



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

MAR 08 2023

**MEMORANDUM**

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

FROM : The OIC- PENR Officer

SUBJECT : **LETTER DATED AUGUST 12, 2022 FROM MR. JOSE VILLAREAL REQUESTING FOR ASSISTANCE ON LAND TITLING OVER A PARCEL OF LAND LOCATED IN BRGY. BATASAN, SAN JOSE, OCC. MINDORO**

Respectfully forwarded is the Memorandum dated February 10, 2023 of CENR Officer Efren L. delos Reyes regarding the above-mentioned subject.

Based on the Completed Staff Work (CSW) report, the land claimed and occupied/possessed by Mr. Jose Villareal falls within forestland/timberland as per LC Map No. 1781 dated September 15, 1954.

Considering that the land subject of the request for titling is a forestland, we hereby recommend that Mr. Villareal must be informed that *"possession of land that is within forest zone, however long, cannot ripen into private ownership* (Rep. vs. Muñoz, 23 SCRA 1184, Adorable vs. Director of Lands).

For information and record.

  
**ERNESTO E. TAÑADA**

TSD-RPS





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

**FEB 10 2023**

**MEMORANDUM**

FOR : The OIC, PENR Officer  
Mamburao, Occidental Mindoro

FROM : The CENR Officer

SUBJECT : LETTER DATED AUGUST 12, 2022 FROM  
MR. JOSE VILLAREAL REQUESTING ASSISTANCE RE:  
LAND TITLING OVER PARCEL OF LAND LOCATED IN  
BRGY. BATASAN SAN JOSE OCCIDENTAL  
MINDORO

This is in connection to the memorandum dated November 22, 2022 of the OIC Assistant Regional Director for Technical Services regarding above noted subject with the instruction to provide the necessary assistance to Mr. Villareal concerning his request.

Please be informed that the subject parcel of land / lot requested for titling is within the forestland and that since CY 2019, Mr Villareal has been properly informed on the matter.

Please see attached updated Completed Staff Work (CSW) dated February 6, 2023 for further reference.

For information and further instruction.

  
**EFREN L. DE LOS REYES**

<b>RECORDS</b>	
RECEIVED BY: <i>2/29 Jochua</i>	
DATE: <i>2/27</i>	TIME: _____
RELEASED BY: _____	
DATE: _____	TIME: _____

<b>PENRO</b>	
RECEIVED BY: <i>2/28</i>	
DATE: <i>2/28</i>	TIME: <i>9:43</i>

<b>TSD</b>	
RECEIVED BY: <i>7-9</i>	
DATE: <i>2/28/2023</i>	TIME: <i>11:30</i>

<b>CDS</b>	
RECEIVED BY: <i>99-8</i>	
DATE: <i>3/1/23</i>	TIME: <i>12:00pm</i>
RELEASED BY: _____	
DATE: _____	TIME: _____

<b>RES</b>	
RECEIVED BY: <i>23-4</i>	
DATE: <i>03-21-2023</i>	TIME: <i>1:25</i>
RELEASED BY: _____	
DATE: _____	TIME: _____

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

February 6, 2023

MEMORANDUM

FOR : The CENR Officer *d*  
THRU : The Chief RPS *fo*  
FROM : The Land Management Officer II  
SUBJECT : LETTER DATED AUGUST 12, 2022 FROM MR. JOSE VILLAREAL REQUESTING ASSISTANCE RE: LAND TITLING OVER A PARCEL OF LAND LOCATED IN BRGY. BATASAN SAN JOSE OCCIDENTAL MINDORO

I. REFERENCE

This is in connection to the memorandum dated December 19, 2022 of the OIC, PENR Officer Mamburao Occidental Mindoro to this office regarding the above noted subject and instructed to kindly provide the necessary assistance to Mr. Villareal concerning his request, keeping in mind the existing ENR laws, rules and regulations on the matter. Submit report of actions taken for endorsement to the Regional Office for monitoring and record.

II. BACKGROUND

Sometimes in 2020, this office prepared a Completed Staff Work with subject dispute of land claims and violations on illegal occupation and cutting of trees within forest / timberland between the Villareal's, Banez families and Batasan Integrated Social Forestry Association located at Purok II Brgy. Batasan San Jose Occidental Mindoro. Whereas it was recommended to reiterate the previous advised to Mr. and Mrs. Villareal in a letter dated October 29, 2019 and to other parties to refrain from fencing particularly in restricting the implementation of the NGP by the partner People's Organization, introduction of any development / kaingin, cultivation, cutting and gathering forest products. (See Annex-A for more details)

This Office has issued an undated certification that the subject land falls within Forest / Timber Land as per LC Map No. 1781 dated September 15, 1954. ( See Annex-B for more details)

On August 25, 2020, this office has sent a letter to Mrs. Gemma Villareal informing her that in connection to her request dated August 24, 2020 as follows:

1. Completed Staff work regarding the disputed / conflict area within a forestland at Brgy. Batasan San Jose Occidental Mindoro;
2. Minutes and Administrative Hearing administered by DMO Wilfredo A Aben, and;
3. Map of the subject area within forestland.

