

**IN THE MATTER OF THE PETITION OF LIM SIH BENG TO BE
ADMITTED A CITIZEN OF THE PHILIPPINES. LIM SIH BENG,
PETITIONER-APPELLEE, VS. REPUBLIC OF THE PHILIPPINES,
OPPOSITOR-APPELLANT.**

G.R. No. L-23387. April 24, 1967

Ponente: CASTRO, J.

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CASTRO, J.:

This is an appeal by the Republic of the Philippines from a decision of the Court of First Instance of Albay (Naturalization Case 83), dated July 25, 1962, declaring that the petitioner-appellee Lim Sih Beng, a Chinese citizen, meets all the qualifications prescribed by the Revised Naturalization Law, and suffers from none of the disqualifications, to become a citizen of the Philippines, and consequently, granting his petition for naturalization.

The Government's appeal is meritorious.

In his petition for naturalization filed with the said court on August 29, 1961, Lim Sih Beng admittedly failed to state that he had resided in barrio Palaypay, Pilar, Sorsogon, from 1941 to 1945. This omission is fatal. It violates section 7 of Commonwealth Act 473 which requires that a petition for naturalization state not only the petitioner's present residence but also all other places where he had formerly resided (*Go Bon The vs. Republic*, L-16813, Dec. 27, 1963). Moreover he stated in mere bare general terms that he had resided in Fukien, China, and in the cities of Manila, Dagupan and Legaspi, Philippines, without specifying the particular addresses therein. The addresses given, particularly those in the Philippines, cannot be considered addresses as this term is generally defined and understood.[1] This omission on the part of the petitioner made it difficult, if not impossible, for the Government to conduct a thorough check upon his activities, which investigation is absolutely material in any proceeding for naturalization. It thus deprived the Government of a fuller and more reliable basis for determining his fitness to become a Filipino citizen.

In his income tax returns for 1959, 1960 and 1961, Lim Sih Beng recorded net incomes of P8,927.28, P8,826.69 and P8,736.77, respectively, or an average annual net income of P8,830.24, and an average monthly net income of P735.85. With five of his seven children still dependent upon him for support,[2] this means a net monthly per capita income of P105.12 for each member of the family, including himself and his wife. This net income can hardly be considered lucrative, considering the present high cost of living and the low purchasing power of the peso. As early as in 1961, in *Keng Giok vs. Republic*, L-13347, August 31, 1961, this Court had already held that the net income of P8,687.50 could not be considered substantial or lucrative since the petitioner therein had five minor children as dependents, their monthly income per capita being only P103.42. Since 1961 the cost of living has considerably gone higher, and the purchasing power of the peso has gone lower. Thus the trade or business in which the present petitioner is engaged - he is the manager of the Long Life Grocery in Legaspi City - from which he derives an annual net income of P8,830.24, cannot be considered lucrative.

ACCORDINGLY, the decision appealed from is reversed, and the petition for naturalization is hereby denied, at

appellee's cost.

Concepcion, C.J., Reyes, J.B.L., Dizon, Regala, Makalintal, Bengzon, J.P., Zaldivar, and Sanchez, JJ., concur.

[1] "Address" is defined in 2 Words and Phrases, (p.529) as the direction for delivery of a letter; the name or description of a place of residence, business, etc., where a person may be found or communicated with.

[2] His daughter Lim Yu Ti, a graduate of Bachelor of Science in Nursing, will eventually leave for the United States to work in a hospital there; and another daughter Maria Azucena Lim, a graduate of the Legaspi High School, is already in the United States where she earns a living.

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