMBLON ALLEGEDLY FOR CONDUCTING LAND SURVEY ON A PARCEL OF LAND WITHOUT AUTHORITY IN CONSIDERATION OF PHP 30,000.00 IN PHILIPPINE CURRENCY.

In the interest of the service and in view of the complaint filed by Ms. Norma F. Dela Austria addressed to the Presidential Action Complaint Center (PACC) implicating certain DENR employees of PENRO, Romblon namely Leni Ferri and Roger Briones on the alleged survey without authority in consideration of Php 30,000.00 in Philippine currency on a parcel of land claimed by the complainant, a team composing of Regional Office and DENR Romblon personnel is hereby created, to wit:

Team Leader : DENNIS B. VALDEZ
Supervising Administrative Officer
Administrative Division

Members : BIBIANA LYN T. AGUHA
LMO I, Enforcement Division

ERIBERTO MAGNAYE
Cartographer I, SMD

PENRO-ROMBLON REPRESENTATIVE
Administrative Unit

The team shall:

1. Conduct in-depth investigation over the land subject of the survey;
2. Verify as to whether the survey was clothed with approved survey authority;
3. Determine and validate the veracity of the complaint on the alleged survey by the DENR personnel in consideration of Php 30,000.00 pesos in Philippine currency;
4. Inform the parties concerned on the conduct of the investigation;



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

JUL 17 2019

**GINANG NORMA DELA AUSTRIA,
GINANG NICANORA R. FAELDONIA**

5505 Sitio Ilang-Ilang, Brgy. Budiong,
Tablas, Odiongan, Romblon

Ginang dela Austria:

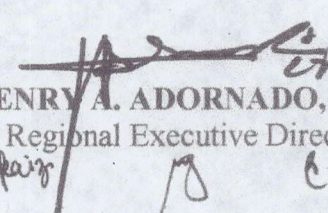
Isang maka-kalikasang araw po sa inyo!

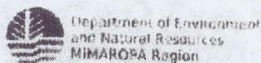
Ito po ay patungkol sa inyong liham na may petsa na ika-09 ng Hunyo taong 2019 at sa liham ni G. Nicanora R. Faeldonia hinggil sa reklamo laban sa mga empleyado ng PENR Office sa Romblon na sina Line Ferri at Roger Briones na may kaugnayan sa inyong problema sa lupa na matatagpuan sa Budiong, Odiongan, Romblon.

Nais po naming ipabatid sa inyo na kalakip dito ang kopya ng *Regional Special Order* na bumubuo ng grupo na mag sisiyasat sa inyong lupain at sa inyong reklamo laban sa mga nabanggit na empleyado ng PENRO Romblon at makaka-asa kayo na mabibigyang linaw ang inyong mga hinaing.

Maraming Salamat po at hangad namin na kayo ay muling mapaglingkuran..

Lubos na gumagalang,


HENRY A. ADORNADO, Ph.D.
Regional Executive Director



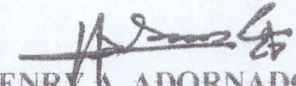
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5. Submit report in Completed Staff Work (CSW) with categorical recommendation within seven (7) days upon completion of field activity.

All expenses to be incurred during the conduct of the field activity and research shall be charged to respective offices/other sources subject to the availability of fund and existing accounting and auditing rules and regulations.

This Order takes effect on the date stated above and remains in effect until the report on same has been complied and submitted.

SO ORDERED.


HENRY A. ADORNADO, Ph. D.
Regional Executive Director

Itong Sulat ni Henry A. Adornado, Ph.D
Regional Executive Director ay July 20 19 ay-
nakanakaliha gina Dinnes B. Valdez - Bilekily
T. Aguha, Erebito magnaya bagko ma tonggapiton
sulat. kayanang embestegang ng yari - at kanin
ay tinakot ni Bilekily T. Aguha. LMO 1, Enfor-
cement Division



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

June 20, 2019

NORMA DELA AUSTRIA
Brgy. Budiong, Odiongan
Romblon

Madame

Isang maka-kalisang araw!

