



Republic of the Philippines
Province of Oriental Mindoro
Municipality of Naujan
BARANGAY PAITAN

Pebrero 12, 2023

LORMELYN E. CLAUDIO, CESO IV
Regional Executive Director

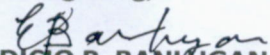
MADAM / SIR:

Pagbati ng Kapayapaan!


Kaming bumubuo ng Pamayanang Mangyan Alangan sa Barangay Paitan na napapaloob sa **Proklamasyon Blg. 809, 1935 (PAITAN MANGYAN RESERVATION)** ay dumudulog sa inyong tanggapan, upang alamin at tanungin ang kadahilanang kung bakit hanggang sa kasalukuyan ay wala parin kayong magandang resulta para sa mga nabuong plano noong Agosto 09, 2022. Kami po ay naghintay at lubhang nababahala sa hindi ninyo pagtugon sa mga nabuong plano. Sapagkat, hanggang sa kasalukuyan ay hindi parin naibabalik sa amin ang pamamahala sa mga Lupang naipanalo na sa Korte Suprema at totoong kaming mga Mangyan ang may karapatan at tunay na nagmamay-ari. Hangad po naming tuwina ang kapayapaan, kung kaya po aming idinudulog na inyo sanang tugunan ang aming kahilingan na tuluyan at agaran na maibalik ang mga lupa na nasa aming pagmamay-ari at karapatan na patuloy na inaangkin at ginagamit ng mga ilang Ilokano na nasa loob ng aming Barangay Paitan at Paitan Mangyan Reservation.

Maraming Salamat Po!

Gumagalang,

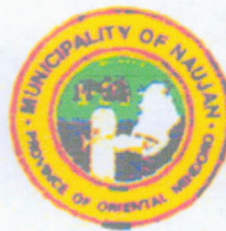

EDICIO P. BANLAGAN Sr.

AGPAMUON –PAITAN MANGYAN RESERVATION


BERNARDO A. LINTAWAGIN JR.
Punong Barangay



Republic of the Philippines
MIMAROPA Region
Province of Oriental Mindoro
OFFICE OF THE SANGGUNIANG BARANGAY
Municipality of Naujan
Barangay Paitan



OFFICE OF THE SANGGUNIANG BARANGAY

HALAW SA KATITIKAN SA ISINAGAWANG PAGPUPULONG NG MGA PAMUNUAN NG BARANGAY PAITAN AT PAMUNUAN NG PAMAYANAN MANGYAN ALANGAN SA PAITAN NA NAPAPALOOB SA PROKLAMASYON 809 (1935) PAITAN MANGYAN RESERVATION NA GINANAP SA PAITAN, NAUJAN, ORIENTAL MINDORO NOONG PEBRERO 12, 2023 SA GANAP NA IKA-9:00 NG UMAGA.

MGA DUMALO:

Kgg. BERNARDO A. LINTAWAGIN JR.

Kgg. MARLON M. MACAWILI

Kgg. ROSINO A. LINTAWAGIN

Kgg. RUBEN K. LINTAWAGIN

Kgg. LEOPOLDO L. DIMAYUGA

Kgg. MAXIMO N. ISIDRO

Kgg. HILARIO T. KALYAGAN

Kgg. JOLITA G. LANDONI

Kgg. RENILYN L. AGABAYAN

Kgg. RYAN B. PAING SR.

Kgg. ROGELIO P. BANLUGAN Sr.

Kgg. EDICIO P. BANLUGAN Sr.

Kgg. VICTORIA L. GUARDE

Kgg. ENRIQUE TUPAZ Sr.

Kgg. EMMANUEL D. GUARDE

Kgg. LIGAYA B. LINTAWAGIN

Kgg. CONCHITA C. BIGONG

Kgg. MA. CRISTINA M. SABALLA

Kgg. ANTONIO P. CASTILLO

Kgg. RICARDO G. LINTAWAGIN

Kgg. ELIAS M. KALYAGAN

Kgg. ROMAN TAYWAN

Kgg. REYNALDO B. MAMBO

Kgg. SARDO B. MAMBO

Punong Barangay

Sangguniang Barangay Member

Sangguniang Barangay Member

Sangguniang Barangay Member

Sangguniang Barangay Member

Sangguniang Barangay Member

Sangguniang Barangay Member

Sangguniang Barangay Member

Sangguniang Kabataan Chairperson

Barangay Ingat-Yaman

IPMR-Naujan

Paitan Mangyan Reservation-Agpamuon

Agpamuon Kalihim

Representative ng Sektor ng Magsasaka

Representative ng Sektor ng Pang- Edukasyon

Representative ng Sektor ng Pangkababaihan

Representative ng Sektor ng Pangkababaihan

Representative ng Sektor ng Pangkabataan

Representative ng Sektor ng Senior Citizen/Aplaki

Representative ng Sektor ng Senior Citizen/Aplaki

Representative ng Sektor ng Senior Citizen/Aplaki

Representative ng Sektor ng Senior Kalalakihan/Aplaki

Representative ng Sektor ng Senior Aplaki/ Elder

Representative ng Sektor ng Senior Aplaki/ Elder

RESOLSYON BILANG 06

Taon 2023

Isang resolusyon kahilingan ng Pamayanan ng mga Mangyan Alangan sa Barangay Paitan na maibalik na sa aming mga Mangyan Alangan ang karapatang gamitin ang mga lupain na nanalo sa kaso at nadesisyunan na ng Korte Suprema, bilang Bagong pamayanan sa loob ng Barangay Paitan, Naujan upang tirahan, pagtayaran ng Paaralan, Health Center, Palaruan, mga opisina ng iba't ibang sektor at iba pa.

