

Section 13.2 of DAR Administrative Order No. 03, Series of 2003 (2003 Rules for Agrarian Law Implementation Cases)

"Section 13. Commencement of an action

xxxxx

xxxxx

xxxxx

Section 13.2 After issuance of notice of coverage – Commencement shall be at the DAR Municipal Office (DARMO). When the applicant/petitioner commences the case at any other DAR office, the receiving office shall transmit the case folder to the DARMO or proper DAR office in accordance with the pertinent order and/or circular governing the subject matter. Only the real-party-in-interest may file a protest/opposition or petition to lift CARP coverage and may only do so within sixty (60) calendar days from receipt of the notice of coverage; a protesting party who receives the notice of coverage by newspaper publication shall file his protest/opposition/petition within sixty (60) calendar days from publication date; failure to file the same within the period shall merit outright dismissal of the case."

Thus, to preclude further misinterpretation, non-observance and/or violation of said provisions, a statement of merit as to compliance on the 60-day period from receipt of notice of coverage should be required and incorporated in the checklist to ensure completeness and compliance to documentary requirements for applications for exemption, exclusion, protest, opposition or petition for lifting from CARP coverage. The following shall be incorporated in the documentary requirements:

1. A Certification signed by the MARO stating that the landholding/s has been covered by a Notice of Coverage indicating the date the NOC was received by the landowner and the expiration of the sixty (60) day period (Annex A);
2. Certified true copies of proof of receipt (registry receipt, return card, if any, and affidavit of publication executed by the publisher, as the case may be).

Only those applications for exemption, exclusion, protests, oppositions or petitions **filed within the 60-day period from receipt of notice of coverage and supported by the foregoing documentary requirements shall be accepted. Otherwise, applications and oppositions filed after the 60-day period shall not be acknowledged and received.**

Strict and immediate compliance is hereby enjoined.

Diliman, Quezon City, 15 June 2004


JOSE MARI B. PONCE
OIC-Secretary

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Republic of the Philippines
Department of Agrarian Reform
Municipality of _____
Province of _____

CERTIFICATION

(Date)

TO WHOM THIS MAY CONCERN:

This is to certify that pursuant to RA 6657, the agricultural property of
Mr./Ms _____ described below:

OCT/TC NO. _____
Registered owner: _____
Area per Title: _____ (has)
Approximate area covered: _____ (has)
Location: _____

has been covered by a Notice of Coverage (NOC) issued on
_____ and received/published on _____ as per
proof of receipt and/or affidavit of publication hereto attached.

The 60-day period to file exemption, exclusion, protest, opposition or
petitions for lifting of CARP coverage will expire/has expired on
_____ (date of the 60th day)

Name and Signature
Municipal Agrarian Reform Officer