



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph

DENR-MIMAROPA RECORDS SECTION	
RECEIVED	
05 SEP 2022	
☐ INCOMING	☐ OUTGOING
TV	DATS NO.

August 19, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
1515 L and S Bldg., Roxas Boulevard
Ermita, Manila

FROM : The Provincial Environment and Natural Resources Officer

SUBJECT : ADMINISTRATIVE ADJUDICATION REPORT ON THE
APPREHENDED ONE (1) UNIT TOPDOWN TRICYCLE LOADED
WITH TWELVE (12) SACKS OF WOOD CHARCOAL IN
BARANGAY MINARA, ROXAS, PALAWAN

Respectfully forwarded is the memorandum of CENRO Roxas, Palawan dated February 03, 2022 and received on August 16, 2022 relative the above subject.

Per memorandum, the apprehension was made by CENRO MES personnel on July 29, 2021 at around 06:04 A.M. while conducting mobile checkpoint at Barangay Minara, Roxas, Palawan. The team apprehended the Topdown Tricycle (RUSI Model Macho TC 150cc color red) loaded with twelve (12) sacks of wood charcoal without permit and have estimated fair market value of Php50,000.00 and Php2,160.00 respectively.

The apprehended conveyance loaded with charcoal was driven and owned by Mr. Manuel Martisano of Barangay Minara, Roxas, Palawan.

The apprehended wood charcoal and the vehicle are now deposited at CENRO Compound, Barangay III, Roxas, Palawan for safekeeping purposes under the custody of Foretser I Marcos C. Lasangen.

Pursuant to Section 7, Item No. 1 of DAO 1997-32, the notice dated August 27, 2021 was sent to Mr. Manuel Martisano and the administrative hearing was conducted on September 03, 2021.

We concur with CENRO recommendation for the issuance of confiscation order for the wood charcoal and the conveyance.

Copy Furnished
CENRO Roxas, Palawan
File/2022-014ACG/MES Doc. Ref. No. 2022-7423

FELIZARDO B. CAYATOC

DENR-PALAWAN
PENRO-RECORDS
RELEASED

By _____
Date: 22 AUG 2022



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

February 03, 2022

MEMORANDUM

FOR : The Provincial Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City, Palawan

FROM : The OIC, Community Environment and
Natural Resources Officer
Roxas, Palawan

SUBJECT : **ADMINISTRATIVE ADJUDICATION REPORT ON THE
APPREHENDED ONE (1) UNIT TOPDOW TRICYCLE LOADED
WITH TWELVE (12) SACKS OF WOOD CHARCOAL IN
BARANGAY MINARA, ROXAS, PALAWAN**

DENR PENRO
PALAWAN RECORDS
RECEIVED

BY: 
DATE: 08/16/2022 22-7423

Submitted herewith is the summary of the Administrative Confiscation Proceedings together with the pertinent documents anent the above-cited subject treated under DAO 97-32.

I. FACTS OF THE CASE

The apprehension was made by the DENR CENRO MES personnel on July 29, 2021 at around 06:04 A.M. while conducting mobile checkpoint at dawn of the same day. The subject forest products and conveyance was driven and owned by Mr. Manuel Martisano and were brought to this Office compound for safekeeping under the custody of Forester I Marces C. Lasangen.

II. NOTICE OF HEARING

Pursuant to the provisions of the Department Administrative Order No. 97-32 Re: Rules of Administrative Adjudication of Illegal Forest Product and the Machinery, Equipment, Tools and Conveyance used in connection therewith specifically Section 07, Item No. 01, issuance of Notice of Hearing for the conduct of administrative proceedings. Further, Notice of Hearing was issued and was scheduled on September 03, 2021

III. EVALUATION

The administrative hearing was attended by the spouses Manuel Martisano and Roselyn Martisano. Further, the Apprehending Officers, Forest Technician II Roy T. Mercader and Forest Ranger Mark Williams R. Sotoza are also present during the same hearing.



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Based on the conducted hearing, Mr. Martisano admitted that he failed to secure transport permit from this Office as he usually did on his previous transport of wood charcoal. Further, informing that this is the second time that Mr. Martisano has been caught for the same offense, a violation against Section 77 of Presidential Decree No. 705, as amended.

IV. RECOMMENDATION

Henceforth, recommending that the immediate issuance of Confiscation Order of the one (1) unit topdown tricycle and its load be forfeited in favor of the government.

