

IN THE MATTER OF THE PETITION OF WILLIAM CHUA SIONG HUA TO BE ADMITTED AS CITIZEN OF THE PHILIPPINES. WILLIAM CHUA SIONG HUA, PETITIONER AND APPELLANT, VS. REPUBLIC OF THE PHILI...

G.R. No. L-21400. May 31, 1966

Ponente: REYES, J.B.L., J.

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REYES, J.B.L., J.:

Appeal from an order denying a motion to take oath as a Filipino citizen.

On 19 July 1960, without state opposition, the Court of First Instance of Manila (Hon. Higinio B. Macadaeg, presiding) rendered decision, in its Civil Case No. 41364, granting the petition for naturalization of William Chua Siong Hua. The said court found that the petitioner is single and resides at 530 T. Alonzo Street, Manila; that he was born in Manila on 1 November 1938 and has not left the Philippines since his birth; that he receives an average annual income of P3,000 as an employee of Globe Electrical Supply; that he knows how to speak and write English and Tagalog and received his primary and secondary education at the University of the East. In short, the trial court found that the petitioner possessed all the qualifications and none of the disqualifications for naturalization.

The Republic of the Philippines did not appeal.

Two years thereafter, on 24 September 1962, the petitioner, in pursuance of the requirements of Republic Act No. 530, filed a motion to be allowed, after hearing, to take his oath of allegiance. This time, the Republic, thru the Solicitor-General, interposed an opposition on the following grounds:

"1, The petitioner has no lucrative occupation.

"2. The petitioner violated government promulgated rules when he failed to register and secure from the Bureau of Immigration a Certificate of Residence.

"3. A. Aside from William Chua Siong Hua, the petitioner used the name Chua Siong Hua without judicial authority.

B. His conflicting declarations regarding his date of birth place a cloud of doubt on his identity."

On 19 April 1963, the court a quo (Hon. Jose L. Moya presiding), with commendable regard to the Supreme Court's doctrines on the subject, disallowed the petitioner's oath-taking on the ground that the petitioner's alleged income of P250.00 monthly is simulated; whereupon, the petitioner appealed to this Court.

Bases for the lower court's finding of the petitioner's pretended income are its observation that since the Supreme Court had made pronouncements considerably increasing the amount of income necessary to meet the requisite of lucrative trade "the income or salary of applicants for naturalization has suddenly increased", the reason for which "is not difficult to divine"; that the petitioner works at the Globe Electrical Supply, which establishment is owned

by his father; that he was but 19 years of age and a student at the University of the East when he was employed by his father in 1957 with a handsome salary already of P250.00 a month, which is out of proportion to his inexperience, youth and preoccupation with his studies; that the said business establishment is capitalized at only P50,000, and yet it is claimed that the petitioner is paid the said salary besides an additional payroll which is that of his salesman brother's salary of P4,800; that petitioner allegedly increased in salary to P4,500 and then to P4,800 for no reason to warrant the augmentation; that the petitioner turns over to his mother what is left of his salary, after expenses; all of the foregoing showing that the petitioner is not a bona fide employee of his father but works at the store as a son and a dependent.

With the above circumstances, it is indeed difficult to escape the conclusion that the petitioner's alleged income is unreal. Herefore, this Court, in several precedents, held that income derived from employment in the business of an applicant's father renders the claim of such income dubious (*Lee vs. Republic*, L-20148, 30 April 1965; *Veasco vs. Republic*, L-14214, 25 May 1960; *Justino Cu vs. Republic*, L-13344, 21 July 1962; *Que Hoc Gui vs. Republic*, L-16884, 30 September 1961; *Zacarias Tan vs. Republic*, L-14860, 30 May 1961; *Yu vs. Republic*, L-3 7748, 28 November 1962). Even if the amount claimed by the petitioner were, in fact, true, it would be inadequate just the same, considering the purchasing power of the peso (Cf. *Keng Giok vs. Republic*, L-13347, 31 August 1961; *Tan vs. Republic*, L-16013, 30 March 1963; *Ong vs. Republic*, L-15764, 19 May 1961; *Ong Tai vs. Republic*, L-19418, 23 December 1964; *Uy Tian vs. Republic*; L-19918, 30 July 1965).

The records also disclose that the petitioner has beclouded his own identity, which is sufficient to disqualify him. Thus, he claims that he had been using the name "William" since he was a small child, but not in school (t.s.n., pp. 78-79, 12 July 1960) ; but when he entered college he used the name "William Chua Siong Hua (t.s.n., p. 18-Oath-taking). In his petition for naturalization, he claims to have been born on 1 November 1938, but at the hearing he testified that he was born on 2 November 1938 while his residence certificates for 1960 and 1962 show his date of birth as 11 November 1938. To these, the petitioner and his counsel offer a lot of excuses: petitioner blames his father for registering him in school as "Chua Siong Hua" (without William) (t.s.n., pp. 78-79) ; counsel attributes the discrepancies in petitioner's date of birth to the unsatisfactory and unproved explanation of "lapses in the human mind" of the petitioner, the stenographer or the clerk who issued the residence certificate.

For the failure of the petitioner to register and secure his certificate of residence as an alien in 1952, and for which he was fined P20, which is also a ground for disqualification (*Antonio Go Kay See vs. Republic*, L-17318, 28 December 1962; *Cabrales vs. Republic*, L-16073, 27 March 1961), petitioner again blames his father for such failure and tries to justify it by the claim that he was only 14 years old at the time.

This Court finds the petitioner's behavior in claiming a simulated income and blaming his father each time he falls into a legal difficulty as constituting improper conduct that makes him unworthy of becoming a part of our citizenry.

For the foregoing reasons, the appealed order is hereby affirmed, with costs against the petitioner-appellant.

Bengzon, C.J., Concepcion, Barrera, Dizon, Regala, Bengzon, J.P., Zaldivar and Sanchez, JJ., concur.

Order affirmed.

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