



Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, 1106 Quezon City
(632) 929-6626 to 29; 929-6252; 929-6633 to 35; 929-7041 to 43
E-mail: web@denr.gov.ph; Website: www.denr.gov.ph

07 MAR 2023

MEMORANDUM

FOR : The Regional Executive Director
DENR - MIMAROPA
1515 Roxas Boulevard, Ermita, Manila

FROM : The Director
Legal Affairs Service

SUBJECT : LETTER-COMPLAINT DATED 09 AUGUST 2021 OF MR. MARIO RAMIREZ AGAINST MR. IRENEO CORTUNA OF THE ENVIRONMENT AND NATURAL RESOURCES OFFICE (ENRO), IN CONNIVANCE WITH THE PENR OFFICER OF OCCIDENTAL MINDORO, ON THE ALLEGED ILLEGAL ISSUANCE OF PERMIT TO QUARRY TO CERTAIN INDIVIDUALS COVERING RIVERS IN THE PROVINCE

DENR MIMAROPA RECORDS SECTION RECEIVED	
MAR 17 2023	
☐ INCOMING	☐ OUTGOING
BY: _____	DATS NO. _____
TIME: _____	

We refer the above subject for investigation and verification of the allegations stated therein particularly that Mr. Ireneo Cortuna of ENRO, in connivance with the PENR Officer of Occidental Mindoro, illegally issued permit to quarry to certain individuals covering rivers in Busuanga, Pagbahan, Lumintao, and Mompong, Occidental Mindoro.

Kindly inform Mr. Mario Ramirez of your latest action taken on the matter, copy furnished this Office.

For information and compliance.


NORLITO A. ENERAN, LL.M., CESO III

Copy Furnished:

Mr. Mario Ramirez
San Jose, Occidental Mindoro 5100

Atty. Pilarita T. Lapitan
Assistant Ombudsman - Proper
Office of the Ombudsman
Ombudsman Building, Agham Road, Diliman, Quezon City 1104
Reference Code No. IC-OL-21-0955



Republic of the Philippines
OFFICE OF THE OMBUDSMAN
Office of the Deputy Ombudsman for Luzon
Agham Road, Diliman, Quezon City 1104

1ST INDORSEMENT

SEP 29 2022

Respectfully referred to the **HONORABLE SECRETARY**, Department of Environment and Natural Resources (DENR), Visayas Avenue, Diliman, 1100 Quezon City, for conduct of investigation and other appropriate action, the attached complaint of Mario Martinez against Officer-in-Charge PENRO Ernesto Tañada of DENR - Occidental Mindoro, and ENRO Irene Cortuna of Occidental Mindoro.¹

Your advice to this Office on the action that shall have been taken by DENR, referencing to **IC-OL-21-0955**, will be highly appreciated.

Very truly yours,

By authority of the Ombudsman:


PILARITA T. LAPITAN

Assistant Ombudsman - Proper

Copy furnished:
Mario Martinez
San Jose
5100 Occidental Mindoro


DA/MCPG

¹ Section 13 (d), Rule IV of Administrative Order No. 1, Series of 2020:

Section 13. Case Evaluation and Prioritization Procedure. — Immediately upon receipt of newly filed complaints, grievances or requests for assistance, the documents shall be subjected to an evaluation and prioritization procedure which shall be completed within a period not exceeding forty-five (45) days. During this period, said complaints, grievances or requests for assistance shall undergo a prima facie evaluation of the ultimate facts stated, as well as the reliefs sought, to classify them into specific tracts or for other actions, as follows:

x x x x

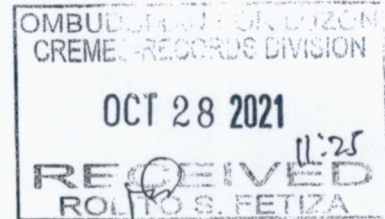
(d) External Referral to other government agencies, instrumentalities and bodies for appropriate action, or to other disciplinary authorities for appropriate fact-finding inquiry under paragraph 5, Section 15 or administrative proceedings under paragraph 2, Section 23, both of Republic Act No. 6770

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Republic of the Philippines
OFFICE OF THE OMBUDSMAN
CENTRAL RECORDS DIVISION
Agham Road || North Triangle || Diliman || Quezon City || 1128

1st Indorsement
CRD-2021-10-0124
October 26, 2021



Respectfully forwarded to HONORABLE CORNELIO L. SOMIDO, Deputy Ombudsman, Office of the Deputy Ombudsman for Luzon, Attention: **EXPEDITO O. ALLADO JR.**, OIC/Acting Director, Case Records Evaluation, Monitoring and Enforcement Bureau (CREMEB), 3rd Floor Ombudsman Building, Agham Road, Quezon City, the within two (2) copies of letter complaint of Mario Ramirez against Ireneo Cortuna, addressed to Justice Samuel R. Martires, with attachments and with Routing Slip from OMB-Proper, the matter being within your immediate competence.