V. ATTACHMENT

- Apprehension Report dated July 29, 2021
- Apprehension Receipt
- Photo Documentation
- Custody Receipt
- Seizure Order dated July 29, 2021
- Seizure Receipt dated July 29, 2021
- Notice of Hearing to Mr. Manuel Martisano dated August 27, 2021
- Attendance Sheet dated September 3, 2021
- Summary Administrative Hearing dated September 3, 2021

For information and further instruction.


PABLO L. CRUZ

DENR-CENRO ROXAS
RELEASED
DATE: 02/09/2022
BY: [Signature]
DOC. NO. 2022-02-0136



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

July 29, 2021

FOR : The OIC, Community Environment and
Natural Resources Office

THRU : The Chief, Monitoring and Enforcement Section

FROM : The Undersigned Forest Officers

**SUBJECT : REPORT ON APPREHENSION OF 12 SACKS WOOD CHARCOAL
LOADED ON A TOPDOWN TRICYCLE APPREHENDED AT BGY.
MINARA, ROXAS, PALAWAN.**

Be informed that the undersigned Forest Officers conducted anti-illegal close monitoring through mobile checkpoint at dawn on July 29, 2021 at Barangay Minara Roxas, Palawan. At around 5:00 in the morning, the undersigned intercepted One (1) Topdown Tricycle powered by red *Rusi, Model Macho TC 150 with Chassis No. RMTSTC 150003449 AND Engine No. RMTSTC 150003449*, driven/operated by certain Mr. Manuel Martisano, loaded with Twelve (12) sacks of wood charcoal without legal transport documents. This act is prohibited under *Section 77 of Presidential Decree Number 705, as amended by R.A. No. 7161*.

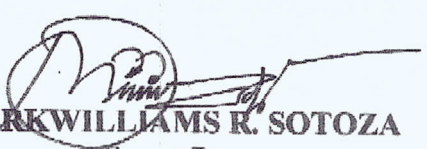
Further be informed that according to Mr. Manuel Martisano, the driver of aforesaid vehicle, that those wood charcoal were derived from the registered plantation of Alvino Nangit located at Barangay Dumarao Roxas, Palawan.

Moreover, the said forest products together with the Topdown Tricycle were apprehended and brought by the team to CENRO Compound, Bgy. III, Roxas, Palawan for safekeeping and for proper disposition.

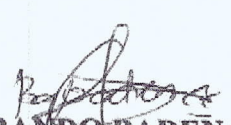
Attached are apprehension receipt and geo-tagged pictures for reference.

For information and record.


ROY T. MERCADER
Forest Technician II


MARK WILLIAMS R. SOTOZA
Forest Ranger


ROMMEL ALLAN D. LLANIGUEZ
Forest Ranger


BRANDO BADENAS
Forest Protection Support Officer



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

DENR IV : _____
SN : _____
DATE : July 29, 2021
Time : 6:09 PM

APPREHENSION RECEIPT

Pursuant to provision of PD 705 as amended by Executive Order No. 277, the following forest products and / or machinery Equipment, tools and conveyance, to wit;

QUANTITY	UNIT	ARTICLES / DESCRIPTION	ESTIMATED VOLUME	VALUE (P)
10 Sacks		Charcoal		2,160
1		Motorcycle w/ Topdown (Color Red Pusa)		50,000

IS HEREBY DECLARED UNDER APPREHENSION FOR THE FOLLOWING REASONS:

Violation of Sec. 77 of PD 705 The same having been apprehended subject forest products and / or machinery, equipment, tools and conveyance should be kept and protected from defacement in any manner, destruction or lost should not be altered until otherwise ordered by the Secretary of the Department of Environment and Natural Resources or his duly authorized representative or any Court Justice of the Philippines.
Done this ____ day of _____ at _____, Philippines.

APPREHENDING OFFICER
(Signature over Printed Name)

1. JOY MERCADER
Address: Barangay III, Roxas Pal.

2. BRANDY BADOBAS
Address: Barangay III, Roxas Pal.

3. MARICELIA R. SOTOGA
Address: Barangay III, Roxas Pal.

4. ROMAN CANIGUEZ
Address: Barangay III, Roxas Pal.

OWNER / CLAIMANT REPRESENTATIVE / DRIVER

1. MANUEL MARTISANO
Address: Barangay Dumalao, Roxas Pal.

2. _____
Address: _____

WITNESSES
(Signature over Printed Name)

1. _____
Address: _____

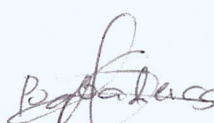
2. _____
Address: _____

NOTE: The owner/possessor and/or claimant of the apprehended articles are hereby requested to see the nearest CENRO/PENRO at their Office and given three (3) days from the date of apprehension.