Based on the said documents, we would like to reiterate our previous advised as contain *ed* in our letter dated October 29, 2019 to refrain from continuous *occupation* ~~co~~cupation, kainign making and fencing that prevent the continues development, maintenance and protection of the NGP being undertaken by the Batasan Integrated Social Forestry Association (BISTA). (See Annex-C for more details)

On August 2, 2022, the Batasan Integrated Social Forestry Association, sent a letter to this Office written as follows:

*"Magandang araw po.*

*Kami po ng samahang Batasan Integrated Social Forest Association ay dumudulog sa inyong butihing tanggapan humuhiling na maaksyonan ang panghihimasok at paninira *bi* (g) Jose Villareal sa*



*inasasakupan ng proyekto na NGP area. May mga paghaharap nap o sa barangay, subalit patuloy parin ang panggugulo nito. Nais po sanan ng samahan na ang inyo pang butihing tanggapan ang magbigay ng karapat aksyon sa lalong madaling panahon. Inaasahan po naming ang inyong pagtugon. Maraming salamat po.” Signed by Mr. Fe Francisco. (See Annex-D for more details)*

On August 18, 2022, Mrs. Gemma C Villareal (Wife of Jose M. Villareal) sent a letter to this Office written as follows:

*“Dear Sir Cenro. EFREN DELOS REYES*

*Ako po ay lumalapit sa inyong Tanggapan upang makahingi ako ng tulong, kung Paano po kami magkaroon ng karapatan sa lupa na sinasaka at tinataniman mula pa noong 1983. Hanggang ngayong 2022. Sir Efren, Efren Tulungan mo po sana kami, payag po kami na magkaroon kami ng katibayan na kami ay may lupa rin kahit ilan po ang ipagkakaloon mo saamin.*

*Wag lang po kami paalisin or gibain ang Bahay namin, at alisin ang mga tanim naming Saging, kalamansi at kawayan at iba pa. ito po ay tanim pa ng lolo at tatay ng asawa ko si Jose M. Villareal at kami ngayon ang nagtanim pa ngayon.” (See Annex-E for more details)*

Mr. Villareal also submitted the following documents for references:

1. Relinquishment of Rights and Interest of Public Land dated August 16, 1965 from Teofilo Lacibar to Ricardo Villareal for a parcel of land containing of Three (3) Hectares, the southern portion of pasture land covered by Pasture Permit No. 1112 situated in Batasan San Jose Occidental Mindoro and which portion is suitable for raising of palay crops, the same being presently the occupation of Mr. Teofilo Lacibar; (See Annex-F for more details)
2. Barangay Certification dated October 23, 2019 that Mr JOSE M. VILLAREAL, 40 years old and has a permanent address to Purok II Barangay Batasan San Jose Occidental Mindoro is the actual cultivator / farmer and financier of farm lots with an area of Five (5) Hectares located in Purok II Barangay Batasan San Jose Occidental Mindoro; (See Annex-G for more details)
3. Sinumpaang Salaysay of Mr. Jose M. Villareal as follows:
  - a. Ako ay apo ni G. Ricardo Villareal, na siyang pinaglipatan ng karapatan sa lupa ni G. Teofilo Lacibar noon taong 1963, kalakip ditto ang Xerox copy ng Reliquishment of Rights and Interest in Public Land;
  - b. Kasabay ng pagsasalin ng karapatan na ito, ang pag uukupa n gaming lolo sa lima (5) ektarya pa na parting kabundukan na pag-aari ni G. Lucas Dela Roca na inilipat Karapatan naman sa isa ko pang lolo na si G. Luis Mrdeno;
  - c. Ang aking ama ay WILLIAM VILLAREAL na anak ni RICARDO VILLAREAL;
  - d. Taong 1963, dahilan sa an gaming lolo ay matanda na at kasalukuyan ng nagbibinata ang aking ama na si WILLIAM ay pinasa na n gaming lolo sa aming ama ang pamumutisyon sa nasaning lupain;
  - e. Ang nasabing lupain ay may bahagi na kabundukan kaya’t ito ay inukupa na din ni William na aking ama at ito ay kanyang tinaniman ng mga iba’t ibang panamin;
  - f. Taong 1966 ay nakapag asawa na si WILLIAM, patuloy pa din ang kanilang pamumutisyon sa lupain;
  - g. Noong mga panahon na iyon, marahil ay amdaling nagkakaunawaan ang mga tao, maramin ang naghiram ng nbahagi ng lupaing ito, upang pansamantalang taniman at naibalik sa aming ama na syang tunay na namumutisyon pamamagitan lamang ng usapang verbal;
  - h. Taong 1994 noong ako ay nagbinata na at nalalaman ko na kami ay matagal nang nakaputisyon sa lupa, ako ay nagtanim na mga puno ng Gmelina, kawayan, saging, at maraming pang iba;
  - i. Taong 1999 ako ay nag asawa na, ngunit bago kami ikinasal ako ay sinabihan na hindi kami ikakasal hanggat hindi ako nakapagtatanim ng sampung (10) puno ng Gmelina at akin naman itong sinunod;
  - j. Ditto na din sa nasabing lupain na ito kami nagkabahay, nanirahan. Nagkaroon ng pamilya;
  - k. Sa aming mahabang panahon ng paninirahan doon, kami ng aking asawa ay angtanim pa ng mas marami pang ibat ibang klase ng puno, gulay, at nag-alaga ng mga ibat-ibang hayop hanggang sa kasalukuyan;
  - l. Ako ay nagsasalaysay upang ipabatid sa kinauukulan na ang lupaing nabangit sa relinquishment of Rights and Interest in Public Land na isinalin ni G. Telfilo Lacibar sa aking lolo na si G. RICARDO VILLAREAL ay matagal na naming pinuputisyonan kung kaya’t walang karapatan ang sinuman na angkinin na lamang ito dahil kami ay mayroong katibayan na pinaghahawakan. (See Annex-F for more details)



On August 22, 2022, this Office prepared a Completed Staff Work (CSW) with subject INVESTIGATION REPORT ON THE COMPLAINT OF BATASAN INTEGRATED SOCIAL FORESTRY ASSOCIATION (BISFA) P.O CHAIRPERSON FE H. FRANCISCO AGAINST MR. JOSE VILLAREAL RE. UNLAWFUL OCCUPATION INSIDE THE NATIONAL GREENING PROGRAM (NGP) AREA. that according to this report, both parties agreed to the following agreement dated August 18, 2022;

