



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM
ELLIPTICAL ROAD, DILIMAN, QUEZON CITY • TELS. 928-7031 TO 39

ADMINISTRATIVE ORDER NO. 03
Series of 1997

SUBJECT : RULES AND PROCEDURES GOVERNING THE AWARD OF LANDS OF THE PUBLIC DOMAIN WHICH ARE UNDER THE JURISDICTION OF THE DEPARTMENT OF AGRARIAN REFORM (DAR), TO LANDLESS WAR VETERANS AND VETERANS OF MILITARY CAMPAIGNS, THEIR SURVIVING SPOUSES AND ORPHANS, AFP AND INP/PNP RETIREES, RETURNEES, SURRENDEREES, AGRICULTURE GRADUATES OF AGRICULTURAL SCHOOLS AND OTHER SIMILAR BENEFICIARIES

I. PREFATORY STATEMENT

Section 7 of Article XVI of the Constitution and Section 40 (6) of Republic Act No. 6657 state that landless war veterans and veterans of military campaigns, their surviving spouses and orphans, retirees of the Armed Forces of the Philippines (AFP) and the Integrated National Police (INP, now PNP), returnees, surrendererees, and similar beneficiaries, shall be considered in the disposition of agricultural lands of the public domain. Members of the Citizen Armed Forces Geographical Units (CAFGUs) or their surviving spouses and orphans, who were recruited by the Armed Forces of the Philippines (AFP) but who were disbanded are likewise included in the disposition of agricultural lands of the public domain subject of this Order.

Section 40 (7) of R.A. No. 6657 provides that landless graduates of agricultural schools shall be assisted by the government, through the DAR, in their desire to own and till agricultural lands.

Section 4 (B) of Executive Order No. 129-A provides that "it is the responsibility of the Department of Agrarian Reform (DAR) to administer and dispose all cultivable portions of the public domain declared as alienable and disposable for agricultural purposes transferred to it by the Department of Environment and Natural Resources."

Executive Order (E.O.) Nos. 448 and 506 amending E.O. No. 407 accelerate the acquisition and distribution of all lands of the public domain suitable for agriculture by including within the coverage of E.O. No. 407 all government reservations or portions thereof, which are suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purpose for which they were reserved, as determined by the Department of Agrarian Reform (DAR) in coordination with the government agency or instrumentality in whose favor the reservation was established. These lands shall be segregated from the reservation and transferred to the DAR for distribution to qualified beneficiaries under the Comprehensive Agrarian Reform Program (CARP).

Furthermore, Section 51 of Republic Act No. 3844, as amended, provides that "it is the responsibility of the Department of Agrarian Reform (DAR) to administer and dispose of agricultural lands of the public domain under the custody and administration of the (former) National Resettlement and Rehabilitation Administration (NARRA) and the Economic Development Corps of the Armed Forces of the Philippines prior to the approval of this Amendatory Act and such other public agricultural lands as may thereafter be reserved by the President of the Philippines or by law for resettlement and sale, in accordance with the terms and conditions as set forth under the said law."

In order to effectively implement the above provisions, the following rules and regulations are hereby prescribed.

II. POLICY STATEMENT

- A. The award of lands to the beneficiaries covered by this Order is in pursuance with the DAR's commitment to promote peace and development through the implementation of policies that shall improve the quality of life of the people who have been involved in the peace process and the defense of the country's sovereignty.
- B. Agricultural lands of the public domain under the jurisdiction of the DAR which are still available for disposition, after the allocation to the actual Farmer Beneficiary (FB) occupants and to those who have not been accommodated in privately owned agricultural lands, shall be distributed to the CARP beneficiaries as enunciated in Section 40 (6) and (7) of R.A. No. 6657 and subject of this administrative order.

- C. Distribution of agricultural lands of the public domain shall be in accord with the provisions of Section II-C of the Joint DAR-DENR Memorandum Circular No. 09, Series of 1995.
- D. The aggregate area to be awarded to a qualified beneficiary under the subject provisions of R.A. No. 6657 shall not exceed three (3) hectares.
- E. Beneficiaries under these guidelines shall receive the necessary support services from the DAR and other CARP implementing agencies.
- F. The grant of agricultural lands of the public domain requires that the beneficiary shall enter and work upon, improve and cultivate the land personally.
- G. CARP beneficiaries are qualified to be awardees of CARP covered lands of the public domain listed in Section III hereof in any place where the same is available without prejudice however to qualified landless residents thereat.

III. COVERAGE

This Administrative Order shall cover the award of lands of the public domain to landless war veterans and veterans of military campaigns, CAFGUs or their surviving spouses and orphans, retirees of the Armed Forces of the Philippines (AFP), and the Integrated National Police (INP, now PNP), returnees, surrenderees, agriculture graduates of agricultural schools and similar beneficiaries.

Such lands of the public domain include:

- a. Agricultural lands within proclaimed DAR Settlement Projects;
- b. Alienable and disposable lands of the public domain turned over by the DENR to the DAR pursuant to E.O. No. 129-A; and
- c. Lands previously proclaimed for various government Departments, agencies and instrumentalities and subsequently turned over by the latter to the DAR for distribution under the CARP pursuant to E.O. No. 448.