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Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph




BRANDO BADENAS
Forest Protection Officer and Support



Republic of the Philippines
Department of Environment and Natural Resources

Region IV- MIMAROPA

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Barangay III (Poblacion), Roxas, Palawan

Contact No. 09171606578 / 09175028647

Email address: cenroroxaspalawan@denr.gov.ph

CUSTODY RECEIPT

This is to certify that on July 29, 2021 (06:04 A.M. the Monitoring and Enforcement Team of DENR-CENRO-Roxas, Composite Team, apprehended one (1) unit topdown tricycle motorized by RUSI, Model: Matcho TC 150 with Chassis No. RMTSTC 150003449 and Engine No. RMTSTC 150003449 loaded twelve (12) sacks of undocumented wood charcoal driven and owned by **MR. MANUEL MARTISANO** in Barangay Minara, Roxas, Palawan.

The seized items is now in the custody of the undersigned for safekeeping purposes.

Done this 29th day of July 2021 at DENR-CENRO Roxas, compound, Barangay III, Roxas, Palawan.

Custody by:



MARCES C. LASANGEN

Chief, Forest Protection and Law Enforcement Unit



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

SEIZURE ORDER

CENRO Control No.: 07292021-01
E-FMS No: <u>2021-173316-F114</u>

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:

Quantity	Unit	Articles & Description	Volume In board feet	Estimated Value
1	unit	Topdown Tricycle	N/A	Php 50,000.00
1	unit	TOTAL	N/A	Php 50,000.00

The above-described forest products and/or machinery/equipment/tools/conveyance were apprehended by:

Forest Technician II Roy T. Mercader
(Name of Apprehending Officers)

On July 29, 2021 at Barangay Minara, Roxas, Palawan on or about 06:04 A.M. for the following
(Date) (Place) (Time)
violation/s: Section 77 of PD 705, as amended

Examination Conducted by Seizure Officer:

Persons Examined	Name	Date/Time	Place
Confiscated Items			
Apprehending Officer	FT II Roy T. Mercader	July 29, 2021 at around 9:00 A.M.	CENRO, Roxas, Palawan
Perpetrator/s	Manuel Martisanao		
Witnesses	FR Markwilliams R. Sotoza FR Rommel Allan D. Llaniguez FR Brando Badenas	July 29, 2021 at around 9:00 A.M.	CENRO, Roxas, Palawan

After thorough evaluation of the Apprehension Report dated July 29, 2021 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/s is/are 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 29th day of July, year 2021 at DENR – CENRO – ROXAS, PALAWAN.


RONIE B. GANDEZA
Seizure Officer

DENR-CENRO ROXAS
RELEASED
DATE AUG 31 2021
BY 
LOG NO. wn-08-1054



Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES
OFFICE

Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

SEIZURE RECEIPT

No. 20210729-01

The following apprehended items are under administrative seizure pursuant to Section 3 of DAO 97-32.

A. FOREST PRODUCTS

Type	No. of Sacks	Dimension	Volume in Board feet	Estimated Value
Wood Charcoal	12	N/A	N/A	Php 2,160.00
Total	12	N/A	N/A	Php 2,160.00

Name/Address of on-site offenders and nature of participation:

NAME	ADDRESS	NATURE OF PARTICIPATION
Manuel Martisano	Barangay Dumarao, Roxas, Palawan	Driver/Owner
<i>*Nothing Follows</i>		

B. CONVEYANCE

Name of the Registration/Owner	: Manuel Martisano
Address	: Barangay Dumarao, Roxas, Palawan
Type of Vehicle	: Motorcycle with Topdown sidecar
Model	: RUSI, Red, Macho TC 150
Engine No.	: RMTSTC 150003449
Chassis No.	: RMTSTC 150003449
Certificate of Registration No.	: Unknown
Estimated Fair Market Value	: Php 50,000.00

C. EQUIPMENT AND OTHER IMPLEMENTS (Briefly describe the physical appearance and condition of each items and estimate value)

Quantity	Type	Description	Estimated Market Value
None			
<i>*Nothing Follows</i>			

The one (1) unit of topdown tricycle (RUSI, Red, TC 150) loaded with twelve (12) sacks of undocumented wood charcoal driven and owned by Mr. Manuel Martisano were apprehended by the DENR CENRO Roxas, Palawan - MES personnel in Barangay Minarao, Roxas, Palawan on July 29, 2021.