1. That the spouses Villareal agreed to remove the fence that occupy the BISF Association;
2. That the spouses Villareal agreed to join CBFM Agreement that will be organize by BISF Association;
3. That their boundary dispute will be settled by them internally or within CBFMA that will be created. (See Annex-G for more details)

On September 2, 2022, the Land Management Bureau received the request-letter dated August 12, 2022, Mr. Jose Vilalreal RE: REQUEST FOR ASSISTANCE OF TITLING OF CULTIVATED AREA IN BRGY. BATASAN, SAN JOSE, OCCIDENTAL MINDORO. He pointed out that he respectfully request for the assistance of that office in exploring the possible titling or registration of a cultivated land in Brgy. Batasan, San Jose Occidental Mindoro. Signed by Mr. Jose Villareal. (See Annex-H for more details)

On October 18, 2022, the Regional Executive Director DENR-MIMAROPA Region has received a memorandum dated October 11, 2022 from the Director regarding the letter dated August 12, 2022 of Mr. Jose Villareal relative to the subject REQUEST FOR ASSISTANCE OF TITLING OF CULTIVATED AREA IN BARANGAY BATASAN, SAN JOSE, OCCIDENTAL MINDORO. Whereas, it was instructed that considering that the matter treated herein falls within this office jurisdiction, that office referring the same to this office for whatever action this office may deem proper to take thereon. Signed by the Director, Atty. Emelyne V. Talabis, CESI IV. (See Annex-I for more details)

On November 22, 2022, The OIC, Asssitant Regional Director for Technical Services referred the memorandum dated October 11, 2022 of the Director, Land Management Bureau (LMB) to the OIC PENR Officer mamburao Occidental Mindoro with attention to the CENR Office San Jose Occidental Mindoro regarding the letter with attachments dated August 12, 2022 from Mr. Villareal requesting assistance for land titling or registration of cultivated land located in brgy. Batasan San Jose Occidental Mindoro. Whereas, it was intructed to provide necessary assistance to Mr. Villareal concerning his request, keeping in mind the existing ENR laws, rules and regulations on the matter. Submit report of actions taken to this Office for monitoring and record. (See Annex-J for more details)

### III. FINDINGS

As per undated map with certification of land classification of the subject lot issued by this office, the subject land falls within Forest / timberland.

### IV. RECOMENDATION

Based on the above noted facts, forest Land Areas are not qualified for issuance of title because such lands are owned by the Republic of the Philippines and are not subject for private acquisition. Therefore, it is respectfully recommend to prepare a letter to inform Mr. Villareal regarding the matter.

For your information and approval.

MARK RANEE M. RAGUINDIN







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](mailto:cenrosanJose@denr.gov.ph)

Annex-A

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**COMPLETE STAFF WORK**

**I. Background**

The subject of this report is a dispute of land claim and violations on illegal occupation and cutting of trees within a forestland/timberland between the Villareals, Banez families and Batasan Integrated Social Forestry Association located at Purok II, Brgy. Batasan, San Jose, Occidental Mindoro.

**II. Antecedents facts**

a) October 21, 2019

The Barangay Local Government of Batasan, San Jose, Occidental Mindoro headed by Punong Barangay Jun Palmares initiated a meeting to address the boundary conflict between Mr. Jose M. Villareal and the NGP partners involved wherein the Villareals are restricting the NGP partners to visit their area of which they claim as their possession. Also, CENRO San Jose NGP Coordinator Hector S. Aragon was present at the meeting to further explain the current status of the land they are claiming. It was disclosed that the area's classification is a Forestland and is owned by the government. Forester Aragon said that the forestland can never be owned by private individual. Through a comprehensive discussion of policies and programs, both parties had an agreement and reconciled however, Mr. Villareal unexpectedly changed his decision after only few hours after the agreement was made.

b) October 23, 2019

Due to the disagreement, the Sangguniang Barangay of Batasan decided to finally entrust the resolution of the said issue to this Office. PB Palmares also granted the approval to Batasan Integrated Social Forestry Association for the implementation of the National Greening Program.

c) October 29, 2019

Forester Hector S. Aragon, NGP Coordinator personally handed in a letter to the Villareals as an official response to the issue which was endorsed by Sangguniang Barangay of Batasan reiterating that the land they claimed is classified as Forestland and is owned by the government under the management of the DENR. Also, it was also reiterated that the said area is a part and parcel of the NGP awarded with contract to Batasan Integrated

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Social Forestry Association. They were advised to follow the forest regulation and policies to avoid further legal actions to be undertaken against them based on Section 78 of PD 705 as amended by EO 277 or the Unlawful Occupancy.

d) October 29, 2019

Upon receipt of the letter from Forester Aragonés, the Villareals proceeded to this Office and handed a letter of complaint against a certain Reynante Bañez and Mangoy Bañez also known as Junjun Labiaga. The complaint was about an alleged cutting of Bamboo and Ipil trees.

e) November 5, 2019

Forest Technician I Christian Jay Villarosa, Forest Protection Officer Louie James Antonio and Barangay Officials conducted an initial investigation regarding the complaint of Mr. and Mrs. Villareal at Purok II, Brgy. Batasan, San Jose, Occidental Mindoro. Based on their investigation, it was Mr. Reynante Bañez and Mangoy Bañez also known as Junjun Labiaga who allegedly responsible for the cutting of Ipil trees and bamboo which are used for backyard fencing. Upon further verification, it was found out that eight (8) pcs. of Ipil-ipil trees **NOT "Ipil tree species"** as reported and eleven (11) bamboo poles were cut down from the area claimed by Mr. and Mrs. Villareal.

f) November 19, 2019

Punong Barangay June S. Palmares of Barangay Batasan endorsed to this Office a land (kaingin) claim conflict between Mr. and Mrs. Jose M. Villareal versus Mr. Mangoy Banez, Mr. Reynante S. Banez, Mr. Benjie Zulueta and Mr. Junjun Labiaga, accordingly for failure to settle at their level.

g) November 19, 2019

DMO IV Wilfredo A. Aben notified the persons cited in the endorsement letter by PB. June S. Palmes for Administrative Hearing scheduled on November 21, 2019.

h) November 21, 2019

The necessary administrative hearing was conducted at the CENR Office, Brgy. Labangan, San Jose, Occidental Mindoro presided by the Development Management Officer IV Wilfredo A. Aben. The hearing was attended by the first and second party along with their witnesses.