CAROLINE A. DE LEON
Officer-In-Charge
Central Records Division

CAD/sga
Cc: MARIO RAMIREZ
San Jose, Occidental Mindoro

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August 9, 2021

KGG. SAMUEL MARTIRES
Office of the Ombudsman

60 Agham Road
Diliman, Quezon City
1104 Metro Manila

Magandang araw po sa inyo mahal na Kgg. Samuel Martirez,

Ako po ay lumihap sa inyong tanggapan upag ipagbigay alam at idulog ang aming reklamo sa ating kasalukuyang ENRO ng Probinsya ng Occidental Mindoro na si Ginoong Ireneo Cortuna hinggil sa hindi pantay na pagtrato o "selective" na pagbibigay ng "PERMIT" sa aming mga nag sumite at nag-apply ng PERMIT TO QUARRY" dito sa mga ilog ng Occidental Mindoro.

Sa pagbibigay ng permit ni Ginoong Cortuna tahasan at lantarang binibigyan niya ng pabor o permit ang kanilang kaalyado at kaibigan, samantalang ang mga lehitimo negosyanteng indibiduwal o may ari at legal na establimento ng aggregates ay kanyang tinanggihan at di pinaboran sa hindi maipaliwanag na dahilan.

Bukod po dito, nais ko din pong ipagbigay alam at idulog ang reklamo bilang isang ordinaryong mamayan ng ating probinsya, sa kadahilanang ang lugar na kung saan ng nag-ooperate o nag-quarry ang mga pinahintulutan at binigyan nila ng permit ay sa lugar mismo na malapit at di hihigit sa isang kilometro ang layo sa inprastruktura o tulay ng nabanggit na mga ilog ng probinsya.

Ito po ay mahigpit na ipinagbabawal sa batas, ayon po sa kasalukuyang panuntunan ng Water Code of the Philippines at Section 79.a ng DENR Administration Order (DAO) no. 2010-21 na nagsasabi "No extaction, removal and/or disposition of materials shall be allowed within distance of one (1) kilometer from the boundaries of reservoirs established for public water supply, archeological and historical sites and or **any public of private works or structures unless prior clearance from the Government agency(ies) concerned or owner is obtained**".

Ang inyong abang linkod, at sa ngalan ng mga PERMITEES dito sa ating probinsya ay lumalapit at naniniwala na gaya ng lagi, inyo pong tutugunan ng mabilis ang mga nabanggit na isyu na aming idinulog sa inyong butihing tanggapan.