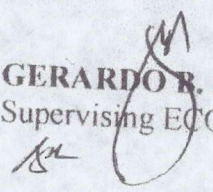
Nais po naming kayong imbitahan sa gaganapin na pag-uusap ukol sa inyong lupa, Lot 3545 – Cad 341 –D, na matatagpuan sa Brgy. Budiong, Odiongan, Romblon. Ang nasabing pag-uusap ay upang linawin ang mga agam-agam at makatulong ang aming opisina upang mapagkasunduan at mabigyan ng karampatang mungkahi at posibleng solusyon ang problemang panlupa na kasalukuyang kinakaharap ng inyong pamilya.

Ang pag-uusap ay gaganapin bukas, ika-21 ng Hunyo, 2019 sa opisina ng DENR, PENRO-Romblon, Brgy. Tabing-Dagat, Odiongan, Romblon sa ganap ng ika-9:00 ng umaga.

Inaasahan po namin ang inyong pag-dalo.

Gumagalang,

For and in the absence of OIC, PENRO


GERARDO R. SABIGAN
Supervising ECOMS/ OIC, Chief - MSD



IN THE MATTER OF THE COMPLAINT
FILED BY MRS. NORMA DELA AUSTRIA
AGAINST CARTOGRAPHER I LENI L.
FERRY OF PENRO ROMBLON

DENR CASE No. M-01-21-A

X-----X

RESOLUTION

This case stemmed from the unsubscribed complaint dated January 25, 2019 filed by Mrs. Norma Dela Austria against DENR employees, specifically referring to Mr. Leni Ferry, and a certain Mr. Roger Briones, not an employee of DENR, due to the alleged unauthorized survey of Lot 3545 under Cadastral Survey No. Cad-341-D located at Barangay Canduyong, Odiongan, Romblon. Initially, an investigation was conducted by the PENRO Romblon and an investigation report was submitted through a Memorandum dated April 29, 2019.

Regional Special Order (RSO) No. 273, Series 2019, was issued creating a team from the Regional Office to conduct an in-depth investigation on the complaint.

The complaint dated January 25, 2019 is quoted as follows:

"Mahal naming Ginoong

Christoffer Bong Go

*Chairman PACC
Malacañan Manila*

Sumulat po kami sa inyo para matapus na ang gusot sa lupa ng lolo kom rito sa Budiong, Odiongan, Romblon po! Ito po ay dahil sa kagagawan pagresurvey po ni Ginoong Line Ferry at kasama na si Roger Briones. Napag alaman po namin na di pala siya otoresadong magsusurvey at kanyang kasama. Dahil di naman sila lisensyado at lihitimong surveyor. At sila ay nagpapapirma sa isang may lisensyadong geodetic engineer. Nagmamakaawa po kame sa inyo Ginoong Christoffer Bong Go.

Paimbestigahan po ninyo kung anu ang katungkulan ni Ginoong Line Ferry at si Ginoong Roger Briones sa ahensiya. At kung bakit silang dalawa ay nagresurvey na walang resulta naman. At binayaran sila ng tatlongpong libo -P30,000.00- at wala naman po silang opisina na nagsasaad na lihitimo silang surveying office na rehistrado sa Munisipyo, Department of Trade and Industry at Bureau of Internal Revenue- at sabi po dito sa Municipal Agrarian Reform office na sila at pribading surveyor. Kaya gusto po naming malaman ang kanyang pagkakalihitimong surveyor. At kung anu si Line Ferry at Roger Briones sa ahensiya ng gobyerno -DENR- Gusto po naming mag anak na matapos na ang gusot ng lupa ng lolo naming. na si Ginoong Line Ferry at Ginoong Roger Briones ang nagsurvey sapagkaalam naming ay ang pagresurvey ay dapat lahat kaming mag anak ay pinadalhan ng surveyor ng sulat na magresurvey sila. Pati mga kahongga ng lupa ng lolo namin. Ay walang ganon na nangyari kaya po kami nagmamakaawa sa inyo na maayos ang gusot na ito na matransfer ang titulo sa aming mag anak.