The first party claims that the area was inherited by their parents from their grandfather Ricardo Gallego Villareal wherein some lots/ area was acquired from Teofilo Lacibar, also the uncle of the Ricardo Gallego Villareal. Hence, the first party claims that they have pertinent documents for the acquisition of the area but however, failed to show it. According to the statement of Ernesto Villareal, the disputed area was first borrowed by a certain Velandrez to cultivate and when the Velandrez stopped cultivation of the land, the father of Benjie Zulueta was the one who resume tillage of

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the land and also returned it to the Villareal after some cultivation. The statement of Ernesto Villareal was corroborated by the first party's witness Ernesto Marquez.

But according to the statement of Benjie's Zulueta, the land was given to his farther by the Villareal's, the father of Ernesto Villareal said to Zulueta's father "sa iyo na yan Pare Ben", thus the land acquired was sold to the Bañez by the Zulueta's. The Bañez stated that they acquired the area 15 years ago, and they are wondering why all of a sudden the Villareal's are now intended for it now.

That the hearing officer suggested to the parties involved to have a detailed perimeter survey of the contested area to ascertain the exact location and for them to submit each affidavit related to the possession of the land.

i) November 26, 2019

An actual perimeter survey was conducted by Forester I Jomar B. Serquina and Forest Protection Officer James Louie Antonio in the disputed area in Purok II, Brgy. Batasan, San Jose, Occidental Mindoro. Based on the result of the survey, it shows that the subject area has a total area of 12.49 hectares under the category of forest land, being claimed by Mr. and Mrs. Villareal.

That within the said area (12.49 hectares) is the Enhanced National Greening Program with an area of 3.19 hectares and managed by Batasan Integrated Social Forestry Association, a People's Organization Fe Francisco chaired by Mrs. Fe Francisco and 0.25 hectare claimed by the Bañez family. An area of 3.8 hectares is used/developed for Agricultural production (Palay).

j) February 11, 2020

Despite of the given response by this Office the complaint of Ms. Gemma C. Villareal regarding the boundary conflict, cutting of trees and the National Greening Program implementation, still the complainant continuously demand for a resolution to the problem, thus, this Office requested for a dialogue with the concerned parties including: (1) Mr. and Mrs. Jose Villareal; (2) Kgd. Fe Francisco; (3) Mr. Napoleon Gamboa; (4) Mr. Mangoy Bañez; (5) Mr. Reynante Bañez; (6) Mr. Benjie Zulueta and; (7) Mr. Junjun Labiaga at Batasan Barangay Hall on February 13, 2020.

k) February 13, 2020

With Punong Barangay Jun Palmares as the Presiding Officer, the meeting took place at the barangay hall and was attended by the concerned invited parties and OIC, CENRO Efren L. delos Reyes and staff. During the meeting, it was reiterated that none of the claimants are possessing the right over the area of conflict because it is classified as Forest land and is owned by the government under the management of the DENR. Also, it was emphasized that they must remove the fences and signage they have introduce in the area restricting the NGP partners to visit their area. Despite

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the discussion to address the issue, claimants remained in opposition asserting their rights over the land they claimed.

It was also discussed and suggested by the DENR that the contesting parties will organize or join the existing People's Organization (BISF Association), chaired by Mrs. Fe Francisco for them to participate in the NGP and to possibly qualify to apply for a tenurial instrument under the Community Based Forest Management (CBFM) Program.

### **III. Summary of the Findings:**

Hereunder is the consolidated/summary of facts and information gathered in a series of meetings and field verification/investigation, to wit:

1. That the subject area is within the category of forestland/timberland based on Land Classification Map No. 1781 dated September 15, 1954.
2. That the Batasan Integrated Social Forestry Association (BISFA) is a duly organized People's Organization and partner of the DENR in implementing the National Greening Program (2018) in which 3.19 hectares out of the 43.2 hectares planted with forest and forest trees is within the 12.49 hectares disputed area as claimed by Mr. and Mr. Villareal.
3. That 8 pieces of Ipil-ipil (NOT IPIL) with a diameter of 6-8 cm. and 11 pieces of bamboo was allegedly cut and used by the Banez's in fencing their claimed area which was surveyed with an area of 0.25 hectares, that also claimed by the Villareal's.
4. That both the Villareal and Banez families claimed to be staying in the area for so long, however, they failed to show proof of ownership of their claimed area.
5. That the statements of both parties were complex, given the fact that both denies each opposite's statement regarding occupancy of the said area, which was not also substantiated by legal documents.

### **IV. Comments/Discussion and Recommendation:**

That the real issue is the dispute/conflict of land claim under the category of forestland/timberland asserting their rights of ownership on the basis of their long years of stay in the area, and only contribute the alleged cutting of Ipil-ipil trees and Bamboo calms that were used in fencing an area being claimed by one of the contesting party.

But regardless of how long their stay and development being introduced therein and the proceedings of this dispute will be, the following jurisprudence of the highest court of the land will certainly apply:

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*"It is elementary in the law governing natural resources that forest land cannot be owned by private persons. It is not registerable. The adverse possession which can be the basis of a grant of title in confirmation of imperfect title cases cannot commence until after the forest land has been declared alienable and disposable. Possession of forest land, no matter how long cannot convert it into private property"* G.R. NO. L-32266: Director of Forestry, Petitioner, versus Ruperto A. Villareal, Respondent.

