



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

NOV 28 2023

MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region
1515 DENR By the Bay Building, Roxas Blvd.
Barangay 668, Ermita, Manila

THRU : The Assistant Regional Director
For Technical Services

FROM : The OIC, PENR Officer
Mamburao, Occidental Mindoro


SUBJECT : RESOLUTION NO. 2023-021 [P-2023-00011152]

DENR MIMAROPA RECORDS SECTION RECEIVED	
DEC 04 2023	
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BY: _____	DATE NO. _____
TIME: _____	

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated November 22, 2023 pertaining to the result of administrative adjudication on the apprehension of twenty one (21) pieces of Bangkal lumber with a total volume of 251.33.73 board feet at So. Canturoy, Barangay Manoot, Rizal, Occidental Mindoro.

For your information and record.

“For and in the absence of the OIC, PENRO”


ROMUALDO S. TRIA
LMO III/Chief, MES



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

NOV 22 2023

MEMORANDUM

FOR : The Regional Executive Director
1515 DENR By the Bay Building, Roxas Boulevard,
Barangay 668, Ermita, Manila

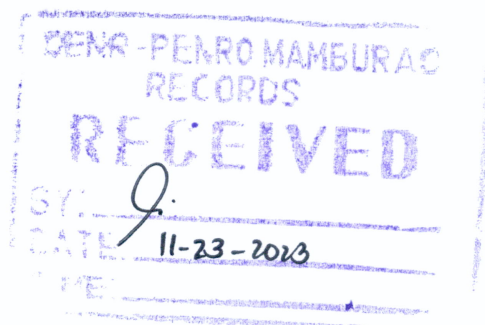
THRU : The OIC-PENR Officer
Mamburao, Occidental Mindoro

FROM : The CENR Officer

SUBJECT : RESOLUTION NO. 2023-021

Respectfully submitted herewith is the Resolution No. 2023-021 as a result of administrative adjudication on the apprehended twenty one (21) pieces Bangkal lumber having an aggregate total volume of 251.33 board feet at So. Canturoy, Brgy. Manoot, Rizal, Occidental Mindoro by personnel of DENR-CENRO San Jose on June 17, 2021.

For your information and record.



EFREN L. DELOS REYES

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



RE: APPREHENSION OF TWENTY-ONE (21) PIECES OF ABANDONED BANGKAL LUMBER WITH DIFFERENT DIMENSIONS HAVING AN AGGREGATE VOLUME OF 251.33 BOARD FEET AT SITIO CANTUROY, BARANGAY MANOOT, RIZAL, OCCIDENTAL MINDORO ON JUNE 17, 2021

X-----X

RESOLUTION No. 2023-021

This pertains to the apprehension of Twenty-One (21) pieces of abandoned Bangkal lumber with different dimensions having a total aggregate volume of 251.33 board feet at Sitio Canturoy, Barangay Manoot, Rizal, Occidental Mindoro on June 17, 2021.

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

1. That, on June 17, 2021 at 7:57 in the evening, as a result of monitoring and verification that was conducted by the personnel from Enforcement and Monitoring Section (EMS) of the DENR-CENRO, San Jose, Occidental Mindoro, in response to a report that there were lumber stock piled within the vicinity of Sitio Canturoy, Barangay Manoot, Rizal, Occidental Mindoro yielded to the apprehension of Twenty-One (21) pieces of Bangkal lumbers with different dimensions having a total aggregate volume of 251.33 board feet.
2. That, the corresponding Apprehension Receipt with CENRO Control No. 2021-F404 was issued by the apprehending officer headed by Forest Technician II Loren Kaye A. Garcia. *(Please see attached Apprehension Receipt)*
3. That, the Seizure Order and Seizure Receipt with CENRO Control Number 2021-F404 were issued by the Seizure Officer Hector S. Aragones, Jr. *(Please see attached Seizure Order and Seizure Receipt)*
4. That, a PABATID SA PUBLIKO (Notice to the Public) was posted on June 18, June 25, and July 1, 2021 at the conspicuous places such as Public Market of Rizal and at the Brgy. Hall of Barangay Manoot. *(Please see attached PABATID SA PUBLIKO)*
5. That, no administrative hearing was conducted due to the absence of claimant of the said abandoned forest products who appeared/coordinated with this Office despite the posting of Pabatid sa Publiko on three (3) separate dates and at the conspicuous places of the area of concern.