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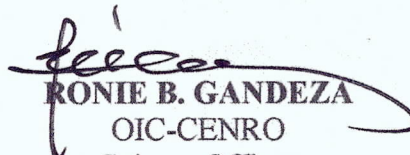
Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES
OFFICE

Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
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Said apprehended forest products and conveyance are now under the custody of Forester I Marces C. Lasangen of DENR CENR Roxas, Palawan. Further, these apprehended items are now deposited at DENR CENRO Roxas, Palawan compound for safekeeping.

That the undersigned hereby acknowledge that the above listed item are now in ADMINISTRATIVE SEIZURE and that I, on behalf of Forester I Marces C. Lasangen who assume the possession and control for the custodial legis, pending the conduct of administrative confiscation proceedings for their disposition.

Therefore issue this Seizure Receipt No. 20210729-01 this July 29, 2021 at DENR CENRO Roxas, Palawan.


RONIE B. GANDEZA
OIC-CENRO
Seizure Officer



Republic of the Philippines
Department of Environment and Natural Resources

Region IV- MIMAROPA

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

AUG 27 2021

NOTICE OF HEARING

SUBJECT: APPREHENSION OF ONE (1) UNIT OF TOPDOWN TRICYCLE LOADED WITH TWELVE (12) SACKS OF WOOD CHARCOAL IN BARANGAY MINARA, ROXAS, PALAWAN ON JULY 29, 2021

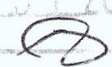
TO : Mr. Manuel Martisano - Barangay Dumarao, Roxas, Palawan

You are hereby formally notified to attend the summary Administrative Hearing for the subject offense on **September 03, 2021** at 09:00 A.M. at the office of the DENR CENRO, Sandoval Street, Barangay III, Roxas, Palawan. Order of Trial under the Rule 119 of Rules of Court shall be applied in suppletory character.

In lieu of adducing testimonial evidence, you may submit a memorandum attaching affidavits and any other supporting documents thereto with the request that the issue be decided on the basis thereof.

Failure to appear at the proceedings shall deem a waiver of the right to appear and of any/all rights to the items apprehended in favor of the government.


RONIE B. GANDEXA
OIC - CENRO

DENR-CENRO ROXAS
REL. GANDEXA
AUG 31 2021
EX: 
DOC. NO. 2021-08-1055



Republic of the Philippines
Department of Environment and Natural Resources

Region IV- MIMAROPA

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Barangay III (Poblacion), Roxas, Palawan

Contact No. 09171606578 / 09175028647

Email address: cenroroxaspalawan@denr.gov.ph

SUBJECT: APPREHENSION OF ONE (1) UNIT TOPDOWN TRICYCLE LOADED WITH 12 SACKS OF WOOD CHARCOAL IN BARANGAY MINARA, ROXAS, PALAWAN ON JULY 29, 2021

DENR CENRO Roxas
Barangay III, Roxas, Palawan

Date: September 03, 2021

Time: 9:00 A.M.

ATTENDANCE SHEET

No.	Name	Cellphone No.	Signature
1.	<u>Roselyn Martisano</u>	<u>09161739143</u>	<u>Rmartisano</u>
2.	<u>Manuel Martisano</u>	<u>09161739143</u>	<u>MM</u>
3.	<u>MARK WILLIAMS R. Sotera</u>		<u>MS</u>
4.	<u>ROY MARCADER</u>	<u>09260782148</u>	<u>R</u>
5.	<u>Annielette Jude F. Quezada</u>		
6.	<u>RONIE B. GARCIA</u>	<u>- Henry effor</u>	<u>R</u>
7.			
8.			
9.			
10.			
11.			
12.			
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14.			
15.			



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

SUMMARY ADMINISTRATIVE HEARING

CENR Office, Barangay III, Roxas, Palawan

September 03, 2021

09:00 A.M.

SUBJECT: APPREHENSION OF ONE (1) UNIT TOPDOWN TRICYCLE LOADED WITH 12 SACKS OF WOOD CHARCOAL IN BARANGAY MINARA, ROXAS, PALAWAN ON JULY 29, 2021.