Even the filing of an application for tenurial instrument would be short to justify each other's claim and stay in the area because a mere filing does not clothe the applicant to start a development in the area until a legal agreement is issued.

It is also worth to note that Section 78, PD 705 as amended states that:

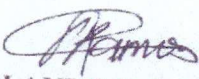
**"Unlawful occupation or destruction of forest lands.** Any person who enters and occupies or possesses, or makes kaingin for his own private use or for others any forest land without authority under a license agreement, lease, license or permit, or in any manner destroys such forest land or part thereof, or causes any damage to the timber stand and other products and forest growths found therein, or who assists, aids or abets any other person to do so, or sets a fire, or negligently permits a fire to be set in any forest land shall, upon conviction, be fined in an amount of ..... and imprisoned for .....

*The Court shall further order the eviction of the offender from the land and the forfeiture to the Government of all improvements made ....."*

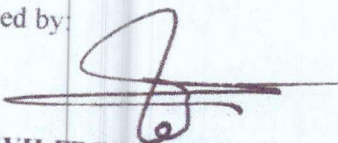
In view thereof, it is recommended to reiterate its previous advised to Mr. and Mrs. Villareal in a letter dated October 29, 2019 and to other parties to refrain from fencing particularly in restricting the implementation of the NGP by the partner People's Organization, introduction of any development/kaingin, cultivation, cutting and gathering forest products.

Likewise, to consider in joining the existing People,s Organization (BISFA) so that the area they are claiming could be possible for NGP expansion and potential application for a Community Based Forest Management Project.


Prepared/Collated by:

  
**ORLANDO R. RAMOS**  
Forester II/ Chief, EMS

Reviewed by:

  
**WILFREDO A. ABEN**  
DMO IV

Attested By:

  
**EFREN L. DE LOS REYES**  
Officer-in-Charge, CENRO San Jose





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: [denrcenro\\_sanjose@yahoo.com](mailto:denrcenro_sanjose@yahoo.com)

*Annex-C*

August 25, 2020

**MRS. GEMMA VILLAREAL**

Brgy. Batasan, San Jose, Occidental Mindoro

Dear Mrs. Villareal,

Isang maka-**KALIKASANG** pagbati po sa inyo!

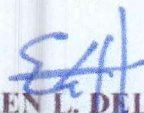
In connection to your request dated August 24, 2020, we are pleased to provide you certified xerox copies of the following documents:

1. Complete Staff Work regarding the disputed/conflict area within a forestland at Brgy. Batasan, San Jose, Occidental Mindoro.
2. Minutes and Administrative Hearing Administrated by DMO Wilfredo A. Aben, and
3. Map of the subject area within the forestland.

Based on the said documents, we would like to reiterate our previous advised as contain in our letter dated October 29, 2019 to refrain from continuous occupation, kaingin making and fencing that prevent the continues development, maintenance and protection of the NGP being undertaken by the Batasan Integrated Social Forestry Association (BISTA).

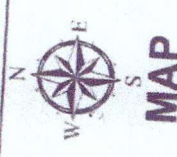
Thank you and we are looking forward to your adherence and kind understanding.

Very truly yours,

  
**EFREN L. DELOS REYES**  
Officer in Charge



Annex-B



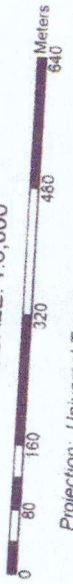
# MAP

## OF CONTESTED/CONFLICT AREA WITHIN FORESTLAND

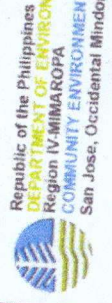
LOCATED AT:

BARANGAY: BATASAN  
MUNICIPALITY: SAN JOSE  
PROVINCE: OCCIDENTAL MINDORO

SCALE: 1:6,000



Projection: Universal Transverse Mercator - Zone 51 (N)  
Datum: GCS WGS 1984



## CERTIFICATION

This is to certify that this is the correct map through GPS survey as describe herein and prepared based from the consolidated sketch and other references available in this office.

Further certifies that the subject area is located within the Forestland/Timberland category based on LG Map No. 1781 dated September 15, 1951.

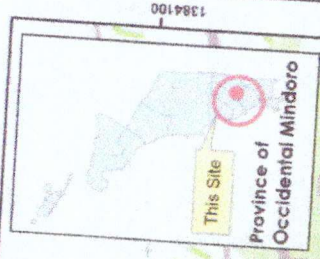
That occupation or introduction of any improvement/development therein without the necessary permit or authority from the DENR is in violation of PD 705 and other existing laws, rules and regulations.

Prepared by:  
**LUCAS B. PERQUINA**  
Forest Ranger, EMS Operator

Reviewed by:  
**JOMAR B. PERQUINA**  
Forester III, Chief, EMS

Attested by:  
**WILFREDO A. ABEN**  
Forester IV, Chief, GIS Unit

EFREN L. VELASQUEZ



Batasan  
FORESTLAND

FORESTLAND

FORESTLAND

FORESTLAND

ALIENABLE  
AND DISPOSABLE

## Legend

- Corner
- Geotagged Photos (Cut Trees)
- Area Claimed by Villareal\_12.49 ha
- Area claimed by Banez\_0.25 ha
- Conflict Area within eNGP 2018 3.19 ha
- Annual Perennial\_3.18 ha
- Forestland
- eNGP 2018\_BISFA\_43.02 ha
- 3226-III-Obelisk\_Peak\_WGS.tif
- RGB
  - Red Band\_1
  - Green Band\_2
  - Blue Band\_3

TECHNICAL DESCRIPTION	Corner	Easting	Northing
1	295922	1383633	
2	295962	1383656	
3	296042	1383642	
4	296175	1383549	
5	296360	1383415	
6	296316	1383371	
7	296275	1383239	
8	296270	1383232	
9	296216	1383189	
10	296075	1383277	
11	296006	1383179	
12	295963	1383218	
13	296020	1383314	
14	296055	1383402	
15	295930	1383497	
16	295793	1383556	



Annex-D

Aug. 02, 2021

EFREN L. DELOS REYES

CENRO OFFICER

Labangan, San Jose, Davao.