Sapagkat ang nasabing mga lupain ay matagal nang naipanalo sa Korte Suprema at matagal na naibaba ang desisyon sa aming mga Mangyan Alangan bilang tunay na may karapatan at nagmamay-ari sa mga ito.

Sapagkat, naitakda na ang turn-over ng mga nasabing lupain bago magtapos ang Buwan ng Disyembre 2022 na napagkasunduan noong Agosto 09, 2022, ayon sa nagawang Aksyon Plan at kaming mga Mangyan Alangan ay may tunay na karapatan sa nasabing mga Lupain.

[Signature]

[Signature]

MAXIMO N ISIDRO

[Signature]

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Sapagkat, kailangang-kailangan na naming mga Mangyan Alangan sa Barangay Paitan upang gagamitin, simula sa ENERO 2023, na naayon sa aming mga naitakdang plano bilang isang pamayanan at nakatakda na ang pamamahagi sa mga pamilya bilang titirhan at pagtatayuan ng mga proyektong Pambarangay na pakikinabangan naming mga Mangyan Alangan.

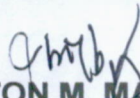
Sapagkat, nais naming ipaabot na hindi kami makakapayag na muling itigil ang naitakda naming mga Plano sa paggamit ng mga nasabing lupain at mga Ahensya ng Gobyerno na: DENR, NCIP at LGU ay aming kaagapay sa pagpapatupad ng aming mga Plano ng walang hadlang mula sa kabilang panig (Barangay Metolza).

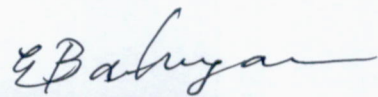
DAHIL DITO AY napagkasunduan ng kapulungan na ilakip sa Resolusyong ito ang mga dokumento na nagpapatunay na totoong pag-aari naming mga Mangyan Alangan ang mga Lupain na nasa loob ng Proklamasyon 809, 1935 (Paitan Mangyan Reservation). Kaugnay din nito, ay padadalhan ng Kopya ng Resolusyong ito ang mga sumusunod na Ahensya ng Gobyerno: DENR, NCIP, at Municipal LGU para sa kanilang kaalaman at suportang pangkaayusan at pangkapayapaan.

Ipinasya parin na padalhan ng Kopya ng Resolusyong ito ang mga Tanggapan ng PENRO-Suqui, Calapan City pamamagitan ni Regional Executive Director **LORMELYN E. CLAUDIO, CESO IV** para sa kanilang kaalaman.

Nilagdaan ngayong ika-12 ng Pebrero taong Dalawang Libo at dalawampu't tatlo (2023) sa Barangay Paitan, Naujan, Silangang Mindoro

PINATUTUNAYANG WASTO AT TOTOO:


CORAZON M. MARIBUNAY
Barangay Kalihim


EDICI P. BANLUGAN
AGPAMUON (Paitan Mangyan Resevation)

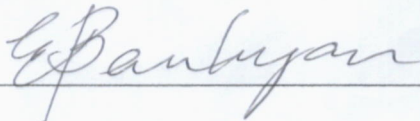
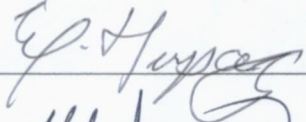
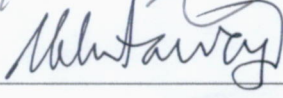
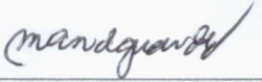
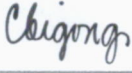

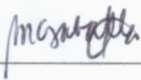
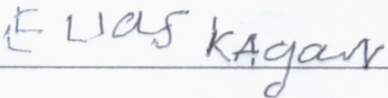
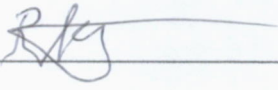





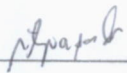
LUBOS NA PINAGTIBAY:


Kgg. BERNARDO A. LINTAWAGIN JR.
Punong Barangay



MGA DUMALO SA PULONG:

Petsa: Disyembre 26, 2022

PANGALAN	LAGDA
EDICIO P. BANLUGAN	
ENRIQUE C. TUPAZ Sr.	
LIGAYA B. LINTAWAGIN	
EMMANUEL D. GUARDE	
CONCHITA C. BIGONG	
ANTONIO P. CASTILLO	
MA. CRISTINA M. SABALLA	
ELIAS M. KALYAGAN	
RICARDO G. LINTAWAGIN	
ROMAN TAYWAN	
REYNALDO B. MAMBO	
SARDO P. MAMBO	
VICTORIA GUARDE	
AMERITA MAMBO	
RAMON T. PASADO	