Hearing Officer : OIC-CENRO, Ronie B. Gandeza
Acting Secretary : Forest Technician I, Annjelette Jude F. Quezada

ATTENDANCE

- | | |
|-------------------------------|---|
| 1. ROSELYN MARTISANO | |
| 2. MANUEL MARTISANO | |
| 3. ROY MERCADER | - Apprehending Officers/Forest Tech. II |
| 4. MARKWILLIAMS R. SOTOZA | - Apprehending Officers/Forest Ranger |
| 5. ANNJELETTE JUDE F. QUEZADA | - Forest Technician I |
| 6. RONIE B. GANDEZA | - Hearing Officer/OIC, CENRO |

TRANSCRIPT

Hearing Officer: Magandang umaga sa ating lahat.

Lahat: Magandang umaga din po.

Hearing Officer: Unang-una nais kong magpakilala, ako po si Forester Ronie Gandeza ang Officer-in-Charge dito sa Cenro- Roxas sa ngayon sa aking kanan ay si Forest Technician Roy Mercader sa kaliwa ay si Forest Ranger Markwilliams Sotoza at sa aking likuran ay si Forest Technician Annjelette Jude Quezada s'ya ang ating record officer at recorder at the same time ang sekretarya. So, roll call tayo dito po ba si Manuel Martisano?

Manuel Martisano: Andito po.

Hearing Officer: Muli magandang umaga at salamat sa inyong pagdalo. So, narito po tayo ngayon sa pagdinig tungkol sa nasabat at nahuli na isang tricycle topdown na may lulan na 12 piraso na sako na undocumented charcoal na minamaniho ni Mr. Manuel Martisano, nasabat at nahuli ng grupo ni Forest Technician Roy Mercader noong July 29, 2021 mahigit kumulang alas sais ng umaga sa Barangay Minara, Roxas, Palawan. Nais kong ipaliwanag sa'yo Mr. Martisano na ito ay tinatawag nating Administrative Hearing na kung saan ito ay naayon sa Department Administrative Order no. 97-32. Ito ay aming kinakalap na mga ibedensya para isumite sa DENR Regional Office para sa kanilang further action. Aking ipinaalala sa'yo na ayon sa ating saligang batas ikaw ay may karapatang manahimik at magsawalang kibo sapagkat ang iyong mga sasabihin sa pagdinig na ito ay maaaring gamitin sa'yo pabor o laban sa hukuman, kayo rin ay may karapatan na kumuha ng sarili ninyong abogado na iyong magiging tagapagtanggol sa pagdinig na ito, naunawaan mo Mr. Martisano?



Republic of the Philippines
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55
56 **Manuel Martisano:** Opo, nauunawaan ko po.
57
58 **Hearing Officer:** Kailangan n'yo pa bang kumuha ng abogado?
59
60 **Manuel Martisano:** Wala na po sir kasi mahirap lang po ako.
61
62 **Hearing Officer:** Pansamantala Mr. Martisano kung ano lang 'yong itatanong ko 'yon lang po
63 yung sasagutin nyo at kung sino lang ang aking tatanungin sya lang ang
64 sasagot, ang aking tanong sagutin nyo lang, ang tanong ko lang sa'yo kung
65 kinakailangan n'yo pang kumuha ng abogado?
66
67 **Manuel Martisano:** Wala po Sir.
68
69 **Hearing Officer:** Sige, pansamantala sabi mo ay hindi mo na kailangan kumuha ng abogado.
70 So, ang susunod kung tatanungin, sabi ko sa inyo kanina na kung sino lang
71 ang aking tinatanong ay s'ya lang ang magsasalita para maganda ang daloy ng
72 ating pagding. So, ang unang tatanungin ko po ay si Forest Technician II Roy
73 Mercader 'yong ating Team Leader Apprehending Officer. Mr. Mercader maaari
74 n'yo bang ipaliwanag o isalaysay ang mga bagay-bagay na nangyayari noong
75 July 29, 2021 tungkol sa pagsasabat at tuluyang pagkahuli ng isang tricycle
76 topdown na may lulan na 12 na sako ng uling na minamaniho at daladala ni Mr.
77 Manuel Martisano so Mr. Mercader pakisalaysay lang.
78
79 **FTII Roy Mercader:** Ako po si Forest Technician Roy Mercader, ako po 'yong team leader nong
80 time na 'yun. Noong July 29, 2021 ng umaga bandang mga alas sais
81 nagconduct po kami ng mobile check point regarding po sa mga nagbibyahe ng
82 forest product na walang mga kaukulang mga dokumento. at Bandang alas
83 sais na-intercept namin ang isang topdown Rusi na kulay pula may lulang 12
84 pieces na sako ng uling at ang driver po ay si Mr. Manuel Martisano at
85 pinahinto namin sya para tingnan namin kung may permit yung uling nyang
86 dala. Pinakita nya po na mayroong transport documents s'yang pinakita at
87 registered tree plantation na nakapangalan kay Mrs. Nangit, Alvino Nangit at
88 ang transport document po ay parang noong time na 'yun ay expired na. Ang
89 paliwanag n'ya po noon ay balance pa ito nong nakalagay sa transport
90 documents at ang ginawa po namin ay hinatid muna namin sa opisina ang
91 naturang sasakyan kasama ang driver para po sa kustodiya at proper
92 disposition, 'yon lamang po.
93
94 **Hearing Officer:** Na-verify mo ba sa opisina na kung 'yan ay legal ang sinasabi n'ya na 'yung
95 nabanggit mo na 'yun ay mayroon syang transport document?
96
97 **FTII Roy Mercader:** Basi po sa aking pagtatanong-tanong sa Utilization mayroob po talaga na na
98 isyu na transport ngunit po noong time na "yun na na-intercept s'ya expired na
99 po ang kanyang transport document.
100
101 **Hearing Officer:** Maliwanag na expired na. So pansamantala wala na muna akong itatanong
102 sa'yo Mr. Mercader wala ka na bang gustong idagdag o ibawas?
103
104 **FTII Roy Mercader:** Wala na po.
105
106 **Hearing Officer:** Ang pangalawang tatanungin ko po ay si Forest Ranger Markwilliams Sotoza.
107 Mister Sotoza paki-salaysay lang ang mga pangyayari o mga bagay-bagay na