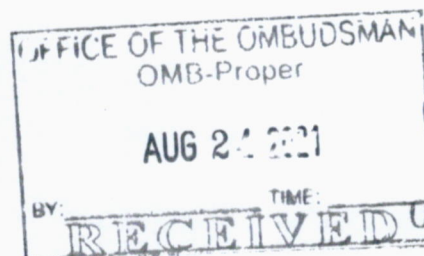


Mario Ramirez
San Jose, Occidental Mindoro

Cc: Office of the President, Office of the Ombudsman, DILG Secretary



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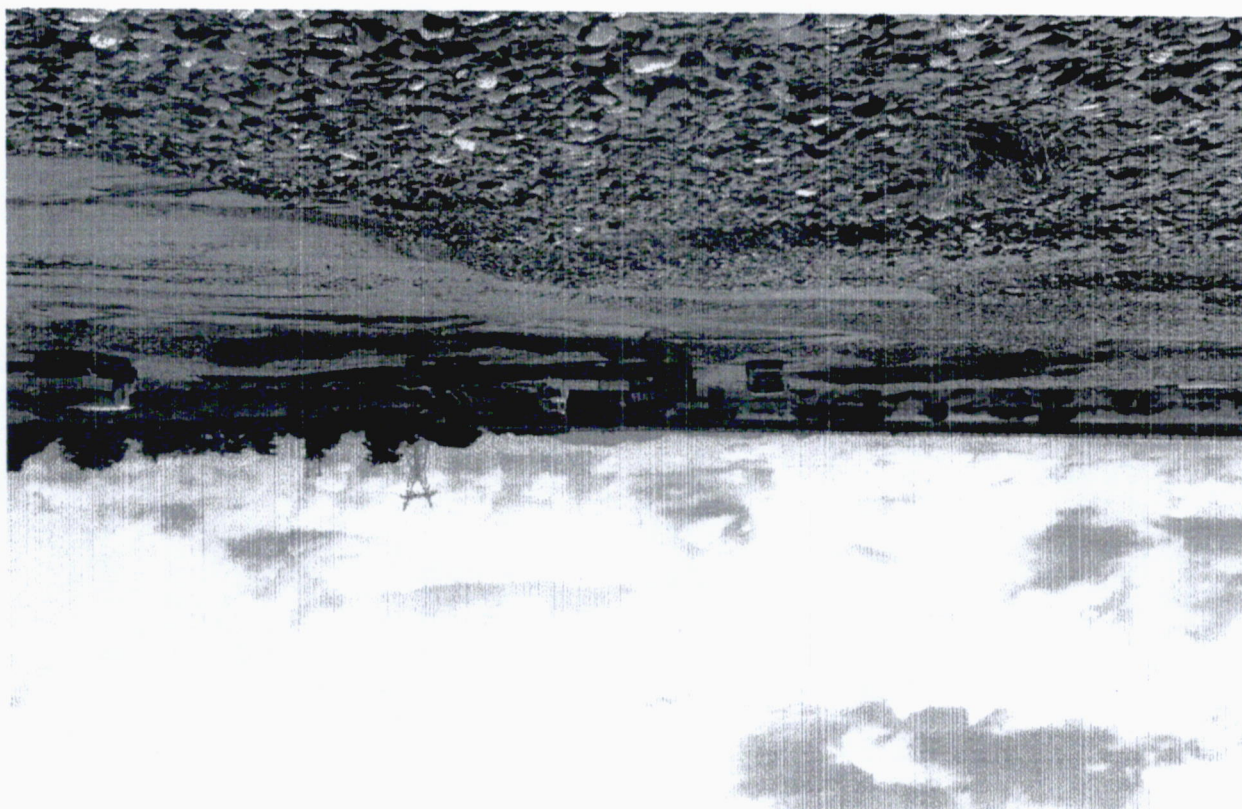
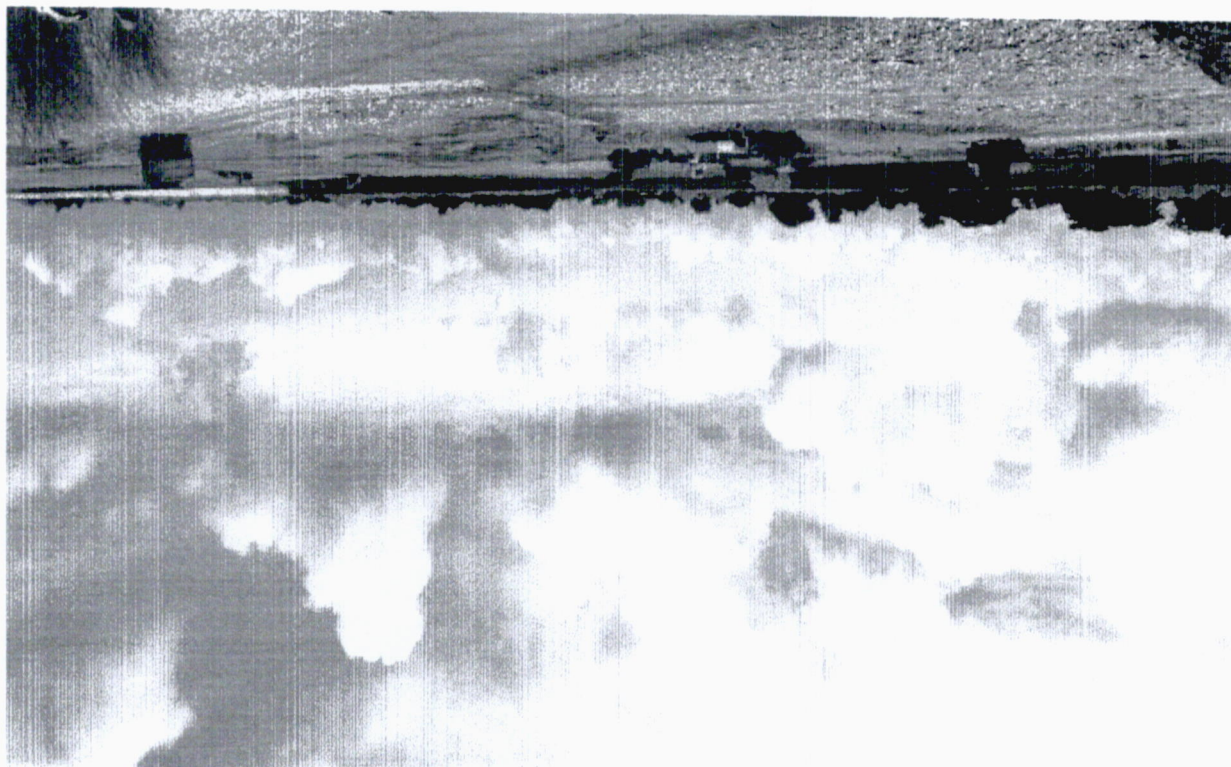
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BUSUANGA RIVER