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

MEMORANDUM

TO : The PENRO
Romblon

FROM : The Regional Executive Director

SUBJECT : **LETTER OF MS. NORMA DELA AUSTRIA RE:
IMPLEMENTATION OF THE RIVERBANK PROTECTION
PROJECT AND EASEMENT CONCERNS AT SITIO ILONG-
ILONG, BRGY. BUDIONG, ODIONGAN, ROMBLON**

Referred is a letter dated June 19, 2021 of Ms. Norma Dela Austria of Sitio Ilong-Ilong, Brgy. Budiong, Odiongan, Romblon regarding the above subject.

Based on the letter, Ms. Dela Austria raised her concerns on the possible water and air pollution caused by the establishments such as piggeries, depots of sand and gravel and parking areas of dump-trucks erected near Iloilo river

In line with this, you are hereby directed to conduct an immediate investigation, in coordination with all the parties concerned, to determine the veracity of the complaint. Submit report with categorical recommendations within five (5) working days upon receipt hereof, which will serve as basis for further action by this Office.

For strict compliance.


MARIA LOURDES G. FERRER, CESO III

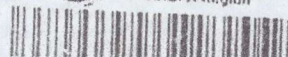
Cc: Ms. Norma Dela Austria
Sitio Ilong-Ilong, Brgy. Budiong,
Odiongan, Romblon

Department of Tourism
2nd flr., 351 Sen. Gil Puyat Ave.,
Bel-Air II, Makati City

Department of Interior and Local Government
DILG NAPOLCOM Center,
Edsa Corner Quezon Ave., West Triangle,
Quezon City



Department of Environment
and Natural Resources
MIMAROPA Region



Sa sinasabi nilang Extra-Judicial Partition Settlement Jan. 6, 2009 pa ginawa itong pag resurvey at hanggang ngayon po ay wala ng resulta. Matanda na po kami at gusto naming matapos ang gusot naming mag anak na ito. Dahil sa kagagawan nila Line Ferry at Roger Briones sa pagresurvey nila. Gusto po naming na maayos ang gusot na ito. Sa ganitong sitwasyon nakikita naming ang katiwalian sa pagresurvey at sa inyo po kami nag susumamo para malaman po naming lahat ng katotohanan. Baka hindi lang kami ang naloko rito sa mga katiwalian ito baka maña nipa. Dapat ay maisaayos na ito. Para mawala ang kaguluhan sa lupa ng lolo namin. At ng makatira uli kami ng matiwasay sa lupa ng lolo naming na maibigay sa aming mag anak ang kanya, kanya ng parti ng lupa. At mabigyan kami ng tamang impormasyon at kaukulan. At mawala ang crusada ng Pangulong Mayor Rodrigo Roa Duterte tungkol sa katiwalian. Itong lupa na ito ay pamana ng lahi ng aming lolo bilang katotobo galing Banton, ang tubo ng mga ASI. Tulongan po niyo kami na iyan ng gusting mangyari ng Pangulong Mayor Rodrigo Roa Duterte. Hintaying po naming ang marangyang sagot ninyo sa lalong madaling panahon. Kalakip po dito itong sulat ng kamag anak ko at iba pa."

The regional investigation team conducted an ocular inspection and found that portions of the area are in the possession and occupation not only of Mrs. Norma Dela Austria but also by her co-heirs who are all descendants of Isidro Forio. The team sent an invitation to the heirs of Isidro Forio for a conference/meeting in order to resolve their dispute.

During the conference/meeting held at the PENR Office, majority of the heirs of Isidro Forio was present. Mr. Roger Briones was also present and he showed a sepia of the approved survey plan of the lot to the heirs, but he stated that he will only give them a copy once the remaining balance for the payment of the subdivision plan is settled by the heirs.

The team asked if the heirs know the aggregate area they are claiming. One of them stated that it is more than seven (7) hectares, while the others stated that it is seven thousand four hundred sixty-six (7,466) square meters. The team explained that per record on file the subject area is only equivalent to 0.7466 hectares or seven thousand four hundred sixty-six (7,466) square meters.

