



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM

MEMORANDUM CIRCULAR NO. 01
SERIES OF 1995

TO : ALL REGIONAL AND PROVINCIAL ADJUDICATORS
ALL REGIONAL DIRECTORS AND PROVINCIAL AGRARIAN
REFORM OFFICERS

SUBJECT: ON THE MATTER OF THE AUTHORITY OF THE ADJUDICATION
BOARD TO CONDUCT SUMMARY ADMINISTRATIVE PROCEEDINGS
FOR THE PRELIMINARY DETERMINATION OF JUST
COMPENSATION

Considering the passage of Administrative Order Nos. 11 , series of 1994, which amends Administrative Order No. 6, s. 1992, and Administrative Order No. 13, series of 1994, which provide for a six percent compounded interest for unpaid claims pursuant to Presidential Decree No. 27, the following guidelines are hereby promulgated for the implementation of all Provincial and Regional Adjudicators:

1. All land valuation cases that have pending issues related to Adm. Order No. 11, s. 1994 (e.g., Listasaka price as a ceiling cap for land valuation) may, upon proper motion, be returned to the Land Bank of the Philippines for proper revaluation, or may be utilized by the Adjudicators in correcting or adjusting land valuation computation.

2. All land valuation cases which involve just compensation issues under Presidential Decree No. 27, may, upon proper motion, be returned to the LBP for recomputation, in accordance with the mandate under Administrative Order No. 13, s. 1994. We would like to inform all Adjudicators that the DARAB does not have jurisdiction to hear and decide valuation cases relative to PD No. 27, such matters being considered as part of the

administrative implementation of PD 27, and therefore cognizable exclusively by the Office of the Secretary. This principle is found in Section 12 of Presidential Decree No. 946, which states the following:

"xxxx Provided however that matters involving the administrative implementation of the transfer of the land to the tenant farmer under Presidential Decree No. 27 and amendatory and related decrees, orders, instructions, rules and regulations shall be exclusively cognizable by the Secretary of Agrarian Reform, namely:


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(4) determination of the total production and value of the land to be transferred."

3. Henceforth, all Adjudicators are directed to conduct the summary administrative proceedings stipulated in Sec. 16 of RA 6657 in accordance with the mandate of Administrative Order No. 6, s. 1992, Adm. Order No. 11, s. 1994, and other department issuances on on land valuation. The principal role of the adjudicator in the summary administrative proceeding is to inquire whether the LBP and the DAR in its land valuation computation has been faithful to the mandate of Adm. Order No. 6., s. 1992, and its amendatory administrative orders.

For the information and guidance of all concerned.

Diliman, Quezon City, 05 January 1995


ERNESTO D. GARILAO
Secretary