DENR-DAR PROJECT ON THE AFFIRMATION OF THE PAITAN MANGYAN RESERVATION

BACKGROUND

1. The Paitan Mangyan Reservation is a 220 hectare area in Naujan, Oriental Mindoro. It was declared as a Mangyan Reservation by the then Acting Governor General Joseph R. Hayden by virtue of Proclamation No. 809 on 4 June 1935. (Appendix 1) This land is part of the area occupied by the Alangan Mangyan tribe for generations prior to this declaration. However, some non-Mangyans were able to enter and settle in the adverted area in the 1950's.
2. During the latter part of the 1950's, the then Bureau of Forestry classified a big portion of the reservation as Alienable and Disposable (A & D) Land. The area classified was subsequently subdivided by the Bureau of Lands under PLS 296 and titled to the occupants thereat.
3. Despite numerous attempts coming from various sectors of society to inform the Bureau of Lands that what they were disposing of are part of the proclaimed area, no corrective measures had been taken, thus the issuance of titles remained unabated for a considerable period.
4. By the time the Bureau of Lands took cognizance of the apparent oversight and/or inadvertence, twenty-three (23) lots had already been issued titles, seventeen (17) to non-mangyans and six (6) to the Mangyans.
5. Oppositions to the issuance of titles on the ground that the land being titled are portions of a Proclaimed Reservation were already voiced out during the time that the earliest titles were being processed and issued. Even before this, a few enlightened Mangyans went as far as questioning the intrusion and encroachment of the Christians into their lands. This shows that the Mangyans, despite being unlettered, being very shy, and often, subservient in attitude, had nevertheless remained vigilant and steadfast in their desire to preserve said land. This aspiration was further bolstered with the emergence, recognition and social acceptance of the concept of ancestral lands, to which the reservation is traditionally and legally an undeniable part and parcel of.
6. On April 27, 1988, request had been made by Sr. Victricia Pascasio of the Paitan Mangyan Mission (PMM), in behalf of the concerned Alangan Mangyans, relative to the latter's petition to win back the proclaimed Reservation.
7. On May 5-9, 1988, a field inspection/dialogue at the Paitan Mangyan Reservation was conducted by representatives from the Indigenous Community Affairs Division (ICAD) -Special Concerns Office (SCO) of the DENR Central Office, in response to the above-mentioned request.
8. DENR IV Special Order No. 106 dated May 23, 1988, Re: Organizing Investigating and

Survey Teams for the Paitan Mangyan Reservation, Naujan, Oriental Mindoro was issued by the Regional Executive Director, Wilfrido S. Pollisco of DENR-Region IV.

9. In December 1989, request was made to then Budget Secretary Guillermo Carague for funds to be used for compensating non-Mangyan occupants within the reservation. It was released 29 December 1989 thru the Office of the Provincial Governor of Oriental Mindoro for the development of the Alangan Mangyan people to realize the purposes for which the reservation was proclaimed.
10. In 1990, a Project Team for the Affirmation of Proclamation No.809 on the Paitan Mangyan Reservation for the promotion of the socio-cultural and economic conditions of the Mangyans was created. Its general objective was to re-establish the possession and/or occupation of the Alangan Mangyans over the said Reservation. The other specific objectives of this project were as follows:
 1. To persuade the non Mangyans to give up their landholdings
 2. To indemnify those non-Mangyans who will voluntarily agree to vacate the reservation;
 3. To provide an alternative relocation area for concerned landless non-Mangyan families who will eventually be displaced;
 4. To provide basic services to enable said displaced families to start life anew; and
 5. To turn over all recovered lands to the Mangyans.

January 1990 onwards

1. A project office was established in a multi-purpose building inside the reservation in Naujan, Oriental Mindoro sometime in late January 1990. It served not only as an office but also the living quarters of the assigned Project Team who served on a full-time basis in this project, like the three (3) blueguards from DENR, Region IV who were assigned to protect it and its vicinities.
2. On February 7, 1990, a dialogue with the non-Mangyan occupants of the reservation was held at Metolza Elementary School, where the goals of the project and accompanying plans were explained to them. The Project Team experienced strong resistance on the part of the non-Mangyan occupants as well as the Mangyan group.
3. On March 8, 1990, the Project Team sent a follow-up letter to all concerned non-Mangyan Claimants within the reservation explaining to them the government's strong resolve to re-affirm said Proclamation 809. They were requested to cooperate with the government's offer for compensation.
4. On June 4, 1990, Mr. Jeremias Nacorda, Barangay Chairman of Metolza in Naujan which forms part of the reservation, wrote to Secretary Fulgencio S. Factoran, Jr. in behalf of his constituents requesting for the cancellation of the implementation of this project and likewise to cancel the area as a Mangyan Reservation.
5. On July 24, 1990, Assistant Secretary Gregorio L. Magdaraog, however, denied said

request of Mr. Nacorda. He was informed, instead, of the continuous denials made by the government to have the reservation cancelled, particularly on the part of the then Acting Executive Secretary Marciano Roque of Malacanang (1953), Secretary Ernesto Macedo (1966) and Secretary Factoran (1989).