The issue to be resolved in this case is whether or not the Twenty-One (21) pieces of abandoned Bangkal lumber with different dimensions having a total aggregate volume of 251.33 board feet be confiscated in favor of the government.

The grounds for apprehension and seizure of the forest products are valid as the apprehended forest products are not supported with any cutting or transport permit issued by the office of the DENR CENRO San Jose, Occidental Mindoro.

Under the following provisions, to wit.

Presidential Decree No. 705, May 19, 1975, revising Presidential Decree No. 389 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

Department Administrative Order No. 97-32

Section 1, Paragraph e. FOREST PRODUCTS — Refers to timber including lumber, pulpwood, firewood, bark, tree top, resin, gum, wood, oil, honey, beeswax, nipa, rattan, charcoal, or other forest growth, such as but not limited to grass, shrub, flowering plants in forest lands, and others.

Section 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.

xxx

The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, show that the apprehended Twenty-One (21) pieces of abandoned Bangkal lumber with different dimensions having a total aggregate volume of 251.33 board feet **shall be confiscated in favor of the government since those lumber 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 No. 7161, thus, subject to confiscation.

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 DENR Administrative Order 98-24 (Manual of Approvals), it is hereby recommended:

1. The apprehended Twenty-One (21) pieces of abandoned Bangkal lumber with different dimensions having a total aggregate volume of 251.33 board feet **be**

confiscated in favor of the government since those lumber are products of an illegal act.

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

Prepared by:




RHODORA A. GARCIA

LMO III

Hearing Officer/Seizure 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
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

June 18, 2021

MEMORANDUM

FOR : The CENR Officer

THRU : The Chief, EMS

FROM : Apprehending Officers

SUBJECT : APPREHENSION OF TWENTY ONE (21) PIECES OF BANGKAL LUMBER WITH DIFFERENT DIMENSIONS WITH A TOTAL VOLUME OF 251.33 BDFT. AT SITIO CANTUROY, BARANGAY MANOOT, RIZAL, OCCIDENTAL MINDORO.

Please be informed on June 17, 2021, an information from a concerned citizen that there were lumbers stocked piled within the vicinity of Sitio Canturoy, Brgy. Manoot, Rizal, Occidental Mindoro. The team from the enforcement and Monitoring Section immediately proceeded to the said area to conduct verification on the said report.

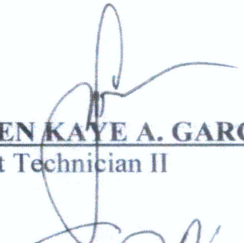
Upon arrival on the said area, it was indeed verified that there were lumbers piled which leads to the apprehension of twenty one (21) pieces of Bangkal lumber with a total volume of 251.33 board feet.

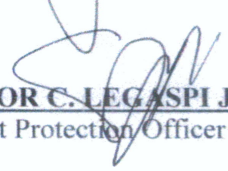
Please be further informed that during the apprehension no claimant appeared to the area.

Further, that apprehended lumbers were hauled and brought to the DENR – CENRO San Jose, office compound for temporary safekeeping purposes.

Attached herewith are the scale sheet and the apprehension receipt.

For information, record and further instructions.


LOREN KAYE A. GARCIA
Forest Technician II


EDNOR C. LEGASPI JR.
Forest Protection Officer

404
c/o ICE

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

APPREHENSION RECEIPT

CENRO Control No.: 2021-F404
E-FMS No: 2021-175110-F404

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			Furniture/ Construction Hardwood	Bangkal	3	3x12x8=72.00	3,240.00	DENR- CENRO San Jose Office Compound	
				Bangkal	2	5x8x9=60.00	2,700.00		
				Bangkal	5	2x8x8=53.33	2,399.85		
				Bangkal	11	1x12x6=66.00	2,970.00		
Total:					21	251.33 bdft/ Php 45.00	11,309.85		

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
Handtractor with trailer	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
			Estimated Value: 30,000.00					