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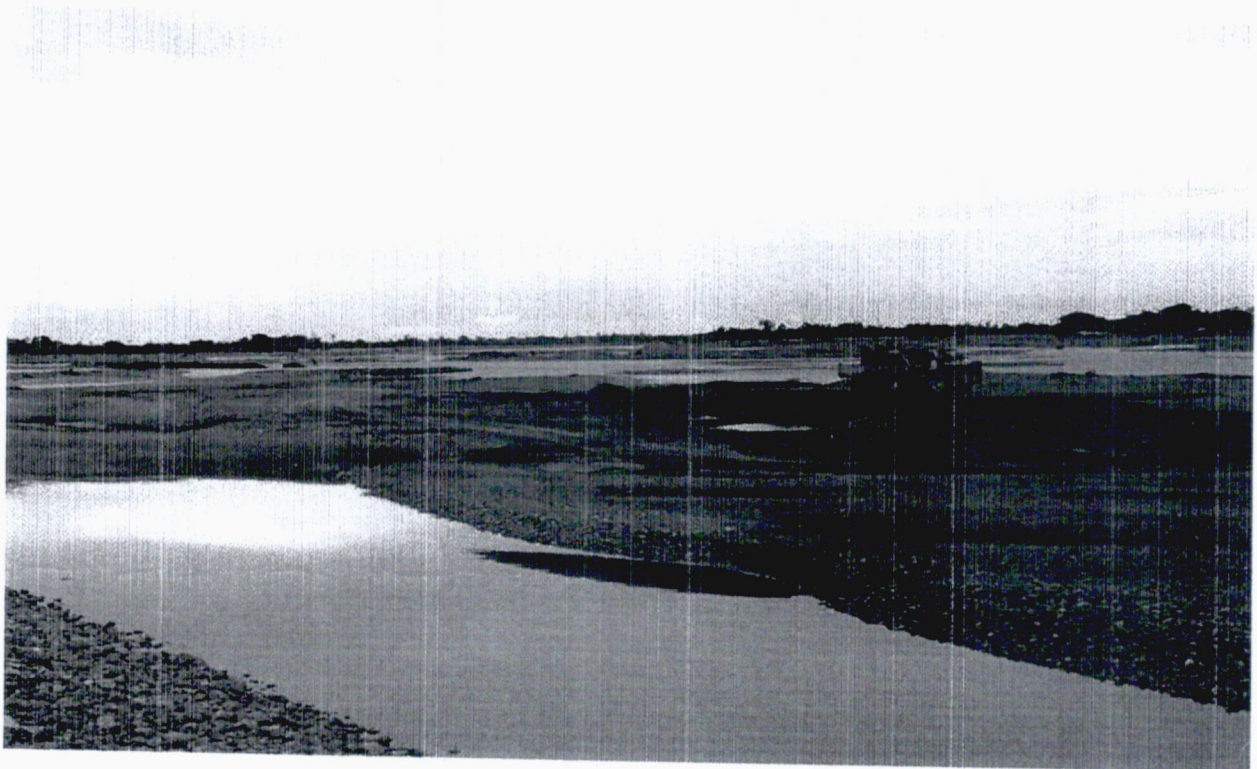


