

Republic of the Philippines
Department of Environment and Natural Resources

PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE MIMAROPA Region

DEC 19 2022

D INCOMING

DENR MIMAROPA RECORDS

DATS NO.

MEMORANDUM

FOR

The Regional Executive Director

MIMAROPA Region

1515 DENR By the Bay Building, Roxas Blvd.

Barangay 668, Ermita, Manila

FROM

The OIC PENR Officer

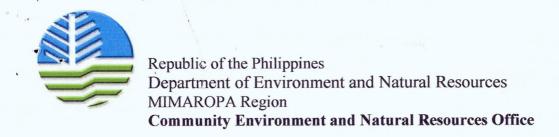
SUBJECT:

RESOLUTION NO. 2022-067

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated December 09, 2022 pertaining to the result of administrative adjudication on the apprehended eight (8) pieces of Bulabog lumber having an aggregate volume of 21.33 board feet at Barangay Buri, San Jose., Occidental Mindoro.

For your information and record.

ERNESTO E. TAÑADA



DEC 0 9 2022

MEMORANDUM

FOR

The Regional Executive Director

DENR-MIMAROPA Region Roxas, Blvd., Ermita, Manila

THRU

The OIC-PENR Officer

Mamburao, Occidental Mindoro

FROM

The CENR Officer

SUBJECT

RESOLUTION NO. 2022-067

Submitting respectfully is the Resolution No. 2022-067 as a result of administrative adjudication on the apprehended eight (8) pcs of Bulabog lumber with different dimensions having an aggregate volume of 21.33 bdft. at Brgy. Buri, San Jose, Occidental Mindoro by DENR personnel on October 26, 2022.

For your information and record.

EFREN L. DELOS REYES









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

Community Environment and Natural Resources Office

RE: APPREHENSION OF ABANDONED EIGHT (8) PCS. OF BULABOG LUMBER WITH AN AGGREGATE VOLUME OF 21.33 BDFT. AT BRGY. BURI, SAN JOSE, OCCIDENTAL MINDORO ON OCTOBER 26, 2022 AT AROUND 10:17 IN THE MORNING.

RESOLUTION No. 2022-067

This pertains to the apprehension of abandoned eight (8) pcs. of Bulabog lumber with a dimension of 2x2x8 and an aggregate volume of 21.33 bdft. at Brgy. Buri, San Jose, Occidental Mindoro by the Personnel of Enforcement and Monitoring Section (EMS) DENR-CENRO, San Jose, Occidental Mindoro.

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

- 1. That, on October 26, 2022 the staff/personnel of Enforcement and Monitoring Section (EMS) of this Office conducted a monitoring and surveillance accordingly in response to a report through a cellphone call from a confidential asset that there were a stockpiled of lumber believed to be illegally cut at the vicinity of Brgy. Buri, San Jose, Occidental Mindoro.
- 2. That, indeed the report was confirmed, the team apprehended the above-subject forest products and hauled to Brgy. Hall of Brgy. Buri San Jose, Occidental Mindoro for temporary safekeeping. (*Please see attached temporary custody receipt.*)
- 3. That, the corresponding Apprehension Receipt with CENRO Control No.2022-F467 was issued by the apprehending officer headed by Deputy Chief, EMS, Jomar B. Serquiña (please see attached apprehension receipt)
- 4. That, the Seizure Order with CENRO Control Number 2022-F467 was issued by the Seizure Officer, Land Management Officer III Rhodora A. Garcia (please see attached seizure order)
- 5. That, a PABATID SA PUBLIKO (Notice to the Public) was posted on October 27, November 3 and November 10, 2022 at the conspicuous places such as at Public Market of San Jose and at the Brgy. Hall of Barangay Buri, San Jose, Occidental Mindoro. (please see attached Pabatid sa Publiko)
- 6. That, no Administrative hearing was made because there were no claimant of the said abandoned forest products even though a Pabatid sa Publiko has been posted on three (3) separate dates and at the conspicuous places of the area of concern. (please see attached Pabatid sa Publiko)

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

1. Whether or not the abandoned eight (8) pcs. of Bulabog lumber with a dimension of 2x2x8 and an aggregate volume of 21.33 bdft will be confiscated in favor of the government.