6. On July 25, 1990, Atty. Donna Gasgonia of the DENR and the Project Team, together with the local DENR officials, conducted a dialogue with the Paitan and Magtibay Mangyans, discussing the project's objectives and overall plans, whereby the Mangyans agreed to strongly support the Project.
7. On July 26, 1990, another dialogue with the Mangyans of Magtibay was again conducted with the representatives of the United Church of Christ of the Philippines (UCCP) – Mindoro Integrated Development Project (MIDP), a church-based NGO which works with the Mangyans in the Magtibay area in Naujan.
8. On August 23, 1990 – DENR Administrative Order No. 73 which is the Implementing Guidelines for the Identification, Evaluation, Appraisal and Compensation of Improvements and Corresponding Development Costs (by the non-Mangyan occupants of the Paitan Mangyan Reservation) was approved by the Secretary. The DENR-DAO No.73 was explained to the Mangyans in a dialogue conducted by the Project Team and other concerned local DENR Officials at the Project Office in Paitan. Also present was the Mayor of Naujan, Mr. Nelson Melgar and members of the Sangguniang Bayan. Copies of the Order were sent earlier to individual claimants on August 21, 1990.
9. August 29, 1990 – letters signed by PENRO Andalis were sent to individual claimants of the Reservation informing them that their lots are within the Proclaimed Area for the Mangyans. Likewise, invitations were extended to them to come to the Project Office.
10. September 15, 1990 – another letter to the non-Mangyans.
11. October 12, 1990 – An Inter-Agency Appraisal Team was created (S.O. No. 1006), as mandated by DENR Administrative Order No. 73, Series of 1990 signed August 23, 1990. The Inter-Agency Appraisal Team will be composed of representatives from DAR, the Provincial Assessor's Office and an NGO counterpart – Philippine Association for Inter-Cultural Development (PAFID).
12. One of the non-Mangyan claimants, Mr. Marcelino Orfrecio was paid by the Provincial Governor's Office the equivalent compensation for his improvements on the said area.
13. January 3, 1991 – Special Order No. 01, created a Community Based Project Team with the PENRO as the Project Manager and the CENRO of Socorro as the Assistant. Other members include a Legal Officer from DENR IV, two (2) Project Assistants from the CENRO and one (1) representative each from the Governor's Office, Office of the PARO and NGO. The team was tasked to continue the activities necessary to realize the objectives stated under S.O. 739.
14. January 14, 1991, - a draft MOA between the DENR and DAR was signed by Secretary

Fulgencio S. Factoran, Jr. and Secretary Benjamin Leong, creating a DENR-DAR Committee for the Affirmation of the Paitan Mangyan Reservation.

15. January 16, 1991 – Lawyers from the DENR (LMB/SCO) OSG, PANLIPI & PMM met at the DENR to formulate plans for legal actions against the non-mangyans.
16. January 30, 1991 - 1st Executive Committee meeting held at the Office of the Chairman, USEC Medina.
17. February 01, 1991 – Special Order No. 66 creating the DENR-DAR Committee for the affirmation of the Paitan Mangyan Reservation was signed.
18. February 11, 1991 – Clarifications were made to ASEC G. L. Magdaraog by Gov. Benjamin Espiritu, Head of the Tripartite Funds Management Group on the terms of payment made on Marcelino Orfrecio's claim.
19. February 12, 1991 - 2nd Executive Committee meeting involving the other concerned local Paitan Teams was held at the Paitan Project Office.
20. February 25, 1991 – Resolution No. 25, Series of 1991, Sangguniang Bayan of Naujan, Oriental Mindoro endorsed the petition of non-mangyan residents of Barangay Metolza, Naujan, Oriental Mindoro, to stop the implementation of the Paitan Mangyan Reservation Project.
21. February 27, 1991 – Eight (8) titleholders and twenty-six (26) without titles (all non-mangyan claimants within the reservation) availed of the application for compensation being offered by the project.
22. March 6, 1991 – Congressman Rodolfo G. Valencia of the 1st District of Oriental Mindoro asked Secretary Fulgencio Factoran to hold in abeyance the implementation of the project and requested a public hearing to that effect.
 - Meeting of the concerned group of lawyers from the DENR, DAR and OSG.
23. March 7, 1991 – Date of signing of the Administrative Order No. 09, Series of 1991, amending Section 9 of DAO No. 73, Series of 1990 (Providing Guidelines for the Identification, Evaluation, Appraisal and Compensation of Improvements and Corresponding Development Costs Undertaken by the Non-Mangyan Occupants of the Paitan Reservation in Naujan, Oriental Mindoro, specifically providing deadline, i.e., March 31, 1991 for claimants to personally file duly accomplished forms from the effectivity set hereof. Failure to file within the prescribed period shall be considered as lack of interest to pursue such claims under said guidelines.
 - Assistant Secretary G. L. Magdaraog, requested Undersecretary Jose C. Medina to give comments/recommendations regarding the plan to replace Mrs. Leonor Caoli, head of the Inter-Agency Appraisal Team.
24. March 8, 1991 – ASEC Magdaraog's letter informing Cong. Valencia of the DENR'S intention to continue without delay the implementation of the Paitan Project and that as of

that date fifty percent (50%) of the non-mangyan claimants within the reservation have expressed willingness to cooperate with the project.

25. March 14, 1991 – ASEC Magdaraog sent another letter to Congressman R.G. Valencia in response to the latter's letter dated March 6, 1991. He explained that an amicable settlement of the reservation's problem will be pursued through payment of just compensation and court litigation process for those unbending non-Mangyan claimants.
26. March 18, 1991 – Letter addressed to ASEC Magdaraog from the NGO representative of the Inter-Agency Appraisal Team with the conforme of the Coordinator of the Paitan Mangyan Mission, Sr. Victricia Pascasio, justifying Mrs. Caoli's retention as Team Leader of the Inter-Agency Appraisal.
27. March 20, 1991 – Gov. Espiritu, PENRO Andalis and PARO Glorioso of the Tripartite Funds Management Group, through a resolution, expressed their strong support behind Mrs. L. Caoli's retention in the Inter-Agency Appraisal Team which served as basis for the latter's retention.
- Joint meeting of the Funds Management Group, Inter-Agency Appraisal Team and Project Committee Members at the Office of Gov. Espiritu
28. April 2, 1991 – Letter of the Samahan ng mga Nagkakaisang Mangyan Alangan, Inc. (SANAMA) to the Honorable President Corazon Aquino, requesting for early payment to consenting claimants within the reservation.
29. April 4, 1991 – Copy of the Amended Appraisal Formula was submitted to ASEC Magdaraog for his comment and evaluation.
30. April 15, 1991 – ASEC Magdaraog's reply to the letter of Gov. Espiritu dated March 20, 1991 explaining that the Mangyans must know in clear terms, the values and terms of payment and that the payback plan and valuation scheme must be drawn up and approved by the DENR, DAR and the Mangyans.
31. May 9, 1991 – Letter of Jose Orfrecio, Ignacio Lintawagin and Roman Taywan (all Mangyans of Barangay Paitan) informing USEC Medina and ASEC Magdaraog that they were amenable to a fifty-fifty (50-50) repayment scheme.
32. May 10, 1991 – meeting of the Paitan Project Local Committee at the PENRO'S Office.
33. May 13, 1991 – 3rd meeting of the National Executive Committee and the Local Committee at the DENR.
34. June 17, 1991 – Draft Supplemental Guidelines to the MOA between DAR and the DENR for the implementation of the joint project for the Affirmation of the Paitan Mangyan Reservation was signed.
35. August 27, 1991 – PENRO Andalis transmitted the appraisal report of twelve (12) claimants to the Office of Gov. Espiritu and requested that the Local Committee be