IV. DEFINITION OF TERMS

- A. Reservation Areas - refer to tracts of land of the public domain proclaimed by the President or by Act of Congress for the use of the government or any of its branches, subdivisions, or instrumentalities or inhabitants thereof, for settlement or resettlement uses or purposes.
- B. Public Domain Lands - are public lands declared as alienable and disposable for agricultural purposes, transferred to the DAR by the DENR and other concerned government agencies for administration and disposition to the ARBs.
- C. War Veterans - refer to any person or persons who served in the regularly constituted air, land or naval service or arms, or in such non-regularly organized military units in the Philippines during World War II and whose services with such units are duly recognized by the Republic of the Philippines or by the Government of the United States.

Surviving Spouse - refers to the wife or husband of a deceased veteran or CAFGU who has the right to be awarded agricultural lands of the public domain which are covered by the CARP.

Orphan - refers to the surviving child of a veteran or CAFGU and his/her spouse, both deceased, who has the right to be awarded agricultural lands of the public domain which are covered by the CARP.

- D. AFP retirees - are soldiers/officers of either the Air Force, Navy or Army who have retired from the service.
- E. INP/PNP retirees - are officers and enlisted personnel of the police forces, i.e., PC, INP (now PNP) who have retired from the service.
- F. Returnees and Surrenderees - are rebels who have surrendered or returned to the fold of the law in line with the amnesty program of the government.
- G. Agriculture Graduates - refer to persons who have graduated from agricultural schools duly accredited/recognized by the Department of Education, Culture and Sports (DECS).
- H. Veterans of Military Campaigns - refer to persons who served and participated in the campaigns conducted by the military for the

maintenance of peace and order in the countryside, either through regular or temporary enlistment in the military service, as authorized by the Armed Forces of the Philippines (AFP).

V. QUALIFICATIONS

- A. Landless beneficiary pursuant to Paragraph 2, Section 25 of R.A. No. 6657;
- B. At least 15 years of age or head of the family at the time of the filing of the application (referring to orphan-surviving child and spouse);
- C. Has the willingness, aptitude and ability to cultivate and make the land as productive as possible;
- D. Must not have been an awardee/owner of any other agricultural lands acquired from the government;
- E. Does not own other agricultural landholdings, the aggregate area of which, including the parcel/lot being applied for, does not exceed three (3) hectares.

VI. SELECTION OF BENEFICIARIES

In the selection of qualified beneficiaries, the order of priority shall be as follows:

- 1. Applicants residing in the same barangay where the property for distribution is located.
- 2. Applicant-residents of the same municipality or in their absence, those of the province where the landholding is found.
- 3. Applicants residing within the region where the property is, may be considered, as the circumstances so warrant.



In the event that qualified applicants exceed the number of available agricultural lots to be awarded, the distribution shall be determined by raffle.

VII. OPERATING PROCEDURES

A. **DEPARTMENT OF AGRARIAN REFORM MUNICIPAL OFFICE (DARMO) shall:**

1. Conduct a physical inventory of available agricultural lands of the public domain and other resettlement areas within the municipality in close coordination with the DENR, pursuant to the Joint DAR-DENR Memorandum of Agreement dated June 7, 1994, for purposes of obtaining an estimate of the area which can possibly be allocated to qualified beneficiaries subject of this A.O.
2. Prepare a certified list of qualified beneficiaries, including the area to be allocated, duly sworn to before a notary public (Annex "A"), which shall be posted at the barangay hall, municipal hall and other conspicuous places where the property is located for a period of seven (7) working days. Said posting shall likewise be certified and sworn to before a notary public by the MARO, the BARC Chairman and the Barangay Captain of the area after the lapse of the prescribed posting period (Annex "B").
3. Require the prospective beneficiaries to accomplish an application with the following supporting documentary requirements and/or other certifications/documents with probative value:
 - a. War veterans and veterans of military campaigns - certification from the Philippine Veterans Administration Office (PVAO) attesting to their being bonafide veterans
 - Surviving spouse (in case of a deceased veteran) - certified true copy of their marriage contract, PVAO certification and death certificate of veteran
 - Orphan (in case the veteran and his spouse are deceased) - certified true copy of birth certificate showing

therein the names of parents, PVAO certification, and death certificates of both parents

- b. Retirees of the AFP and INP/PNP - service record and certificate of retirement issued by the concerned office
- c. Returnees and Surrenderees - certification from the National Amnesty Commission (NAC) attesting to their surrender and return to the fold of the law
- d. Graduates of agricultural schools - certified true copies of their diploma issued by the agricultural schools they attended which must be duly accredited/recognized by the Department of Education, Culture and Sports (DECS)
- e. Disbanded CAFGUs - certification from local military units which enlisted the applicants

CAFGU's surviving spouse - certified true copy of their marriage certificate, death certificate of CAFGU and certification from the local military unit which enlisted the deceased CAFGU

CAFGU's orphan - certified true copy of applicant's birth certificate showing therein the names of parents, certification from the local military unit which enlisted the deceased CAFGU and death certificates of both parents.

