

Republic of the Philippines

DEPARTMENT OF AGRARIAN REFORM

DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES

Diliman, Quezon City

JOINT DAR-DENR
MEMORANDUM CIRCULARNO. 09
Series of 1997

TO : ALL DAR REGIONAL DIRECTORS, DENR REGIONAL EXECUTIVE DIRECTORS, PROVINCIAL AGRARIAN REFORM OFFICERS, PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICERS, COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICERS AND OTHERS CONCERNED

SUBJECT : CLARIFYING AND RESTATING THE JURISDICTION AND AUTHORITY OF THE DEPARTMENT OF AGRARIAN REFORM (DAR) AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) OVER CERTAIN TYPES OF LANDS OF THE PUBLIC DOMAIN COVERED BY THE CARP

I. PREFATORY STATEMENT

In order to ensure the expeditious and systematic distribution of public agricultural lands covered by the Comprehensive Agrarian Reform Program (CARP), the herein guidelines on the jurisdiction and authority of the Department of Agrarian Reform (DAR) and the Department of Environment and Natural Resources (DENR) over certain types of lands of the public domain are hereby issued.

II. POLICY GUIDELINES

- A. All lands of the public domain are under the exclusive jurisdiction of the DENR, except those placed, by law and/or by executive issuances, under the jurisdiction of other government departments or entities.
 - B. The disposition of non-registrable lands of the public domain, is the exclusive responsibility of the DENR under its various programs including the Integrated Social Forestry (ISF). The role of the DAR in such case shall be to assist the DENR in identifying and screening of farmer beneficiaries (FBs).
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C. The responsibility and authority of the DAR to distribute public lands shall be limited to the following:

1. Lands proclaimed by the President of the Philippines as DAR Resettlement Projects and placed under the administration of the DAR for distribution to qualified FBs under the CARP;

1.1. In the case of lands within DAR Resettlement Projects proclaimed by the President of the Philippines before the promulgation of the 1987 Constitution, the DAR shall have exclusive control and authority to distribute all such lands under the CARP. However, portions thereof that may be found more suitable for forest purposes than for other uses, shall be delineated by a Joint DAR-DENR Technical Team.

1.2. In the case of lands proclaimed as DAR Resettlement Projects after the promulgation of the 1987 Constitution, the DAR shall distribute only those portions previously classified as alienable and disposable or portions that are unclassified but with all the physical characteristics, topography and attributes of agricultural lands or A & D lands. Those portions determined by the Joint DAR-DENR Technical Team to be more suitable for forest purposes than for other uses shall be properly delineated by the said Team.

1.3. The selection of prospective DAR Resettlement Project sites shall henceforth be a joint DAR-DENR undertaking. This shall be initiated by either DAR or DENR or both from the lowest field level and shall be limited to A & D lands or unclassified public lands determined by the DENR as not needed for forest purposes.

2. Lands which are placed by law under the jurisdiction of the DAR.

3. Lands previously proclaimed for the various government Departments, agencies and instrumentalities and subsequently turned over by said entities to the DAR for distribution under the CARP, pursuant to Executive Order No. 407, series of 1990, as amended by E.O.s 448 and 506.


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- D. Pursuant to the Memorandum of Agreement entered into on 25 May 1993, by and between the DAR Secretary and the DENR Secretary, the DAR shall be responsible for the survey of all lands which are under its control and administration. The DAR shall have its own rules governing the public bidding and award of survey projects, including a system that will regulate the issuance of survey orders or survey authority to private Geodetic Engineers with contracts to execute surveys of lands under its jurisdiction.
- E. The DENR shall continue to be responsible for the verification and approval of the returns of surveys executed by the DAR or by its contractors.

III. EFFECTIVITY

This Circular shall take effect immediately.

Diliman, Quezon City, 7 June 1995.


ERNESTO D. GARILAO
Secretary, DAR


ANGEL C. ALCALA
Secretary, DENR