



**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
KAGAWARAN NG KAPALIGIRAN AT LIKAS YAMAN**



MEMORANDUM

FOR : The Director
Legal Affairs Service

The Bureau Directors
Land Management Bureau
Forest Management Bureau
Environmental Management Bureau

The Regional Executive Director
Central Luzon (Region III)

The Regional Director
Environmental Management Bureau - Region III

FROM : The Director
Legislative Liaison Office

SUBJECT : INVITATION TO THE COMMITTEE HEARING AND REQUEST FOR COMMENTS ON HOUSE RESOLUTION 1503 OR "A RESOLUTION DIRECTING THE HOUSE OF REPRESENTATIVES THROUGH ITS APPROPRIATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ACTIONS OF THE HONORABLE ABUNDIO S. PUNSALAN, JR., AS MUNICIPAL MAYOR OF THE MUNICIPALITY OF SAN SIMON, PROVINCE OF PAMPANGA" FROM THE COMMITTEE ON PUBLIC ACCOUNTS OF THE HOUSE OF REPRESENTATIVES

DATE : 23 April 2024

In reference to the electronic mail received by our Office, the Committee on Public Accounts of the House of Representatives is inviting the Department to a Committee hearing on 30 April 2024 (Tuesday), 09:00AM at Belmonte Hall, South Wing Annex Building, House of Representatives, Batasan Hills, Quezon City to deliberate and examine the issues raised in House Resolution No. 1503:

MEMO NO. 2024 - 358

“A RESOLUTION DIRECTING THE HOUSE OF REPRESENTATIVES THROUGH ITS APPROPRIATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ACTIONS OF THE HONORABLE ABUNDIO S. PUNSALAN, JR., AS MUNICIPAL MAYOR OF THE MUNICIPALITY OF SAN SIMON, PROVINCE OF PAMPANGA”

One of the issues discussed in the previous hearing was Ordinance No. 20-005, which converted and reclassified an agricultural property into commercial/industrial status without the necessary legal compliance. The following required documents, among others, seem not to have been complied with:

- Certification from the Municipal Agriculture Officer of San Simon, as provided under Section 20 of the Local Government Code;
- **Certification from the Department of Environment and Natural Resources stating that the land is classified as alienable and disposable and not needed for forestry purposes;**
- Certification from the Department of Agriculture regarding the total area of existing agricultural/sugar lands in the municipality;
- Certification from the Department of Agrarian Reform indicating that such lands are not distributed or covered by Notice of Valuation under CARP; and
- Certification from the National Irrigation Administration that the area to be reclassified is not covered under Presidential Administrative Order No. 20, series of 1992

In this regard, may we respectfully request for comments/position addressing the broader issue of non-compliance with legal requirements in land conversion and reclassification processes, as requested by the Committee. Kindly send them on or before Friday, 26 April 2024, at 5 PM via email at denrlllo@denr.gov.ph. Further, kindly inform us of the name/s of the representative/s from your office who will participate in the meeting so we may include him/her/them as resource person/s.

Attached herewith are the Letter-Invitation and the House Resolution for your reference.


ROMIROSE B. PADIN

cc: Undersecretary for Special Concerns and Legislative Affairs



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

COMMITTEE ON PUBLIC ACCOUNTS

April 22, 2024

HON. MARIA ANTONIA YULO-LOYZAGA

Secretary

Department of Environment and Natural Resources

Dear Secretary Yulo-Loyzaga:

At the outset, we would like to thank your good office for sending a representative to the Committee's second hearing on House Resolution No. 1503. This hearing, held on March 11, 2024, at the House of Representatives, aimed to investigate allegations of illegal use and misuse of public funds, unauthorized land conversion, and procurement irregularities in the municipality of San Simon, Pampanga.

One of the issues discussed in the hearing was Ordinance No. 20-005, which converted and reclassified an agricultural property into commercial/industrial status without the necessary legal compliance. The following required documents, among others, seem not to have been complied with:

- Certification from the Municipal Agriculture Officer of San Simon, as provided under Section 20 of the Local Government Code
- Certification from the Department of Environment and Natural Resources stating that the land is classified as alienable and disposable and not needed for forestry purposes
- Certification from the Department of Agriculture regarding the total area of existing agricultural/sugar lands in the municipality
- Certification from the Department of Agrarian Reform indicating that such lands are not distributed or covered by Notice of Valuation under CARP
- Certification from the National Irrigation Administration that the area to be reclassified is not covered under Presidential Administrative Order No. 20, series of 1992.

This is a worrisome trend that the Committee has observed not only in San Simon but also in other local government units. There needs to be a collective effort to prevent such occurrences in the future and calls for legislative action to amend existing laws.