DEHR - DENR SAN JOSE  
MIMAROPA REGION  
RECEIVED BY: # 2022-1321  
DATE: 08-02-2022

Magandang araw po.

Kami po ng samahang Batasan Integrated Social Forest Association ay dumudulong sa inyong butihing tanggapan upang humiling na maaksyonan ang panghihimasok at paniniin ni (C) JOSE VILLAREAL sa nasasakupan ng proyekto ng NBP area. May mga paghaharap na po sa Barangay, Subal patuloy parin ang panggugulo nito. Nais po sana ng samahang na ang inyo pong butihing tanggapan ang magbigay ng karapat aksyon sa lalong madaling panahon. Inasahan po namin ang inyong pagtugon. Maraming Salamat Po.

FE H. FRANCISCO  
PO Chairman



Anne4-E

AUGUST-18-2022

EFREN L. DELOS REYES

CENTRO

SAN JOSE OCCIDENTAL MINDORO

ULAN - GERINO SAN JOSE

MINAROPA REGION

RECEIVED BY:

# 2022-1444

DATE:

08-18-2022

Dear Sir Centro EFREN DELOS REYES

Ako po ay humalapit sa inyong Tanggapan upang  
Makahingi ako ng Tulong, kung Paano po kami mag-  
karoon ng karapatan Sa lupa na Sinasaka at tinatanim  
mula pa noong 1983, Hanggang ngayong 2022. Sir Efren, Tulong  
po po Sana kami, Payag po kami ra magkaroon kami ng  
Katibayan na kami ay may lupa rin kahit ilan po ang  
Ipagkalumb mo Saamin.

Wag lang po kami Paalisin or gibain ang  
Bahay namin, at alisin ang mga tanim naming Saging Ialamansi  
at kawayan at iba pa. ito po ay tanim pa ng lolo at tatay ng  
asawa ko si Jose M. Villareal at kami ngayon ang nagatanim pangayon.

Salamat po Sa Dios.

~~Gerino Villareal~~  
- Gemma C. Villareal

- Rose Villal

Cellphone no. 09056007506



Annex-F

DECLARATION OF RIGHTS AND DONATION  
IN PUBLIC LAND

KNOW ALL MEN BY THESE PRESENTS:

That I, Francisco Lacibon, Jr., of legal age, married, Filipino, and a resident of San Jose, Occidental Mindoro, for and in consideration of the sum of ONE THOUSAND (P1000.00) pesos, Philippine currency, to me in cash paid by RICARDO TILAGA, JR., of legal age, married, Filipino, and a resident of Batangas, San Jose, Occidental Mindoro, receipt whereof is hereby acknowledged and confessed, have conveyed and transferred and by these presents do sell, convey and transfer unto the said RICARDO TILAGA, JR., his heirs and assigns forever, all my rights, title to, and improvements in the following described property, situated in the Barrio of Batangas, San Jose, Occidental Mindoro, Island of Mindoro, Philippines:

A parcel of public land, containing an area of THREE (3.0000) hectares, the southern portion of Pasture Land, covered by Pasture permit No. 1113, situated in Batangas, San Jose, Occidental Mindoro, and which portion is suitable for the raising of palar crop, the same being presently the occupation of the herein vendor.

WHEREAS: That I have in occupation of the said pasture land for many years and that during such occupation, no claim or claims by any other person had been made against such occupation; that the three (3.0000) hectares subject of this declaration is good for agricultural purposes; that at the time of the execution of this instrument, the premises is free from any lien or encumbrances; I hereby warrant the peaceful possession of the vendee, his heirs and assigns; I warrant to defend his rights against any claim or claims by any other person or persons.

Witness my hand and seal this 15th day of August, 1964, at SAN JOSE, OCCIDENTAL MINDORO.

Signed in the presence of:

Francisco Lacibon, Jr.  
Francisco Lacibon, Jr.

ACKNOWLEDGMENT

BEFORE ME OF THE PHILIPPINES )  
Province of Occ. Mindoro ) S.S.  
Municipality of San Jose )

It is known, that on this 15th day of August, 1964, at San Jose, Occidental Mindoro, before me a Notary Public for and in the said Province, personally appeared Francisco Lacibon, Jr., known to me and to me known to be the same person who executed the foregoing DECLARATION OF RIGHTS AND DONATION IN PUBLIC LAND and who acknowledged the same to be his free and voluntary act and deed, executed to me and per-cert. No. 1-202, issued at San Jose, Occidental Mindoro.

Doc. No. 652  
Page No. 21  
Not. No. 17  
Series of 1963

Agustino R. Pelayo  
Notary Public  
Until December 31, 1964



Annex-G

Republika ng Pilipinas  
Lalawigan ng Kanlurang Mindoro  
Bayan ng San Jose  
Barangay Batasan

## PAGPAPATUNAY

Sa Mga Kinauukulan:

Ito ay nagpapatunay na si **MR. JOSE M. VILLAREAL**, 40 na taong gulang at naninirahan sa Purok II, Barangay Batasan, San Jose, Occidental Mindoro, ay siyang lehitimong nagsasaka at namumuhunan sa lupang sakahan na may sukat na limang ektarya (5.0) na matatagpuan sa Purok II, Barangay Batasan, San Jose, Occidental Mindoro.

Isinagawa ngayong ika-23 ng Oktobre taong 2019 sa tanggapan ng Barangay Batasan, San Jose, Occidental Mindoro.