The team also asked the heirs if they were aware of the allegations on the payment of Php30,000.00 given to Mr. Leni Ferry, a PENRO employee, in consideration of the survey and to present any acknowledgment receipt as proof of the alleged payment. The heirs executed a "Katibayan" to prove that the allegations have no basis whatsoever. Moreover, Mr. Briones, also executed an Affidavit stating that Mr. Leni Ferry was not with them during the survey.

The team was also able to verify that Isidro Forio, the grandfather of complainant Mrs. Norma Dela Austria, was the listed survey claimant of Lot 3545. Mr. Forio filed his Free Patent Application over the parcel of land on October 4, 1963 and the corresponding Original Certificate of Title (OCT) No. P-22678 was registered on December 13, 1963 by the Registry of Deeds of Romblon, Romblon. Lot 3545 was subjected to a subdivision survey on August 15, 2009 and was approved on November 24, 2009. Lot 3545, Cad 341-D was subdivided into nine (9) lots per Subdivision Plan, Psd-04-205809. However, there was no copy of any Deed of Partition or Extrajudicial Settlement executed by the heirs.

On the alleged payment of survey money as stated by Mrs. Norma Dela Austria, there was no evidence presented to prove that there was money given to Mr. Leni Ferry in the conduct of land survey. However, it was confirmed that Jun Forio, one of the heirs of Isidro Forio, paid Geodetic Engineer Simplicio M. Manipol in the amount of Fourteen Thousand Pesos (Php 14,000.00) as partial payment for the Subdivision Survey of Lot 3545. The money was received by Mr. Roger Briones, Engr. Manipol's representative.

In their investigation report dated September 9, 2019, the team recommended that:

"IN VIEW OF THE FOREGOING, considering that the parcel of land subject of investigation has long been titled, this Office has no jurisdiction over the matter. Any future

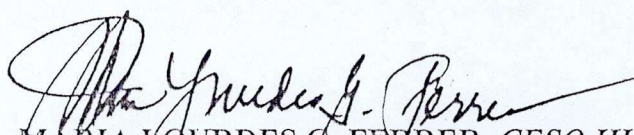
complaint relative thereto shall no longer be entertained. Likewise, Subdivision Survey Plan covering Lot 3545, Cad 341-D, Odiongan Cadastre has long been approved with resultant Subdivision Plan Psd-04-205809. Further, Leni Ferry (sic) is hereto absolved and free from any obligation or consequences of guilt. The complainant/s hereto failed to show any supporting document/s as evidence to prove their allegations. The case is considered close and considered for filing for future reference. xxxxx"

In the case of *Balasbas vs. Monayao*¹, the Court stated that while technicalities may be dispensed with in administrative proceedings, "this does not mean that the rules on proving allegations are entirely dispensed with. Bare allegations are not enough; these must be supported by substantial evidence at the very least."

WHEREFORE, premises considered, the complaint against Cartographer I Leni Ferry of PENRO Romblon is hereby **DISMISSED**.

SO ORDERED.

Manila, Philippines. MAR 12 2021


MARIA LOURDES G. FERRER, CESO III
Regional Executive Director

Copy furnished:

Norma Dela Austria
Sitio Ilang Ilang
Budiong, Odiongan, Romblon

Acting Director Joaquin Romeo Santiago
Public Concerns Office
Presidential Management Staff
Malacañang, Manila

The OIC Assistant Secretary
Field Operations – Southern Luzon

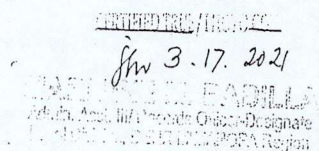
Undersecretary and Chief of Staff

PENRO Romblon

Leni L. Ferry
c/o PENRO Romblon

ARD-MS/LD




JFW 3-17-2021
Regional Executive Director

¹ Michaelina Ramos Balasbas vs. Patricia B. Monayao, G. R. No. 190524, February 17, 2014