As one of the government agencies concerned, we are again inviting you to attend the Committee's third hearing, the details of which are as follows:

Date: Tuesday, April 30, 2024

Time: 9:00 AM

Venue: Belmonte Hall, South Wing Annex Building, House of Representatives, Batasan Hills, Quezon City

Additionally, please submit your agency's position paper or comments electronically addressing the broader issue of non-compliance with legal requirements in land conversion and reclassification processes. We seek your insights on improving enforcement mechanisms and legislative measures to prevent such occurrences in the future.

Since this is a legislative investigation, we kindly request that all communications, including any excuses for non-attendance, be submitted in written form for documentation purposes.

For any inquiries or assistance, feel free to contact the Committee Secretariat. We look forward to your valuable contribution to this legislative inquiry.

Sincerely,

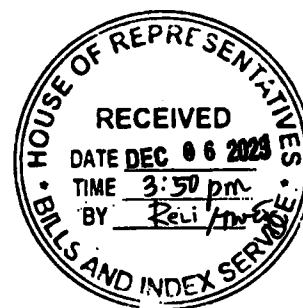


JOSEPH STEPHEN "CARAPS" S. PADUANO
Chairperson, Public Accounts

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
Second Regular Session

HOUSE RESOLUTION NO. 1503



Introduced by Rep. Rodolfo "Ompong" M. Ordanes

A RESOLUTION

DIRECTING THE HOUSE OF REPRESENTATIVES THROUGH ITS APPROPRIATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ACTIONS OF THE HONORABLE ABUNDIO S. PUNSALAN, JR., AS MUNICIPAL MAYOR OF THE MUNICIPALITY OF SAN SIMON, PROVINCE OF PAMPANGA

WHEREAS, Section 1, Article XI of the 1987 Constitution entitled "Accountability of Public Officers" provides that *"(p)ublic office is a public trust. Public officers and employees must, at all times, be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency; act with patriotism and justice, and lead modest lives"*;

WHEREAS, on 04 August 2020, concerned residents of San Simon, Pampanga, filed a case against Mayor Abundio S. Punsalan, Jr., for certifying as urgent a Resolution converting and re-classifying an agricultural property situated within the municipality of San Simon into commercial/industrial even though at the time of deliberation of the resolution, none of the necessary compliance documents required by law were submitted to the Sangguniang Bayan of San Simon to support the land conversion/re-classification. After the passage of the Resolution, subject property was sold and used as collateral by the new owner to obtain a loan from the Land Bank of the Philippines;

WHEREAS, also on 04 August 2020, concerned residents of San Simon, Pampanga, filed a case against Mayor Abundio S. Punsalan, Jr., for causing the extinguishment/cancellation of procurement of a bridge project totally disregarding and without first cancelling a signed contract with the winning bidder/proponent. Eventually, the bridge project was awarded to and is now being undertaken by a new contractor for the amount of Php25,987,865.00;

WHEREAS, on 21 September 2020, concerned residents of San Simon, Pampanga, filed a case against Mayor Abundio S. Punsalan, Jr., for the illegal use and disbursement of public funds amounting to P45 Million for the anomalous and irregular purchase of parcels of land to expand the present municipal hall of San Simon, Pampanga. The lots purchased included existing public roads, waterways, and lots with ownership disputes and pending cases in court. Payments were also made without valid sales contracts and registered land titles;

WHEREAS, on 11 February 2021, concerned residents of San Simon, Pampanga, filed another case against Mayor Abundio S. Punsalan, Jr., for using a non-existent and/or falsified Resolution of the Sangguniang Bayan of San Simon, Pampanga, in collecting the amount of Five Million Pesos (Php5,000,000.00) from a corporation doing business within the jurisdiction of San Simon, Pampanga. Said fees misrepresented alleged regulatory fees to allow the corporation to conduct business within the municipality; and

WHEREAS, Mayor Abundio S. Punsalan Jr. signed/issued a closure order dated Sept. 9, 2022 stopping the construction of the San Simon 230-KV Substation of the National Grid Corporation of the Philippines (NGCP). The order to stop construction was made despite the fact that the substation was certified as an Energy Project of National Significance (EPNS) by the Department of Energy in 2019 – which gives the project expedited access to permits pursuant to Executive Order No. 30 s. 2017.

NOW THEREFORE, RESOLVED AS IT IS HEREBY RESOLVED THAT, that the appropriate committee of the House of Representatives be directed to conduct an inquiry, in aid of legislation, on the actions of Mayor Abundio S. Punsalan, Jr. for the purpose of overseeing compliance with the provisions of the 1987 Constitution, the Local Government Code, and other relevant laws.

ADOPTED.



RODOLFO M. ORDANES