

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



14 JUN -9 P1:56

SENATE
P. S. R. No. 701

RECEIVED BY: *ji*

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE LOCAL GOVERNMENT OFFICIAL PERMITTING CUTTING OF TREES FOR A ROAD WIDENING PROJECT IN LOS BANOS, LAGUNA

WHEREAS, the Constitution, Article 2, Section 16 states: "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature";

WHEREAS, Republic Act No. 8484, or the Act To Prohibit The Cutting, Destroying or Injuring Of Planted Or Growing Tress, Flowering Plants And Shrubs Or Plants Of Scenic Value Along Public Roads, In Plazas, Parks, School Premises Or In Any Other Public Pleasure Ground, Section 3 further provides: "No cutting, destroying, or injuring of planted or growing trees, flowering plants and shrubs or plants of scenic value along public roads, in plazas parks, school premises or in any other public ground shall be permitted save when the cutting, destroying, or injuring of same is necessary for public safety, or such pruning of same is necessary to enhance its beauty and only upon the recommendation of the committee mentioned in the preceding section, and upon the approval of the Director of Parks and Wildlife. The cutting, destroying, or pruning shall be under the supervision of the committee";

WHEREAS, according to a news article released by Inquirer.net, a municipal councilor has filed graft and administrative charges against a barangay captain and two other government officials over the cutting of trees to make way for a road project of the Department of Public Works and Highways (DPWH) on Mount Makiling;

WHEREAS, in his 14-page complaint, Los Baños Councilor Norvin Tamisin reportedly said that the captain of Barangay Timugan, Florencio Bautista, abused his authority when he issued a permit to cut down 19 kapok (Ceiba pentandra) trees along Makiling's Magnetic Hill on 13 February 2014;

WHEREAS, it was alleged that Bautista was also the subcontractor of Jobel Enterprises from which he received P245,000 for cutting down the trees in March; Jobel Enterprises was claimed to be the contractor of the P16-million DPWH project to widen a 500-meter road, an initial phase of a national government project called the Mt. Makiling Ecological Garden Road;

WHEREAS, it was reported that according to Tamisin, Bautista had no legal authority to issue a permit to cut; Bautista allegedly abused his authority as barangay captain and even entered into a contract with Jobel Enterprises where he had engaged himself, his brother, and cohorts to actually cut the said trees;

WHEREAS, according to the report, also charged in the complaint filed in the Office of the Ombudsman were DPWH district engineer Joel Limpengco and Los Baños environment officer Emiliano Leviste;

WHEREAS, the report alleged that Tamisin accused Limpengco and Leviste of gross misconduct and abuse of authority when they allowed the tree cutting even without a permit

from the Department of Environment and Natural Resources; the complaint asked the Ombudsman to place the officials on preventive suspension once an investigation takes place;

WHEREAS, there is a need for the local and the national government to address the environmental risks that these road expansions are causing, and there should be a need for stricter implementation of the law against cutting down trees without proper permits;

WHEREFORE, be it hereby resolved by the Philippine Senate to direct the proper Senate committee to conduct an inquiry, in aid of legislation, on the local government official permitting cutting of trees for a road widening project in Los Banos, Laguna.

Adopted.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
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