PAGBAHAN RIVER

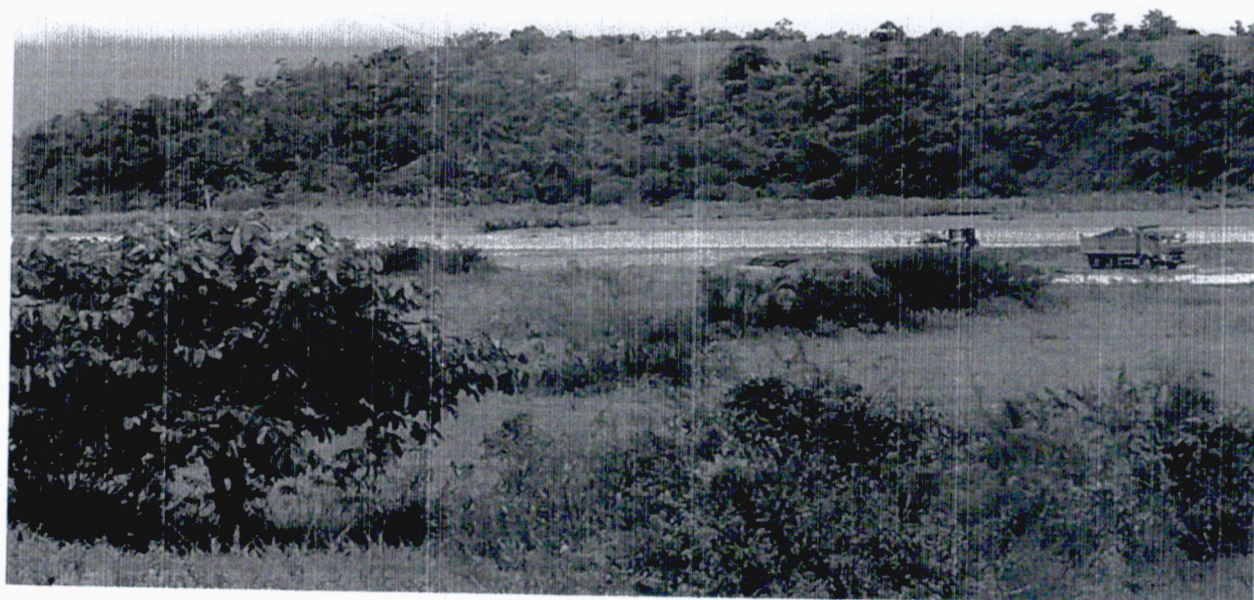




LUMINTAO RIVER



MOMPONG RIVER



August 9, 2021

KGG. SAMUEL MARTIRES
Office of the Ombudsman
60 Agham Road
Diliman, Quezon City
1104 Metro Manila

Magandang araw po sa inyo mahal na Kgg. Samuel Martinez,

Ako po ay lumihap sa inyong tanggapan upag ipagbigay alam at idulog ang aming reklamo sa ating kasalukuyang OIC, PENRO ng Probinsya ng Occidental Mindoro na si Ginoong Ernesto Tañada, hinggil sa hindi pantay na pagtrato o "selective" na pagbibigay ng "PERMIT" sa aming mga nag sumite at nag-apply ng PERMIT TO QUARRY" dito sa mga ilog ng Occidental Mindoro.

Sa pagbibigay ng permit ni Ginoong Tañada, tahasan at lantarang binibigyan niya ng pabor o permit ang kanilang kaalyado at kaibigan, samantalang ang mga lehitimo negosyanteng indibiduwal o may ari at legal na establisemento ng aggregates ay kanyang tinanggihan at di pinaboran sa hindi maipaliwanag na dahilan.

Bukod po dito, nais ko din pong ipagbigay alam at idulog ang reklamo bilang isang ordinaryong mamayan ng ating probinsya, sa kadahilanang ang lugar na kung saan ng nag-ooperate o nag-quarry ang mga pinahintulutan at binigyan nila ng permit ay sa lugar mismo na malapit at di hihigit sa isang kilometro ang layo sa inprastruktura o tulay ng nabanggit na mga ilog ng probinsya.

Ito po ay mahigpit na ipinagbabawal sa batas, ayon po sa kasalukuyang panuntunan ng Water Code of the Philippines at Section 79.a ng DENR Administration Order (DAO) no. 2010-21 na nagsasabi "No extaction, removal and/or disposition of materials shall be allowed within distance of one (1) kilometer from the boundaries of reservoirs established for public water supply, archeological and historical sites and or **any public of private works or structures unless prior clearance from the Government agency(ies) concerned or owner is obtained**".

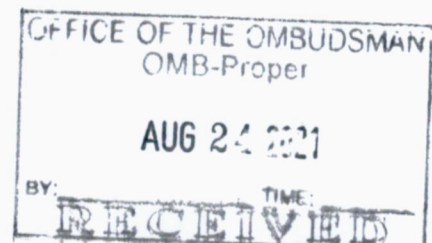
Ang inyong abang linkod, at sa ngalan ng mga PERMITEES dito sa ating probinsya ay lumalapit at naniniwala na gaya ng lagi, inyo pong tutugunan ng mabilis ang mga nabanggit na isyu na aming idinulog sa inyong butihing tanggapan.



Mario Ramirez
San Jose, Occidental Mindoro

Cc: Office of the President, Office of the Ombudsman, DILG Secretary

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BUSUANGA RIVER



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