- convened to discuss approval of payment.
36. September – letter of the DENR USEC for Field Operations, Victor O. Ramos, instructing PENRO Andalis to submit report of actual payment made to the non-Mangyans.
 37. October 3, 1991 – letter request of the Mangyans from Magtibay and Paitan, Naujan to Gov. Espiritu to effect early payment to the Non-Mangyans.
 38. October 9, 1991 – the Inter-Agency Appraisal Team endorsed to the Tripartite Funds Management Group, eighteen (18) processed claims of the Non-Mangyans.
 39. October 22, 1991 – Letter of PENRO Sofronio Andalis addressed to the Chairman, Tripartite Funds Management Group, Gov. Benjamin Espiritu, informing him about the letter of USEC Ramos dated 18 September 1991, requesting to prepare and submit a Comprehensive Annual Report of activities undertaken in the Paitan Mangyan Project.
 40. October 23, 1991 – Letter request of the Mangyan leaders of Paitan addressed to PENRO Sofronio Andalis and PARO Rene Glorioso to initiate the meeting of the Tripartite Funds Management Group.
 41. October 25, 1991 – a joint meeting of the Field Project Team, the Inter-Agency Appraisal Team and the Tripartite Funds Management Group.
 42. October 26, 1991 – Letter of DAR's USEC Jose Medina, Jr. to USEC Victor O. Ramos of DENR asking about the replacement of ASEC Gregorio Magdaraog as co-Chairman in the National Committee of the DENR-DAR Project for the Affirmation of the Paitan Mangyan Reservation.
 43. November 25, 1991 – Memorandum of the Assistant Director of the Special Concerns Office, Atty. Donna Gasgonia, referring the aforementioned inquiry of USEC Medina to the DENR Secretary.
 44. December 18, 1991 – Special Order signed by USEC Victor O. Ramos, designating ASEC Rolando S. Metin as Co-Chairman of USEC Jose Medina, Jr. in the National Committee of the DENR-DAR Project for the Affirmation of the Paitan Mangyan Reservation, replacing ASEC G.L. Magdaraog.
 45. December 31, 1991 – thirty-nine (39) Non-Mangyan claimants have applied for compensation, twenty-eight (28) were able to comply with the requirements, nine (9) applications still pending due to various reasons and a total of thirty (30) lots, were appraised/visited by the Inter-Agency Appraisal Team. Payment for the five (5) Non-Mangyan Claimants have already been approved by the Tripartite Funds Management Group, Mr. Jose Orfrecio.
 46. January 15, 1991 – Meeting of the Project National Committee, the Legal Group and the Field Project Team at USEC Medina's Office.

47. February 5, 1992 - 4th meeting of the Project National Committee with the "Agpamuon sa Reserbasyon," the Project Team, the concerned PENRO, representatives from the DAR Region IV and the LIUCP, held at the DENR.
48. February 23, 1992 - Reconnaissance survey of the Paitan area was conducted in line with the preparation of the Management/Physical Plan of the Reservation by environmental experts from the ERDB, DENR, LIUCP and the DAR.
49. April 21, 1992 - 5th meeting of the Project at the National level held at the DENR.
50. May 28, 1992 - Special meeting of the DENR-DAR Committee for the Affirmation of the Paitan Mangyan Reservation.
51. July 29, 1992 - Briefing/dialogue with the Provincial Governor of Oriental Mindoro (Gov. Rodolfo G. Valencia) at the Provincial Governor's Office in Calapan, Oriental Mindoro, with the presence of USEC Jose Medina, Jr. as Chairman of the Paitan Project.
52. July 30, 1992 - DENR S.O. No. 643, Series of 1992, amending DENR S.O. 1006, Series of 1990 re: Creation of an Inter-Agency Appraisal Team as mandated by DAO No. 73, Series of 1990, was signed.
53. November 12, 1992 - Dialogue with the Provincial Governor/Treasurer's Office at the PPMO Conference Room, with the participation of ASEC Rolando L. Metin as Co-Chairman of the DENR-DAR Committee.
54. January 22, 1993 - DENR S.O. No. 65, Series of 1993, was signed amending DENR S.O. No. 66, Series of 1991, designating Mr. Roy Gulane.
55. January 27, 1993 - Special meeting on the Paitan Project was held at the OSEC Conference Room, with the ASEC Severino Madronio and other DAR officials.
56. September 19, 1995 - Project for the Affirmation of Paitan Reservation was terminated. Twenty-three (23) lots were recovered. Sixteen (16) have likewise applied but rejected the payment recommended by the Team. There are also other recalcitrant non-Mangyan occupants who refused to cooperate with the Project.
57. October 1998 - Special meeting at the Special Concerns Office of the DENR, in attendance: DENR Region IV, DAR Central Office, Office of the Solicitor General, PARO and PENRO-Oriental Mindoro, LIUCP with DENR Secretary Cerilles. It was resolved in this meeting that DENR would file cases against the non-mangyan occupants residing inside the Reservation.
58. November 1998 - Filing of fifteen (15) cases raffled to RTC Branch 39, Calapan City, for "Recovery of Possession".
59. November 9, 1998 - The OSG filed fifteen (15) cases for "Recovery of Possession" docketed as follows:

Rep. of the Philippines rep. by DENR vs. Rufino Marzo – Civil Case No. R-4695
Rep. of the Philippines rep. by DENR vs. Rogelio Marzo – Civil Case No. R-4696
Rep. of the Philippines rep. by DENR vs. Ismael Icalla – Civil Case No. R-4697
Rep. of the Philippines rep. by DENR vs. Virgilio Ramirez – Civil Case No. R-4698
Rep. of the Philippines rep. by DENR vs. Saturnino Marzo – Civil Case No. R-4699
Rep. of the Philippines rep. by DENR vs. Jaime Ramos – Civil Case No. R-4700
Rep. of the Philippines rep. by DENR vs. Servillano Marzo – Civil Case No. R-4701
Rep. of the Philippines rep. by DENR vs. Lorenzo Bernabe – Civil Case No. R-4702
Rep. of the Philippines rep. by DENR vs. Elpidio Marzo – Civil Case No. R-4703
Rep. of the Philippines rep. by DENR vs. Daniel Icalla – Civil Case No. R-4704
Rep. of the Philippines rep. by DENR vs. Lourdes Ofrecio – Civil Case No. R-4705
Rep. of the Philippines rep. by DENR vs. Roberto Bravo – Civil Case No. R-4706
Rep. of the Philippines rep. by DENR vs. Severino Marzo – Civil Case No. R-4707
Rep. of the Philippines rep. by DENR vs. Victorino Marzo – Civil Case No. R-4708
Rep. of the Philippines rep. by DENR vs. Cecilia Marzo – Civil Case No. R-4709

60. November 26, 1998 – Civil Case No. 4694, Complaint for Cancellation of Title and Reversion was filed against Sps. Marcelino Manipon and Sps. Florencio and Romelia De Castro.

October 9, 2002 – RTC Branch 40 rendered a Decision:

ACCORDINGLY, judgment is hereby rendered as follows:

Declaring Free Patent No. V-16555 and Original Certificate of Title No. P-2124 in the name of defendant Marcelino Manipon and Transfer Certificate of Title No. T-33730 in the name of Sps. Romelia Caliboso de Castro and Florencio de Castro to be NULL and VOID ab initio.

Directing the Register of Deeds of Oriental Mindoro to cancel Original Certificate of Title No. P-2124 issued in the name of defendant Marcelino Manipon and Transfer Certificate of Title No. T-33720 issued in the name of Sps. Romelia Caliboso de Castro and all other subsequent titles derived from the aforesaid certificates of title, if there is any;

Ordering the reversion of Lot No. 6742, Pls-296 covered by the aforesaid free patent and certificate of title with an area of 5.376 hectares to the mass of the public domain being within the established reservation for the exclusive use of non-christian tribes now called Paitan Mangyan Reservation, and;

Directing defendant Marcelino Manipon, Sps. Romelia Caliboso de Castro and Florencio de Castro or any other party claiming titles under them to vacate the land in question and desist from exercising or representing acts of possession over the aforesaid property, subject of this case, and directing said defendant to surrender the original duplicate copy of Transfer Certificate of

Title No. T-33730 to the defendant Register of Deeds of Oriental Mindoro immediately for cancellation of the same.

SO ORDERED.

June 26, 2009 – The Court of Appeals rendered a Decision allowing Sps. Romelia Caliboso de Castro and Florencio de Castro to avail of the appropriate remedies against the RTC Decision, and declared the Writ of Execution issued in favor of the Republic as VOID.

February 27, 2011 – The Supreme Court reversed and set aside the Decision of the Court of Appeals, the dispositive portion of which reads:

WHEREFORE, the petition for review on certiorari is GRANTED and the assailed Court of Appeals Decision dated June 26, 2009 and Resolution dated September 30, 2009 are REVERSED and SET ASIDE, but only insofar as the Court of Appeals nullified 1) the Order dated April 29, 2004 of the Regional Trial Court, Br. 40 of Calapan City granting petitioner's motion for the issuance of a writ of execution, 2) the Writ of Execution dated August 2, 2005, and all execution proceedings/actions pursuant thereto, and 3) the trial court's order to immediately serve a copy of its Decision dated October 9, 2002 upon respondents.

May 30, 2011 – The Supreme Court denied the Motion for Reconsideration filed by Sps. De Castro with Finality.

61. February 12, 2003 – Civil Case No. R-4695 was dismissed without prejudice. Civil Case No. R-4696 was dismissed with prejudice.

62. June 25, 2003 – Civil Case No. R-4702 was dismissed without prejudice.

63. February 27, 2004 – Civil Case No. R-4706 was dismissed without prejudice as the defendant therein has not been served summons and the plaintiff failed to take steps to have the same served upon the defendant.