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

Equipment Involved					
Type	Quantity	Details	Impounding Area	Custodian	Estimated Value
N/A	N/A	N/A	N/A	N/A	N/A

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		
June 17, 2021 7:57 pm	OCC. MINDORO	RIZAL	MANOOT	CANTUROY	DENR PERSONNEL	SECTION 68, PD 705

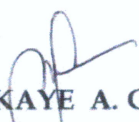
Is/are hereby declare under apprehension on the following FACTUAL reasons:

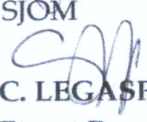
- _____
- _____
- _____

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 17th day of June, year 2021 at San Jose, Occ. Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)

1.  LOREN KAYE A. GARCIA
Position: Forest Technician II
Address: SJOM

2.  EDNOR C. LEGASPI JR.
Position: Forest Protection Officer
Address: SJOM

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.: 2021-F404
E-FMS No: 2021-175110-F404

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			Furniture/Construction Hardwood	Bangkal	3	3x12x8= 72.00	3,240.00	DENR-CENRO San Jose Office Compound	
				Bangkal	2	5x8x9= 60.00	2,700.00		
				Bangkal	5	2x8x8= 53.33	2,399.85		
				Bangkal	11	1x12x6= 66.00	2,970.00		
Total:					21	251.33 bdft/Php 45.00	11,309.85		

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*
Handtractor with trailer	N/A	N/A	30,000.00	Forester III Hector S. Aragoness Jr.

*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
N/A	N/A	N/A	N/A	N/A

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

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		
June 17, 2021 8:30 pm	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	Forester III Hector S. Aragoness Jr.	SEC. 68, PD 705

Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated June 17, 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 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 17th day of June , 2021 at Brgy. Labangan, San Jose, Occidental Mindoro.


HECTOR S. ARAGONES JR.
Seizure Officer/ Hearing Officer

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

SEIZURE RECEIPT

CENRO Control No.: 2021-F404
E-FMS No: 2021-175110-F404

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			Furniture/ Construction Hardwood	Bangkal	3	3x12x8= 72.00	3,240.00	DENR- CENRO San Jose Office Compound	
				Bangkal	2	5x8x9= 60.00	2,700.00		
				Bangkal	5	2x8x8= 53.33	2,399.85		
				Bangkal	11	1x12x6= 66.00	2,970.00		
Total:					21	251.33 bdft/ Php 45.00	11,309.85		

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*
Handtractor with trailer	N/A	N/A	30,000.00	Forester III Hector S. Aragoness Jr.

*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
N/A	N/A	N/A	N/A	N/A

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

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		
June 17, 2021 8:30 pm	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	Forester III Hector S. Aragoness Jr.	SEC. 68, PD 705


Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated June 17, 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 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 17th day of June , 2021 at Brgy. Labangan, San Jose, Occidental Mindoro.


HECTOR S. ARAGONES JR.
Seizure Officer/ Hearing Officer

**TALLY SHEET/ SCALE SHEET OF BANGKAL LUMBER APPREHENDED BY DENR PERSONNEL
AT SO. CANTUROY, BRGY. MANOOT RIZAL, OCC. MINDORO**

NO. OF PIECES	SPECIES	DIMENSION			VOLUME (bdft)
		T	W	L	
3	Bangkal	3	12	8	72.00
2	Bangkal	5	8	9	60.00
5	Bangkal	2	8	8	53.33
11	Bangkal	1	12	6	66.00
21					251.33

Scaled By:


LOREN KAYE A. GARCIA
Forest Technician II



JUN 18 2021

UNANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG DALAWAMPU'T ISANG (21) PIRASO NA BANGKAL NA KAHOY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 251.33 BDFT. NA INIWAN SA SO. CANTUROY, BRGY. MANOOT, RIZAL, OCCIDENTAL MINDORO NOONG IKA-21 NG HUNYO, 2021 SA GANAP NA ALAS 7:57 NG GABI.

ANG NASABING KAHOY AY DINALA SA OPISINA NG DENR-CENRO SAN JOSE OFFICE SAN JOSE PARA SA PANSAMANTALANG PANGANGALAGA.