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

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

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

xxx

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

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Department Administrative Order No. 97-32

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

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

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2. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended abandoned eight (8) pcs. of Bulabog lumber with a dimension of 2x2x8 and an aggregate volume of 21.33 bdft shall be confiscated in favour of the government since those lumbers are product of an illegal act.

Based in the case at bar, the cutting of forest products without legal documents if proven is a violation of Section 77 of PD 705 as amended by Executive Order No. 277 and Republic Act 7161 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 2022-10 (Revised DENR Manual of Authorities for Technical Matters) the following are hereby recommended:

1. The abandoned eight (8) pcs. of Bulabog lumber with a dimension of 2x2x8 and an aggregate volume of 21.33 bdft shall be confiscated in favour of the government since those lumber are products of an illegal act.

Issued this	day	of	DEC	0.7	2022	,at DENR-CENRO	San Jose
Occidental Mindoro.					. A		

Prepared By:

RHODORA A GARCIA

LMO III

Hearing Officer Seizure Officer

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Noted By:

CENR Officer

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



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

Community Environment and Natural Resources Office

EMAIL FOR TRANSMISSION OCTOBER 27, 2022

FOR:

THE REGIONAL EXECUTIVE DIRECTOR

DENR-MIMAROPA REGION

THRU:

PENR OFFICER

MAMBURAO, OCCIDENTAL MINDORO

FROM:

THE CENR OFFICER

PLEASE BE INFORMED THAT PERSONNEL OF ENFORCEMENT AND MONITORING SECTION OF DENR-CENRO SAN JOSE HAD APPREHENDED EIGHT (08) PIECES OF BULABOG LUMBERS CMA WITH DIMENSION OF 2X2X8 AND TOTAL VOLUME OF 21 BOARDFEET ON OCTOBER 26, 2022 AT AROUND 10:30 IN THE MORNING AT BARANGAY BURI CMA ILIN ISLAND CMA SAN JOSE CMA OCCIDENTAL MINDORO PD

BE FURTHER INFORMED THAT THE SAID FOREST PRODUCTS WERE FOUND ABANDONED AND NO CLAIMANT APPEARED DURING THE TIME OF APPREHENSION PD SAID UNDOCUMENTED MAJOR FOREST PRODUCTS WERE BROUGHT TO THE BARANGAY HALL OF BARANGAY BURI CMA ILIN ISLAND CMA SAN JOSE CMA OCCIDENTAL MINDORO PD FOR SAFEKEEPING PURPOSES PD

FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

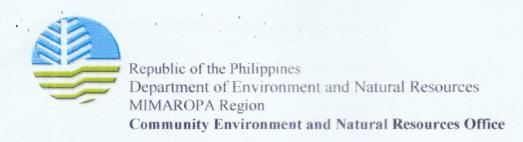
NILO P. SALVADOR

SENDER:

DMO IV

For the CENR Officer:

In-Charge, Office of the CENRO



October 27, 2022

MEMORANDUM

FOR

The CENR Officer

THRU

The Chief EMS

FROM

The Deputy Chief EMS

Team Leader of San Jose

SUBJECT

REPORT ON THE APPREHENDED ABANDONED EIGHT (8) PIECES

OF BULABOG LUMBERS AT BRGY. BURI, ILIN ISLAND, SAN

JOSE, OCCIDENTAL MINDORO

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

- That on October 25, 2022, the Enforcement and Monitoring Section received a vital imformation regarding an alleged cutting of trees at Brgy. Buri, Ilin Island, San Jose, Occidental Mindoro
- 2. That on October 26, 2022, the team composing of the undersigned together with Forest Technician I Dominic Vidal, Forest Ranger Emmanuel Ignacio, and Forest Protection Officers Roniel Saulong and Ednor Legaspi Jr. travelled to Brgy. Buri, Ilin Island, San Jose, Occidental Mindoro to conduct investigation to verify the said matter.
- 3. The team coordinated with the Barangay Local Government Unit of Buri, San Jose, Occidental Mindoro with Brgy. Kagawad Wenifredo L. Enelda on duty wherein Kagawad Enelda provided the team with IAMBAG (Ilin and Ambulong Islands Bantay Gubat) Members and Brgy. Police of Buri to accompany them at the said area.
- 4. After that, the team proceeded to the said area of alleged cutting and it was discovered that cutting of trees occurred in the said area. The team conducted inventory of the four (4) stumps and eight (8) pieces of Bulabog Lumbers with dimension of 2x2x8 and total volume of 21 boardfeet with no claimant.
- 5. The team together with IAMBAG Team and Brgy. Police of Buri brought the apprehended abandoned eight (8) pieces of lumbers to the Brgy. Hall of Brgy. Buri, San Jose, Occidental Mindoro for temporary safekeeping.

The team recommends to strengthen the monitoring against illegal forestry and environmental activities and collaborate vividly with the Local Governments for effective monitoring.

Attached are the geotagged photographs, map, tally sheet and pertinent documents.

For your information and further instruction.

Prepared by:

LOREN KATE A. GARCIA

Forest Technician II

JOMAR B. SERQUINA Forester I/Deputy Chief, EMS

GEOTAGGED PHOTOGRAPHS October 26, 2022



The team coordinating with Brgy Kagawad Wenifredo Enelda (2nd to the left) and IAMBAG Chairperson Reynold Villaram (front)



The team with the apprehended abandoned 8 pieces of Bulabog Lumbers apprehended at Brgy. Buri, Ilin Island, San Jose, Occidental Mindoro



The team with the carrying the abandoned 8 pieces of Bulabog Lumbers going to the Brgy. Hall of Brgy. Buri, Ilin Island, San Jose, Occidental Mindoro



T said abandoned 8 pieces of Bulabog Lumbers at the Brgy. Hall of Brgy. Buri, Ilin Island, San Jose, Occidental Mindoro for safekeeping.

GEOTAGGED PHOTOGRAPHS Stumps at Brgy. Buri, Ilin Island, San Jose, Occidental Mindoro









TALLY SHEET OF STUMPS

Species	Diameter
Bayog	49 cm
Bayog	35 cm
Bulabog	38 cm
Bulabog	50 cm

TALLY SHEET OF THE APPREHENDED BULABOG LUMBERS

Species	Pieces	Dimension	Volume
Bulabog	8	2x2x8	21.33 boardfeet

Republic of the Philippines Department of Environment and Natural Resources CENRO SAN JOSE

Address: Labangan, San Jose, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Cor	ntrol No.	: 2022-	F466	
E-FMS No:	2022	175110.	- F46%	

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person
	о поворожником можения на под поворожником под поворожником под поворожником поворо				

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:

MAJO	AJOR FOREST PRODUCTS								
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
LUMBER				BULAGOG	8	24348=8	21.33		
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						BD, FT.			
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					September of the control of the cont				
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					8	21. 33	1,173.15		

Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
		The state of the s		

Conv	eyance i	nvolved				***************************************					TENEVO PERÍODO AND	
Туре	Make/M	odel/Year	Plate No.	Color/Markii	ngs CR	No.	OR No	•	Engine No.	Chas No.	sis	Accessories
If An	imal											
Kind				Quantity			Gende	er	and the form of the company of the c	Col	or	
Equip	ment In	volved										
Туре					Qu	antit	у					
Imple Type	ments Ir	ivolved			On	antit						
							Y					
								errore and have a made and a second		errenning jedynama da di era ljakio mo		