Pinatunayan ni:

*Mrs. Glynne S. Pineda*  
**MRS. GLYNNE S. PINEDA**

Barc Chairman

Binigyang Pansin ni:

*June S. Palmares*  
**JUNE S. PALMARES**

Barangay Chairman



## SINUMPAANG SALAYSAY

Ako si, JOSE M. VILLAREAL, 40 na taong gulang, may asawa, Filipino, at naninirahan sa Barangay Batasan, San Jose, Occidental Mindoro, matapos na manumpa nang naayon sa batas, ay nag sasalaysay ng sumusunod, NA:

1. Ako ay apo ni G. RICARDO VILLAREAL na siyang pinaglipatan ng Karapatan sa lupa ni G. Teofilo Lacibar noon taong 1963, kalakip dito ang xerox copy ng *Relinquishment of Rights and Interests in Public Land*;
2. Kasabay ng pagsasalin ng Karapatan na ito, ang pag uukupa ng aming lolo sa lima (5) ektarya pa na parteng kabundukan na pag-aari ni G. Lucas Dela Roca na inilipat Karapatan naman sa isa ko pang lolo na si G. LUIS MORDENO;
3. Ang aking ama ay WILLIAM VILLAREAL na anak ni RICARDO VILLAREAL;
4. Taong 1963, dahilan sa ang aming lolo ay matanda na at kasalukuyan ng nagbibinata ang aking ama na si WILLIAM ay ipinasa na ng aming lolo sa aming ama ang pamumusisyon sa nasabing lupain;
5. Ang nasabing lupain ay may bahagi na kabundukan kaya't ito ay inukupa na din ni William na aking ama at ito ay kanyang tinaniman ng mga iba't ibang pananim;
6. Taong 1966 ay nakapag asawa na si William, patuloy pa din ang kanilang pamumusisyon sa lupain;
7. Noong mga panahon na iyon, marahil ay madaling nagkakaunawaan ang mga tao, marami ang nanghiram ng bahagi ng lupaing ito, upang pansamantalang taniman at naibabalik sa aming ama na siyang tunay na namumusisyon pamamagitan lamang ng usapang "verbal";
8. Taong 1994 noong ako ay nagbirata na at nalalaman ko na kami ay matagal nang nakapusisyon sa lupa, ako ay nagtanim na mga puno ng gmelina, kawayan, saging, at maraming pang iba;
9. Taong 1999 ako ay nag-asawa na, ngunit bago kami ikinasal ako ay sinabihan na hindi kami ikakasal hanggat hindi ako nakapagtatanim ng sampung (10) puno ng gmelina at akin naman itong sinunod;
10. Dito na din sa nasabing lupain na ito kami nagkabahay, nanirahan, nagkaroon ng pamilya;
11. Sa aming mahabang panahon ng paninirahan doon, kami ng aking asawa ay nagtanim pa ng mas marami pang iba't-ibang klase ng puno, gulay, at nag-alaga ng mga ibat-ibang hayop hanggang sa kasalukuyan;
12. Ako ay nagsasalaysy upang ipabatid sa kinauukulan na ang lupaing nabanggit sa *Relinquishment of Rights and Interests in Public Land* na isinalin ni G. Teofilo Lacibar sa aking lolo na si G. RICARDO VILLAREAL ay matagal na naming pinupusisyunan kung kaya't walang karapatan ang sinuman na angkinin na lamang ito dahil kami ay mayroong katibayan na pinanghahawakan.

SA KATUNAYAN NG LAHAT, ako ay lalagda sa ibaba ng salaysay na ito ngayong ika-\_\_\_\_\_ ng Nobyembre 2019 dito sa San Jose, Occidental Mindoro.

Villal



Thumb mark: \_\_\_\_\_

Republic of the Philippines)  
Province of Occ. Mindoro ) SS.  
Municipality of San Jose )

OATH

SUBSCRIBED AND SWORN to before me this NOV 21 2019 San Jose,  
Occidental Mindoro.

LAWRENCE P. VILLAMAR  
Notary Public

Until December 31, 2019

For the Province of Occ. Mindoro

PTR No. 7183249 V-01/08/19-SJOM

IBP No. 1084837 - 01/08/19-SJOM

Roll No. 66572

MCLE Compliance No. VI-0006011

Doc. No. 9

Page No. 1

Book No. 115

Series of 2019.





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

Annex-G

August 22, 2022

MEMORANDUM

FOR : The CENR Officer

THRU : The Chief, EMS

FROM : Enforcement and Monitoring Section Staff

SUBJECT : INVESTIGATION REPORT ON THE COMPLAINT OF BATASAN INTEGRATED SOCIAL FOREST ASSOCIATION (BISFA) P.O. CHAIRPERSON FE H. FRANCISCO AGAINST MR. JOSE VILLAREAL RE: UNLAWFUL OCCUPATION INSIDE THE NATIONAL GREENING PROGRAM (NGP) AREA

CENR - CENRO SAN JOSE  
MIMAROPA REGION  
RECEIVED BY: #2022-6846  
DATE: 10-04-2022

Submitted herewith is the investigation report regarding the above mentioned subject:

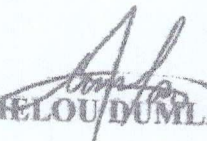
1. That on August 3, 2022, the undersigned seek assistance thru messenger application to Forester Alexis Joy D. Belarmino NGP Coordinator. According to her, all staff of NGP was not able to accompany because they have validation of NGP site together with Regional Office validation team. ( Please see attached screenshot documents as Annex A)
2. That on August 5, 2022, the undersigned conduct investigation to the area to verify the veracity of the report. The undersigned found out that the alleged complaint of the BISFA Association was accurate, according to the reliable source (ASSET) because Mr. Jose Villareal constructed a fence inside the eNGP 2018 ( Please see attached geotagged photos as Annex B)
3. Upon seeking advice to the Legal researcher Atty. Sancho C. Niedo III to the above subject, he recommended the undersigned to inform the complainant to coordinate to the concern Barangay to file a formal complaint address to the perpetrator and set meeting on August 15, 2022. ( Please see attached summon of Barangay as Annex C)
4. That on August 12, 2022, the complainant called the undersigned thru phone call that the perpetrator read the summon of the Barangay but he refuse to receive it. Therefore, the undersigned, informed the complainant that the concern Barangay know there function for this matter already. ( Please see attached geotagged photos as Annex D)
5. That on August 16, 2022, the undersigned conduct ocular investigation to the NGP area together with Forest Technician II Jackielou Dumlao, Brgy. Tanod Mr. Arturo S. Bayog Sr., P.O. Chairperson Mrs. Fe H. Francisco and BISFA members Napoleon Gamboa, Yolanda P. Cabayao, Artemio De Guzman & Romeo Dusmo. The undersigned found out that the Mr. Jose Villareal constructed a fence which are made of pole, hog wires and barb wire. Moreover,

