

**IN THE MATTER OF THE PETITION TO BE ADMITTED A CITIZEN OF
THE PHILIPPINES; ESPIRITU NG, PETITIONER AND APPELLEE, VS.
REPUBLIC OF THE PHILIPPINES, OPPOSITOR AND APPELLANT.**

G. R. No. L-19646. May 31, 1965

Ponente: REGALA, J.

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REGALA, J.:

This is an appeal by the Solicitor General's office from the decision of the Court of First Instance of Manila granting the application for Filipino citizenship of the petitioner-appellee, Espiritu Ng.

On June 3, 1959, Espiritu Ng filed with the above-named court a petition for naturalization. Among others, he claimed that he was a resident of No. 2089 Invernes St., Sta. Ana, Manila and that he had been residing therein for more than a year prior to the filing of the petition; that he was born in Manila of Chinese parents on October 26, 1938; that he was single and then employed at the Pioneer Tobacco Corporation as a supervisor with a monthly salary of P170.00; that he could speak and write English and Tagalog; that he had gone through the elementary and intermediate schools as well as the high school course (Technical and Commercial College of Baguio) and, at the time of the filing of the petition, was a third year Commerce student of the University of the East. The petitioner also declared that he believed in the Principles underlying the Philippine Constitution and that he has conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines in his dealings with the authorities as well as with the community in which he lives. Finally, the petitioner claimed that he had mingled socially with the Filipinos and had evinced a sincere desire to learn and embrace the customs, traditions and ideals of the Filipinos.

At the hearing, the petitioner and his character witnesses testified to the above allegations. Thereafter, the Government, thru the Solicitor General's office, opposed the petition on four grounds, to wit: 1) that the petitioner's character witnesses were untrustworthy; 2) that the said witnesses were in no position to vouch for his 'citizenship qualifications; 3) that petitioner's occupation or income was not lucrative within the meaning of the Naturalization Law; and 4) that the petitioner was illegally using an alias.

In due time, the lower court granted the petition and ruled out the Government's opposition thereto as "unmeritorious". Hence, the instant appeal.

In this appeal, the Solicitor General interposes more or less the same grounds as above. He questions the reliability of the petitioner's character witnesses, the sufficiency of His income and, in addition, calls the attention of this Court to the fact that petitioner had failed to set out in the petition all his former places of residence.

Without passing on the other objections of the Government, this Court believes that this appeal is meritorious as the records do show that petitioner does not have the lucrative occupation or income contemplated by law. By his own admission, petitioner's income is just a little over P2,040.00 annually. Of course, he claims that aside from his salary, he is also provided with some food by his employer. Be that as it may, however, although the evidence that he is also given food aside from his salary is inconclusive, We still believe that the petitioner's income is

grossly insufficient to justify the grant of citizenship to him. Considering that he resides in Manila where the standard of living is one of the highest in the whole country, there can be no question that his income is, far from being lucrative, not enough even for his basic needs.

Already, this decision has been liberal to the petitioner because we have taken into account petitioner's own claim that his salary is P170.00 a month. For, according to his membership card at the Social Security System, his salary was only P150.00 a month. Had this been the income that we considered, then he would have been charged with a far lesser income than that which we consider insufficient already.

In the case of *Ngo Go Liong Siu vs. Republic*, No. L-18319, May 31, 1963, We denied the petitioner's application for citizenship because his proven monthly income was only P300.00. If this amount which is practically twice the income of the applicant in this case could be deemed sufficient, We simply do not see how the application at bar can be justified.

In passing, it may also be stated that the herein petitioner does not seem to have declared in his petition all his places of residence prior to its filing. Nowhere in the said petition may his Baguio residence be found, although he himself testified at the hearing of this case that he resided there for some five years. Moreover, one of the character witnesses admitted that he never met petitioner in Baguio during his alleged five years' stay in said city. This failure is a violation of the law that cannot be overlooked since the disclosure of all previous residences of the petitioner affords the Government fuller and more reliable basis for determining his fitness or disqualification to become a Filipino citizen (Sec. 7, Revised Naturalization Law; *Ngo Liong vs. Republic*, supra.)

With our findings above, it is not necessary any more to discuss the other errors assigned.

Wherefore, the decision appealed from is hereby reversed, with no pronouncement as to costs.

Bengzon, C. J., Bautista Angela, Reyes, J.B.L., Barrera, Paredes, Dizon, Makalintal, Bengzon, J.P., and Zaldivar, JJ., concur.

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