	2. The proc	subject For eedings.	est Proc	lucts and othe	er items	have	under	gone t	he follo	wing	Ap	prehensio
APPR	EHENSI	ON										
	e and		Plac	ce of Apprehe	ension			Δ			Fac	tual Legal
	ne of hension	Province	City/	Municipality	Baran	gay	Sitio		orehend Officer	ing	В	asis for orehension
	6,2022 7 AM	6CCTOTNITAC HINDORD		SANJOSE	BUR				r Person		Ae,	ATO OUTO
	Is/are h	ereby decl	are und	er apprehensi	on on t	he fo	llowing	FAC	ΓUAL r	eason	S:	akker inforessering game nyapin ing pamakan di daupunak
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	impleme manner, by the S	destruction	ners ap n or los f the D	t products, prehended sh s and should epartment of	ould be not be	kep alter	t and pi ed or re	rotecto	ed from	defac	em	ent in any

Done this 26 day of 607, year

APPREHENDING (Signature over Print	11
1. JOHNO B. SERQUINA Position: Forest VIDA Position: Forest Technician I Address: STOM	Position: Forest Technica 1) Address: STOM Position: Forest Panger Address: STOM
5Position:Address:	6Position:Address:
RETPORT OR CHATRHAN, CLAMBAG	Exalination of CINAB
OWNER/CLAIMNANT/REPRESS (Signature over Production: Position: Address:	
2. Position: Address:	4Position:Address:
Copy Received by:	
Signature over Printed Name Remarks:	Date/Time

TEMPORARY CUSTODY RECEIPT OF APPREHENDED FOREST PRODUCTS(S) OR ITEM(S) OF EVIDENCE

Sitio/Barangay	of	hv. oal-sar-lad	Municipality of e to have received from	SAN JOS	5F	Province of
bruy by	DENR, the follow	wing described unicipality	items apprehended in S	Sitio BRUY	Boru	, Barangay of
Α. Ι	Forest Products	abelianismis ale (Salainismis aprillage) as comment demonstration for the case of the co				
Туре	Number	Species	Dimension	Volum	e	Remarks (e.g. tag number)
LUMBER	@ PCS.	BULNBOG	2×2×8	21.35 F	30. F7.	
В. (Conveyance, mach	ninery, Tools, Et	c.			
Kind/make/Plate Number	Certificate of Registration	Engine a	nd Remarks (ac		Own	er Address
aithfully and to the nat I will neither a	e best of my ability liter, nor remove the jurisdiction to the	keep and protect ne same, and that e place designat	ossession pending invest et the said articles from de at I release and deliver sai ed. The said forest produ	efacement, loss of darticles only up	r destru	action, in any number, ders of the DENR or a
					Cu	stodian
						Y - KAZAWAY signation
Vitnesses:	- SORQUE			Apprehendin	ng Offic	cer of Corneis
Foreston	11		Applications	Docent	1 00	A CONCUS

Republic of the Philippines Department of Environment and Natural Resources CENRO SAN JOSE

Address: Labangan San Jose, Occidental Mindoro

SEIZURE ORDER

CENRO Control No.: 2022-F466

E-FMS No: 2022-175110-F466

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:

Kind	Item:	Source/ Origin of Forest Products	Specie s Groupi ng	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
Lum				Bulabog	8	2x2x8=21.33	1,173.15	Brgy. hall of Brgy. Buri, SJOM	Kag. Darwin Linab

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

nveyance In	volved				
Туре	Make/ Model/ Year	Plate No.	Color/Markings	CR No.	OR No.
N/A	N/A	N/A	N/A	N/A	N/A

Engine No.	Chassis No.	Accessories	Estimated Market Value	Custodian'
N/A	N/A	N/A	N/A	N/A

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

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

Туре	Quantity	Details	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

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

Name	Address	Civil Status	Age	Participation	Status of the Person
N/A	N/A	N/A	N/A	N/A	N/A
. 1/ 2.1			. 1/11	1 1/1 1	14/21
	et kan samajak kapa samajan ngangan na madalahan sa madapak na labawa na				