h



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
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108 patungkol sa nahuling topdown noong July 29, 2021 na ikaw ay kasama ni Mr.
109 Mercader.
110
111 **F.R. Sotoza:** Ako po si Forest Ranger Markwilliams Sotoza kasama ni Forest Technician
112 Roy Mercader na naka-apprehend kay Mr. Martisano katulad nga po ng sinabi
113 ni Forest Technician Mercader na aming nasabat si Mr. Martisano na may dala-
114 dalang 12 pieces na sako ng uling na nakasakay sa tricycle topdown na Rusi
115 na kulay pula at binigay na rin po lahat ni Mr. Mercader ang lahat ng detalye
116 kaya po wala na po akong maidadagdag sa pangyayaring yun.
117
118 **Hearing Officer:** Kasama ka nonong July 29?
119
120 **F.R. Sotoza:** Opo Sir kasama po ako.
121
122 **Hearing Officer:** Mr. Sotoza pansamantala wala muna akong itatanong sa'yo. Ang aking
123 susunod na tatanungin ay ang ating nahulihan si Mr. Martisano. Mr. Martisano
124 matanong lang kita kung maaari mo bang isalaysay ang mga bagay-bagay at
125 mga pangyayari noong July 29, 2021 noong ikaw ay nasabat at nahuli ang
126 iyong topdown na may lulan na 12 piraso na sako na charcoal na walang
127 kaukulang dokumento at sinasabi na ang dokumentong dala-dala mo noon ay
128 expired na.
129
130 **Manuel Martisano:** Ganito po 'yon kasi sir, pinuntahan po 'yan doon nila sir Nolly pinicturan po nila
131 doon sir naano lang po 'yun sir kasi nasira 'yong motor ko Sir. 'Yong dating
132 nakakabit doon Sir tapos ay tinanggal ko po 'yong dating nakakabit doon Sir
133 kaya pinasok ko 'yong bago Sir. First time ko po 'yon na binayahe Sir pagka
134 umaga po bineyahe ko 'yong tira ng 30 na sako na ininspect nila Sir Nolly at Sir
135 Lemuel pinicturan nila doon sa ulingan 'yon lang po Sir. Hindi ko rin akalain na
136 mag check point sila doon Sir sana mapatawad n'yo po ako Sir nagkamali po
137 talaga ako Sir pero may permit naman po talaga Sir, dahil lang din po sa
138 kagipitan Sir dinilibet ko 'yong natira Sir 'yon lang po sir.
139
140 **Hearing Officer:** Mr. Martisano dati ka ng nakasuhan at nahulihan di ba? Dati ka ng nakasuhan
141 di ba?
142
143 **Manuel Martisano:** Opo sir.
144
145 **Hearing Officer:** Ang tanong ko kung dati ka ng nakasuhan, nahulihan noong araw?
146
147 **Manuel Martisano:** Wala pa po sir.
148
149 **Hearing Officer:** Di ba nagkakaso kana?
150
151 **Manuel Martisano:** Opo sir, sa una ko pong topdown, tapos nagbago na rin po ako Sir.
152
153 **Hearing Officer:** Ang tanong ko kung nakasuhan at nahulihan ang sagot mo ay oo, ang
154 pangalawang tanong ko ikaw ay dati ng nabigyan na namin ng papeles o
155 permit to transport, nabigayan ka na namin di ba?
156
157 **Manuel Martisano:** Opo.
158
159 **Hearing Officer:** Alam mo na din ang patakaran kung paano kumuha ng papeles pinapaliwanag
160 sa'yo kung ito ay valid lang sa isang araw o dalawang araw di ba? Sinasabi ng