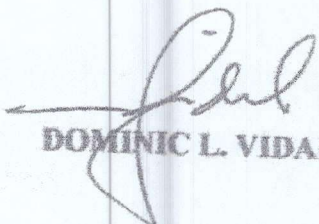


6. That on the same date August 16, 2022, the undersigned proceeded to the Barangay Hall of BLGU Batasan, San Jose, Occidental Mindoro to conduct a courtesy call and get some geotagged photos on the blotter record of BISFA member Napoleon Gamboa and summons. *( Please see attached geotagged photos as Annex F)*
7. The undersigned witnessed that there is a summon to Mr. Villareal on August 18, 2022, 10:00 o'clock in the morning. *( Please see attached geotagged photos as Annex G)*
8. That on August 18, 2022, the undersigned together with Chief EMS, Augreth S. Saligumba and Atty. Sancho C. Niedo III ( observer) attended the meeting, and both parties agreed on the following agreement to wit: *( Please see attached geotagged photos as Annex H)*
  - a. That the spouses Villareal agreed to remove the fence that occupy the BISF Association;
  - b. That the spouses Villareal agreed to join CBFM Agreement that will be organize by BISF Association
  - c. That their boundary disputes will be settled by them internally or within CBFMA that will be created.
9. That on August 20, 2022, the undersigned together with Chief EMS, Augreth S. Saligumba witnessed removing the fence of Mr. Jose Villareal by BISFA members and advised to settle the boundary dispute within CBFMA that will be created. *( Please see attached geotagged photos as Annex I )*

Hence, the issue regarding the fencing complaint addressed to Mr. Jose Villareal is considered resolved.

For information and further instruction.

  
JACKHELOU DUMLAOG

  
DOMINIC L. VIDAL

  
ATTY. SANCHO C. NIEDO III



Annet-H

August 12, 2022

Friday



**LAND MANAGEMENT BUREAU**

880 F.R ESTUAR BUILDING

QUEZON AVE.

BRGY. PALIGSAHAN, QUEZON CITY

Email: [lmb@denr.gov.ph](mailto:lmb@denr.gov.ph)

Telephone Hotline: (02) 8255 7072

Mobile Hotline: 09273225474

**RE: REQUEST FOR ASSISTANCE OF TITLING OF CULTIVATED  
AREA IN BRGY. BATASAN, SAN JOSE, OCCIDENTAL MINDORO**

Madame/Sir:

May I respectfully request for the assistance of your good office, in exploring the possible titling or registration of a cultivated land in Brgy. Batasan, San Jose, Occidental Mindoro.

My name is Jose Villareal, Filipino, married, and a resident of Purok II, Brgy. Batasan, San Jose, Occidental Mindoro. I and my father cultivated a public land in the said barangay since 1983. In 2014, I had filed a complaint before the CITY ENVIRONMENT AND NATURAL RESOURCES OFFICE (CENRO) in San Jose, Occidental Mindoro which conducted a COMPLETED STAFF WORK on my case and recommended "that the actual cultivated area into agricultural must be segregated and awarded to the actual occupants."

I am attaching a copy of (1) COMPLETED STAFF WORK (Villareal vs. Bañez), (2) the minutes, and (3) the survey conducted by DENR-CENRO for your perusal.

Your favorable response to this request shall be highly appreciated.

Very truly yours,

*Villareal*  
**JOSE VILLAREAL**

089

SCANNED  
0959





Republic of the Philippines  
Department of Environment and Natural Resources  
**LAND MANAGEMENT BUREAU**

880 Estuar Building, Quezon Avenue, Brgy. Paligsahan, Quezon City  
Direct Line: (02) 255-4362 Records and Knowledge Management Division  
Email: [denrlmb@yahoo.com](mailto:denrlmb@yahoo.com) Website: [lmb.gov.ph](http://lmb.gov.ph)



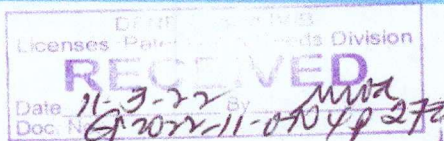
Annex-I

**MEMORANDUM**

**FOR :** The Regional Executive Director  
DENR – MIMAROPA Region  
1515 L & S Building, Roxas Boulevard,  
Ermita, Manila

**FROM :** The Director

**SUBJECT :** **REQUEST FOR ASSISTANCE OF TITLING OF CULTIVATED  
AREA IN BARANGAY BATASAN, SAN JOSE, OCCIDENTAL  
MINDORO**



This refers to the letter dated August 12, 2022 of Mr. Jose Villareal relative to the above-mentioned subject.

In this regard, and considering that the matter treated herein falls within your jurisdiction, we are referring the same to your end for whatever action you may deem proper to take thereon.

Kindly advise directly the sender, copy furnished this Office for record purposes.

*Emelyne V. Talabis*  
ATTY. EMELYNE V. TALABIS, CESO IV

*RRJ*

*b*



20220900089  
AMS 204-3