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

SEIZURE			na filikasa e pumma. A mikumunto kanagas pangannan na sasaka a angahisasa karinandowa na nandukananga angahis				
Date and		Place of S	eizure			T 170 1	
Time of Seizure	Province	City/Mun icipality	Barangay	Sitio	Seizing Officer	Legal Basis for Seizure	
October 26, 2022 4:00 pm	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	LMO III Rhodora A. Garcia	Section 77, PD 705	

Examination Conducted by Seizure Officer:

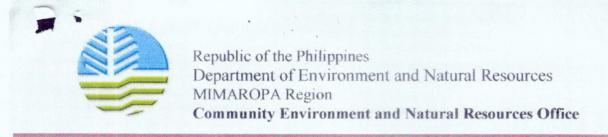
Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated <u>October 26, 2022</u> 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 26th day of October, 2022 at Brgy. Labangan, San Jose, Occidental Mindoro.

RHODORA A. GARCIA
Hearing Officer/ Seizure Officer



OCT 27 2022

UNANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG WALO (8) NA PIRASO NG BULABOG NA KAHOY NA MAY SUKAT NA 2X2X8 AT MAY KABUUANG DAMI NA 21.00 BDFT. SA BRGY. BURI ILIN ISLAND, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-26 OKTOBRE 2022 SA GANAP NA ALAS 10:30 NG UMAGA.

ANG NASABING KAHOY AY DINALA SA BRGY. HALL NG BRGY. BURI ISLAND SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

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

LUBOS NA GUMAGALANG,

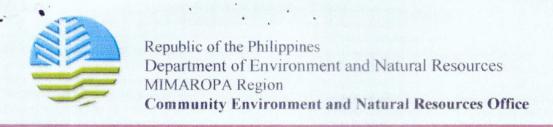
RHODORA A. GARCIA

L'MO III

Seizure Officer/ Hearing Officer

NOTED BY:

ENGR. NILO P. SALVADOR
DMO IV/Deputy GENRO
In-Charge, Office of the CENRO



NOV 03 2022

IKALAWANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG WALO (8) NA PIRASO NG BULABOG NA KAHOY NA MAY SUKAT NA 2X2X8 AT MAY KABUUANG DAMI NA 21.00 BDFT. SA BRGY. BURI ILIN ISLAND, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-26 OKTOBRE 2022 SA GANAP NA ALAS 10:30 NG UMAGA.

ANG NASABING KAHOY AY DINALA SA BRGY. HALL NG BRGY. BURI ISLAND SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

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

LUROS NA GUMAGALANG,

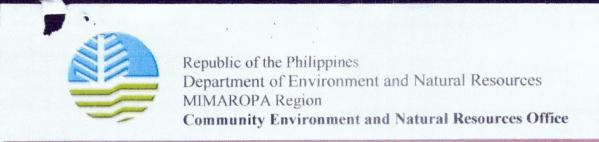
RHODORA A. GARCIA

LMO III

Seizure Officer/ Hearing Officer

NOTED BY:

ENGR. NILO P. SALVADOR
DMO IV/Deputy CENRO
In-Charge, Office of the CENRO



NOV 10 2022

IKATLONG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG WALO (8) NA PIRASO NG BULABOG NA KAHOY NA MAY SUKAT NA 2X2X8 AT MAY KABUUANG DAMI NA 21.00 BDFT. SA BRGY. BURI ILIN ISLAND, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-26 OKTOBRE 2022 SA GANAP NA ALAS 10:30 NG UMAGA.

ANG NASABING KAHOY AY DINALA SA BRGY. HALL NG BRGY. BURI ISLAND SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

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

LUBDS NA GUMAGALANG,

RHODORA A. GARCIA

LMO III

Seizure Officer/ Hearing Officer

NOTED BY:

ENGR. NILO P. SALVADOR
DMO IV/Deputy CENRO
In Charge Office of the CENRO

In-Charge, Office of the CENRO