The eleven (11) remaining cases docketed as Civil Case Nos. R-4697 to 4701, R-4703 to R-4705 and R-4707 to R-4709, were consolidated into one.

64. August 2004 – Filing of eight (8) cases raffled to RTC Branch 40, Calapan City, for "Cancellation of Title and/or Reversion":

Rep. vs. Antonio Rodriguez – Civil Case No. R-04-5375

Rep. vs. Mariano Sampaga – Civil Case No. R-04-5376

Rep. vs. Guadalupe Tolentino – Civil Case No. R-04-5377

Rep. vs. Julia Garcia – Civil Case No. R-04-5378

Rep. vs. Hrs. of Crispin Quinton – Civil Case No. R-04-5379

Rep. vs. Hrs. of Juan Tipaz – Civil Case No. R-04-5380

Rep. vs. Sps. Manipon, Romelia and Florencio De Castro – Civil Case No. R-4694

Rep. vs. Francisco Espita – Civil Case No. R-4693

Four (4) cases were archived due to non-service of summons to the defendants.

Two (2) cases won, writ of execution and demolition implemented: Rep. vs. Sps. Romelia and Florencio de Castro (R-4694); and Rep. vs Francisco Espita (R-4693).

Two (2) cases won, pending execution of decision.

65. September 28, 2007 – A Joint Decision was issued dismissing the complaint for lack of merit. The dispositive portion of said Decision:

Although it may be true that the defendants never presented a qualified geodetic engineer who can properly identify and interpret the delineations and respective locations of LC-1548 PLS 296 and LC-2237, the respective lots defendants occupy and their relation to the area covered by Proclamation No. 809 and that none of the said witnesses presented by defendants is duly qualified to conclusively interpret and define the areas covered by the maps they presented, it should be remembered that the plaintiff likewise failed to prove in Court their claim that the contested areas are within the reservation.

As shown above, neither the plaintiff nor the defendants were able to prove by preponderance of evidence their respective claims so as to allow the Court to resolve the issue head-on. And so, with both parties in this case failing to establish their own respective cases, the Court is left with no other choice but to dismiss the instant action.

ACCORDINGLY, the respective complaints for recovery of possession separately filed by the plaintiff against the defendants in Civil Case Nos. R-4698 to R-4701, R-4703 to R-4705 and R-4707 to R-4709 are hereby ordered DISMISSED for lack of merit.

65. January 4, 2008 - The Republic filed a Petition for Relief from Judgment.
66. September 9, 2008 – The trial court denied Republic's Petition for Relief from Judgment.
67. October 3, 2008 - The Republic filed a Motion for Reconsideration. In support of its Motion for Reconsideration, the Government presented additional witnesses, namely:

- a. Testimony of Allan Azul (TSN August 12, 2009)

Allan Azul is the records custodian of DENR, Region IV-B.

The testimony of Mr. Azul was offered to prove that, based on DENR records, Proclamation No. 809 has not yet been amended nor modified; an approved verification survey for Proclamation No. 809 is also on record, Vs-04-000312 dated February 12, 1991.

- b. Testimony of Engr. Marlo Baetiong of NAMRIA (TSN November 29, 2009)

Engr. Marlo Baetiong, geodetic engineer and Officer-in-charge of

NAMRIA's Field Service Section, Land Reservation Division.

Engr. Baetiong testified on the relative location of the area of Proclamation No. 809 on the Land Classification map of the Province of Oriental Mindoro. Relying on the technical description of Proclamation No. 809, Engr. Baetiong plotted the area beginning on corner 4 of Project No. 5 of said LC Map.

Engr. Baetiong likewise testified that Proclamation No. 809 is located on the southwest portion of LC Map 22372; not on the upper eastern portion where Mindoro Project No. 5 is located, as claimed by respondent Severino Marzo.

c. Testimony of PENRO Arthur Serna (TSN November 11, 2009 and January 13, 2010)

Arthur Serna is the Provincial Environment and Natural Resources Officer of the Province of Calapan, Oriental Mindoro. PENRO Serna's testified to prove that free patent applications for Lot Nos. 6805 and 6820 in the name of Rufino Marzo and Crisanto Ofrecio, were processed but rejected by the DENR on December 6, 1962. Reason for the rejection was that the areas applied for free patents were inside Proclamation No. 809. He likewise testified that possession by respondents over areas occupied by them but within the PMR would not ripen into ownership. And even if they apply again for free patents, the same would again be rejected.

d. Testimony of Mr. Ricardo Lintawagin

Mr. Lintawagin testified to prove that their place is called Paitan-Mangyan reservation because the Mangyans of Paitan have resided in the reservation since time immemorial. The Government thus to reserve these lands for the exclusive use of the Mangyans.

e. Testimony of Mr. Elias Kalyagan

Aking Elias testified to prove that even before the land was proclaimed as a non-Christian reservation, the Mangyans lived as a community on their ancestral land. He narrated a brief history of their occupation of the land, that during the Japanese period, the Mangyans evacuated and lived near the mountains because of fear from the Japanese; when they returned, they already saw Tagalogs (Ilocanos) residing in their old village. *Elias* also testified that Mangyan leaders asked these Tagalogs to leave, but they refused and said that this land is not a Mangyan reservation. Likewise, he testified that the Mangyans sought assistance from the government, which then prohibited the construction of houses inside the reservation, however, the Tagalogs continued to construct their houses. Lastly, *Elias* declared that they will fight for this land because they lived here, and that the Tagalogs, including defendants herein, are merely intruders to their land.