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

LUBOS NA GUMAGALANG,

HECTOR S. ARAGONES JR.
Seizure Officer/ Hearing Officer

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



JUN 25 2021

IKALAWANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG DALAWAMPU'T ISANG (21) PIRASO NA BANGKAL NA KAHOY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 251.33 BDFT. NA INIWAN SA SO. CANTUROY, BRGY. MANOOT, RIZAL, OCCIDENTAL MINDORO NOONG IKA-21 NG HUNYO, 2021 SA GANAP NA ALAS 7:57 NG GABI.

ANG NASABING KAHOY AY DINALA SA OPISINA NG DENR-CENRO SAN JOSE OFFICE SAN JOSE PARA SA PANSAMANTALANG PANGANGALAGA.

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

LUBOS NA GUMAGALANG,

HECTOR S. ARAGONES JR.
Seizure Officer/ Hearing Officer



JUL 01 2021

IKATLONG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG DALAWAMPU'T ISANG (21) PIRASO NA BANGKAL NA KAHOY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 251.33 BDFT. NA INIWAN SA SO. CANTUROY, BRGY. MANOOT, RIZAL, OCCIDENTAL MINDORO NOONG IKA-21 NG HUNYO, 2021 SA GANAP NA ALAS 7:57 NG GABI.

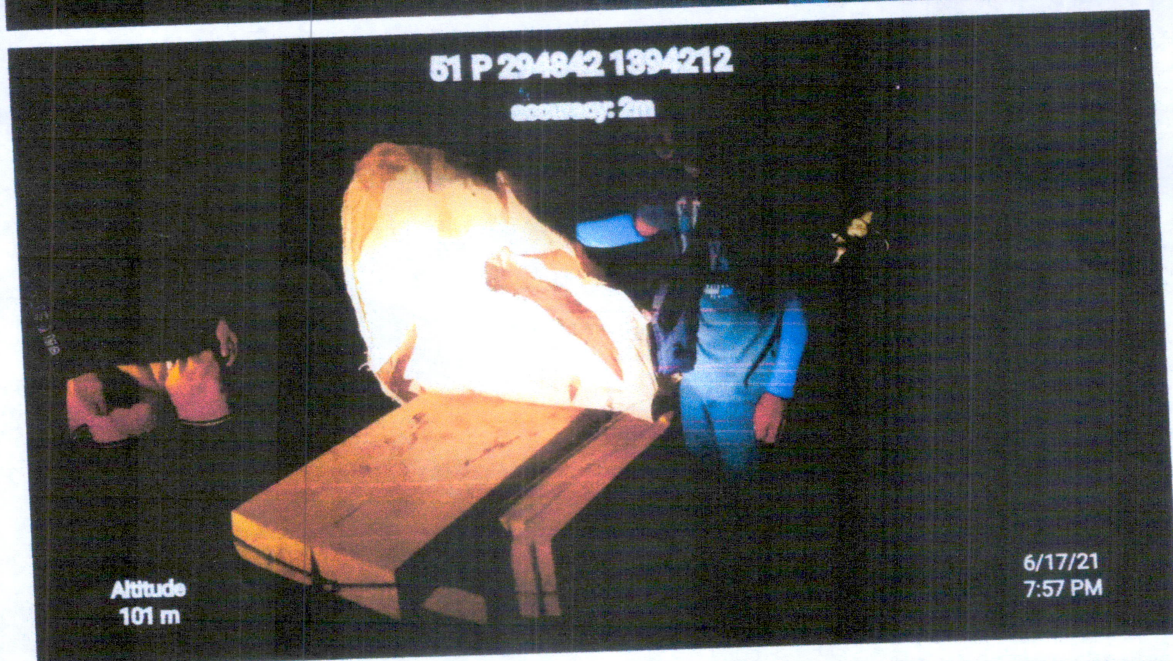
ANG NASABING KAHOY AY DINALA SA OPISINA NG DENR-CENRO SAN JOSE OFFICE SAN JOSE PARA SA PANSAMANTALANG PANGANGALAGA.

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

LUBOS NA GUMAGALANG,

HECTOR S. ARAGONES JR.
Seizure Officer/ Hearing Officer

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



APPRHENSION OF 21 PCS. BANGKAL LUMBER LOADED IN ONE (1) UNIT HANDTRACTOR WITH TRAILER