- 4. Review applications and certifications of eligibility and screen applicant-beneficiaries with the assistance of the Barangay Agrarian Reform Committee, to determine their qualification as CARP beneficiaries. If found qualified, require them to accomplish the FB Application Form (Form No. 1, A. O. No. 09, Series of 1989).
- 5. Consolidate beneficiary applications and prepare Summary FB Data Sheet (Form No. 2, A.O. No. 09, Series of 1989) for the applicants recommended for the issuance of CLOA. These shall constitute a Land Distribution Folder (LDF).
- 6. Endorse the LDF to the PARO.



B. DEPARTMENT OF AGRARIAN REFORM PROVINCIAL OFFICE (DARPO) shall:

1. Review and evaluate pertinent forms and documents contained in the LDF.
2. If in order, generate Certificate of Land Ownership Award (CLOA).
3. Initial owner's duplicate CLOA and endorse the LDF and the CLOA to the Regional Director for approval.

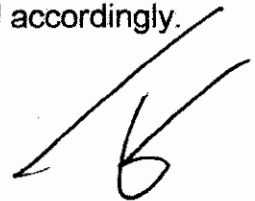
C. DEPARTMENT OF AGRARIAN REFORM REGIONAL OFFICE (DARRO) shall:

1. Review and evaluate the LDF and CLOA.
2. Initial the owner's duplicate CLOA, cause the approval and signature of the Secretary and affix the DAR seal on each CLOA generated.
3. Transmit the signed and sealed CLOAs to the PARO for registration with the Register of Deeds (ROD).

The rules and procedures under Administrative Order No. 09, Series of 1989, shall be applied in the titling and distribution of agricultural lands within proclaimed DAR Settlement Projects. Likewise, the procedures mentioned in A.O. No. 10, Series of 1990, as amended by Joint DAR-LBP M.C. No. 04, Series of 1995 shall be adopted whenever applicable. The procedures provided in the DAR-LRA Operations Manual shall be applied in the generation and registration of CLOA for settlement projects.

VIII. REPEALING CLAUSE

Previous orders, circulars, memoranda, rules and regulations or portions thereof inconsistent herewith are hereby revoked and/or modified accordingly.



IX. EFFECTIVITY

This Order shall take effect ten (10) days after its publication in two (2) newspapers of general circulation.

Diliman, Quezon City FEBRUARY 07, 1997.


ERNESTO D. GARILAO
Secretary

Published in Two (2) national newspapers
of general circulation:

1. MANILA BULLETIN
2. TODAY

Date of Publication - February 20, 1997

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
Office of the Municipal Agrarian Reform Officer

CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that the following are the prospective beneficiaries/applicants of the landholding under the disposition of the DAR located at Bgy. _____, Municipality of _____, Province of _____ with a total area of _____ () hectares, more or less.

These prospective beneficiaries are qualified as Agrarian Reform Beneficiaries by virtue of Section 40 (6) and (7) of R.A. 6657 which provide that landless war veterans and veterans of military campaigns, CAFGUs, their surviving spouses and orphans, retirees of the Armed Forces of the Philippines (AFP), and the Integrated National Police (INP, now PNP), returnees, surrenderees, agriculture graduates of agricultural schools and similar beneficiaries shall be assisted and given due consideration in the disposition of agricultural lands of the public domain.

Name of ARB (indicate if orphan or spouse)	Age	Area Subject for Distribution
1)		
2)		
3)		
4)		
5)		
6)		
7)		
8)		
9)		
10)		

It is further certified that the above named ARBs have met all the pertinent qualifications.

MARO
Name and Signature

SUBSCRIBED AND SWORN to before me at _____,
Philippines, this _____ day of _____, 19____, the affiant exhibiting
his/her Residence Certificate No. _____ issued at
_____ on _____, 19____.

NOTARY PUBLIC
My commission expires Dec. 31, 19____
P. T. R. _____

Doc. No. _____
Page No. _____
Book No. _____
Series of 19 _____

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
Office of the Municipal Agrarian Reform Officer

CERTIFICATE OF POSTING

Date: _____

TO WHOM IT MAY CONCERN:

This is to certify that the attached list of prospective ARBs (see Annex "A") has been posted for a period of seven (7) working days starting from _____ to _____, 199__. Landholding is under the disposition of the DAR, located at Bgy. _____, _____ Municipality of _____ Province.

Done and given this _____ day of _____, 199__.

(MARO)

Barangay Chairman

BARC Chairman

SUBSCRIBED AND SWORN to before me at _____, Philippines, this _____ day of _____, 19____, the affiant exhibiting his/her Residence _____ Certificate No. _____ issued at _____ on _____, 19____.

NOTARY PUBLIC

My commission expires Dec. 31, 19____

P. T. R. _____

Doc. No. _____
Page No. _____
Book No. _____
Series of 19 _____