68. February 11, 2011 – The trial court denied Republic's Motion for Reconsideration.

69. April 11, 2011 – The Republic filed a Petition for Certiorari with the Court of Appeals, docketed as "Republic of the Philippines, represented by the Department of Environment and Natural Resources (DENR), vs. Honorable Judge Manuel C. Luna, Jr., Presiding Judge of the Regional Trial Court, Branch 39, Calapan City, Oriental Mindoro, Ismael Icalla, Virgilio Ramirez, Saturnino Marzo, Jaime Ramos, Servillano Marzo, Elpidio Marzo, Daniel Icalla, Lourdes Ofrecio, Severino Marzo, Victorino Marzo, and Cecilia Marzo, CA-G.R. SP No. 119228". This Certiorari challenged the denial of the Petition for Relief and the Motion for Reconsideration by the RTC Branch 39, Calapan, Oriental Mindoro.

70. April 16, 2012 – The Court of Appeals (CA) rendered a Decision granting the Republic's Petition for Certiorari, the dispositive portion of which reads:

WHEREFORE, the petition is GRANTED. The September 9, 2008 and February 11, 2011 Orders of the Regional Trial Court (RTC) of Calapan City, Oriental Mindoro, Branch 39 are REVERSED and SET ASIDE. The case is REMANDED to the said court for further proceedings.

SO ORDERED.

71. May 4, 2012 – Private respondents, through their counsel, filed a Motion for Reconsideration of the CA Decision. The CA denied the Motion for Reconsideration.

72. August 6, 2012 – Private respondents Marzos, et. al. filed a Petition for Certiorari before the Supreme Court, questioning the CA Decision.

73. October 17, 2012 – The Supreme Court denied the Petition for Certiorari. The case was thus remanded to the trial court for further proceedings.

74. 2013 - The case proceeded into trial, with the Republic presenting two (2) Mangyan witnesses: Mr. Ricardo Lintawagin; and Mr. Elias Kalyagan.

Respondents only adopted the evidence already presented, and no longer presented additional evidence.

75. February 25, 2015 - The Republic filed its Memorandum.

76. June 2, 2015 – The trial court (RTC Branch 39) rendered an Amended Joint Decision, the dispositive portion reads:

However, after the plaintiff was allowed to present additional evidence in light of the Court of Appeal's Decision dated April 16, 2012, which remanded the case to this Court for further hearing, the plaintiff, submitted in evidence, among others, the Verification Plan of Proclamation No. 809 (Exhibit "C" and submarkings), showing the relative positions of the area covered by Proclamation No. 809 vis-à-vis the lots being occupied by the defendants in this case, as surveyed for the Republic of the Philippines. To the mind of this Court, said Verification Plan is the "game-changer" for the plaintiff as the same showed that Lot Nos. 6750, 6805 and 6820, which are all being claimed have been occupying and their relation to the area covered by Proclamation No. 809. Of course, it is quite obvious that this Court cannot rely on the testimonies of the defendants as to the actual position of the areas they are

presently occupying in relation to the maps they presented, for the simple reason that they are not geodetic engineers or persons duly qualified to conclusively interpret and define the areas being occupied by them. It is well to point out that, unlike the plaintiff, who presented additional MATERIAL and RELEVANT evidence to substantiate its claim when the instant case was remanded by the Court of Appeals, the defendants merely relied on the evidence it has previously presented before the Joint Decision was rendered by this Court.

ACCORDINGLY, judgment is hereby rendered in favor of the plaintiff and against the defendants as follows:

- a. Ordering the defendants, their heirs and assigns, their privies, tenants, agents and any and all persons acting for and in their behalf and/or those who may have acquired rights and interest from defendants over the subject land, to vacate the premises in question and to restore possession thereof to plaintiff; and
- b. Ordering defendants to desist from exercising acts of ownership over the property in question.

SO ORDERED.

77. Defendant-appellants Marzo, et.al., filed their appeal before the Court of Appeals, docketed as CA-GR CV No. 106472. On November 7, 2016, the defendants filed their Appellants' Brief. While on March 20, 2017, the Republic of the Philippines filed its Appellee's Brief.

78. On March 8, 2019, the Court of Appeals rendered its Decision in Marzo et.al., denying the Appeal of the appellants' Marzo, et. al., and sustaining the Amended Decision dated June 2, 2015 of the RTC Branch 39.

79. On April 10, 2019, defendant-appellants Marzo, et. al., filed a Motion for Reconsideration of the CA Decision. On October 17, 2019, the Court of Appeals denied the appellants' Motion for Reconsideration.

80. On December 16, 2019, appellants Marzo et al., filed a Petition for Review before the Supreme Court. The Petition was received by the OSG on January 8, 2020. Due to the deaths of Saturnino, Severino and Elpidio Marzo, their representative-heirs requested for substitution. They are now represented in the case by Juanita, Jason, and Larry Marzo.

81. On February 24, 2020, the Supreme Court rendered a Decision denying Marzo et. al.'s Petition. Petitioners Marzo et. al., filed a Motion for Reconsideration.

82. On December 20, 2020, the Supreme Court issued a Resolution denying with finality the Petition and Motion for Reconsideration of the petitioners Marzo, et. al..

Chronology of DENR-DAR Project for the Affirmation of Paitan Mangyan Reservation was prepared by Mr. Roberto Almonte, Paitan Mangyan Mission representative to the Inter-agency Team for the implementation of the Project.

Chronology of Court Litigation was prepared by Atty. Melanie P. Pimentel, Senior State Solicitor of the Office of the Solicitor General.