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161 mga nagbibigay sa'yo ng papeles 'yong Chief ng Utilization di ba?
162 Pinapaliwanag?
163
164 **Manuel Martisano:** Opo.
165
166 **Hearing Officer:** So, natandaan mo noong binigyan ka ng papeles noong July 15 at nagbyahe
167 ka naman noong July 29 ay hindi ka na kumuha ng dokumento mo na
168 panibago di ba?
169
170 **Manuel Martisano:** Opo.
171
172 **Hearing Officer:** So, maliwanag noong bumayahe ka wala ka ng dalang bagong papeles
173 samantalang kami ay maluwag ang aming opisina na nagbibigay ng mga
174 papeles di ba. Dahil sa pagtulong namin sa kahirapan at alam namin na
175 pandemya kaya ginagawaan namin ng paraan subalit ikaw Mr. Martisano ay
176 hindi gumawa ng paraan na kumuha ng bagong papeles
177
178 **Manuel Martisano:** Opo sir.
179
180 **Hearing Officer:** Maliwanag na paglabag ang iyong ginawa, paglabag sa Section 77 ng P.D.
181 705. Nagdadala ka ng papeles na expired at ang shipment na sinasabi namin
182 lagi sa'yo ay one shipment basis na tinatawag natin isang beyahe lang tapos
183 isang araw o dalawang araw ang pagbibigay ng palugit di ba. Para maiwasan
184 natin "yong paulit-ulit na pagbibyahe na walang dokumento, maliwanag na
185 noong July 29 ay wala kayong dalang bagong dokumento na dala-dala at ayon
186 sa aming pagsisiyasat sa tatlong Forester na nagsiyasat sa dala-dala mong
187 uling ang dala-dala mong uling ay kahoy gubat.
188
189 **Manuel Martisano:** Hindi po 'yon sir, paper tree po 'yon sir.
190
191 **Hearing Officer:** Pag napatunayan namin 'yon, pangalawang pagsisinungaling na 'yon. Kung
192 igigiit mo 'yon ay ipapa-asses namin sa Utilization kung planted trees 'yon kasi
193 sa initial assessment namin doon ay hindi planted trees 'yon sa pagkaka-alam
194 namin sa mga lulan na 'yan ay kahoy gubat ang dala-dala mo. Unang-una sa
195 paglabag mo dala-dala mo 'yong uling na lulan sa iyong topdown ay wala kang
196 kaukulang dokumento expired na ang iyong dokumento, maliwanag?
197 naintindihan mo?
198
199 **Manuel Martisano:** Opo.
200
201 **Hearing Officer:** Mayroon ka pa bang gustong idagdag sa iyong salaysay Mr. Martisano?
202
203 **Manuel Martisano:** Naga-asa po kasi ako Sir na 'yong dala ko na uling ay kasama pa 'yon doon sa
204 ininspect nila Sir Nolly kaya dinileber ko na nalang akala ko pwede pa po, wala
205 kasi akong alam na ganyang sa batas Sir kaya nagkamali talaga ako Sir.
206
207 **Hearing Officer:** Inaamin mo 'yong pagkakamali mo, pag nagbibigay kami ng papel nagbibigay
208 kami sa tao ng abiso sa kanila na ito ay one shipment basis kung hindi mo
209 naibayahe sa araw na ito o sa sunod na araw kung kailan 'yong effectivity ng
210 iyong papeles ay pwede mo namang irenew o pwede mo namang puntahan
211 itong aming opisina at bukas naman 'yong opisina namin sa pagtulong sa inyo
212 dahil nga sabi ko tulungan namin kayo dahil sa kahirapan kasi ang dami ng
213 peste dyan sa inyo.
214

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215 **Manuel Martisano:** Kawawa po talaga ako ngayon Sir, 'yan Sir bago pa yong motor ko first time pa
216 lang po nagbyahe 'yan isang buwan palang po 'yan.
217
218 **Hearing Officer:** Alam namin 'yon, kaya nga dapat iingatan mo 'yong beyahe mo at palagi kang
219 kumuha ng nauukol at nararapat na dokumento di ba? 'Yong mga tao ko hindi
220 nanghihingi ng pang gasolina sinabi ko sa kanila na huwag na huwag kayong
221 humingi ng ano pa man dahil tulong natin 'yan dahil sa kahirapan. Akala ko ba
222 inaalok mo ng two hundred pesos si Nolly Billones hindi nya tinanggap di ba?
223 Yong binibigay mong pang gasolina tinanggap n'ya ba o hindi?
224
225 **Manuel Martisano:** Pang gasolina po, dahil nag picture sila doon.
226
227 **Hearing Officer:** Kaya sabi ko tulong natin namin 'yan sa inyo para lang ma-legalized lang ang
228 pag beyahe ninyo subalit noong araw na 'yon hindi ka kumuha ng panibagong
229 papeles kaya 'yan ang nangyari sa iyo.
230
231 **Manuel Martisano:** Kasuhan po kasi ako ng kompanya ng motor sir kung hindi ko po 'yan mabalik
232 sa kanila sabi nila sa akin kung lalabas sana 'yan po kung maawa po kayo
233 kunin na lang po nila para hindi po nila ako kasuhan ng kompanya ng Rusi
234 kung hindi ko po 'yan mailabas Sir kasuhan po ako ng kompanya ng motor na
235 Rusi, kawawa naman po ako Sir makukulong po ako Sir wala na akong
236 pambayad dyan Sir. 'Yong sabi ng manager pag hindi 'yan mapalabas
237 makaunawa 'yong opisina kakasuhan ka namin makukulong ka talaga, grabing
238 iyak ko talaga doon sa opisina Sir kawawa talaga ako.
239
240 **Hearing Officer:** So, nandoon na tayo Mr. Martisano, ito nga kaya pinatawag ka namin para
241 dinigin 'yong side mo at ito ay aming i-susubmit sa Regional Office para sa
242 kanilang evaluation pa. Mr. Martisano mayroon ka pa bang isasalaysay o
243 idadagdag ulit sa iyong mga paliwanag, Mr. Martisano?
244
245 **Manuel Martisano:** Ganito po kasi 'yan sir kasi kung hindi ko sana 'yan kinabit doon 'yung isa sana
246 'yong kasama sa topdown Sir nasira kasi, hindi ko pa sana pweding ikabit kasi
247 bago pa, ay nasira tinanggal ko at saka kinabit doon sir nagsisi nga ako Sir ay
248 bakit nakabit ko pa 'yan doon, naga-asa din kasi ako sa permit ko na 'yon pala
249 ay expired na rin. Sabi ng manager ng Rusi kung hindi 'yan maklabas sa DENR
250 kakasuhan ka namin ng motor ikukulong po nila ako 'yun po ang sabi ng
251 manager, kawawa na po ako.
252
253 **Hearing Officer:** Inuulit ko nga sa'yo ang sa amin ay wala kang kaukulang dokumento nong
254 dala-dala mo 'yong 12 sacks na uling, 'yong problema mo tungkol sa motor ay
255 labas na kami doon, ano po? Pansamantala ay wala na akong itatanong pa
256 sa'yo at salamat muli sa inyong pagdalo, hindi na po natin papahabain ang
257 ating pagdinig dahil sa banta ng pandemya para maiwasan natin ang matagal
258 na exposure sa isa't isa para hindi tayo magkahawa-hawa ano. So, muli
259 maraming salamat Mr. Martisano nabanggit mo na rin naisalaysay mo na rin
260 'yong mga gusto mong sabihin on the record at asahan mo na 'yan ay i-
261 susubmit namin sa Regional Office para sa kanilang further evaluation at
262 further instruction o kung ano pa man. Muli po dito na po nagtatapos ang ating
263 pagdinig sa umagang ito. Muli magandang umaga at salamat.
264
265
266
267 For information and record.
268



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276 Attested by:

277

278 RONIE B. GANDEZA

279 Hearing Officer