



REPUBLIKA NG PILIPINAS
MINISTRI NG REPORMANG PANSAKAHAN
(MINISTRY OF AGRARIAN REFORM)
TANGGAPAN NG MINISTER
DILIMAN, LUNGSOD NG QUEZON

In Reply, Please Address:

THE MINISTER
Ministry of Agrarian Reform
P. O. Box No. 2993
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MEMORANDUM CIRCULAR NO. 6-82
Series of 1982

Guidelines Governing the Disposition
and Titling of Lands in Hdas. San
Antonio and Sta. Isabel acquired under
Letter of Instruction No. 1180-A

Pursuant to Letter No. 1180-A, R.A. 3844, as amended and PD. 27, the following guidelines are hereby issued to govern the disposition and titling of lands in Hdas. San Antonio and Sta. Isabel situated at Ilagan, Tumauni, Magsaysay and Quirino all of the province of Isabela in favor of the farmer beneficiaries:

I. Identification of farmers and approximate areas occupied/tilled

1. The Regional Director of MAR Region II shall create a Committee to identify the prospective farmer-beneficiaries of the estates and the respective areas occupied by each.
2. The committee may work in the identification of farmers and areas occupied/tilled with the personnel of the Bureau of Lands who undertook the subdivision survey of the estates under the ANCA.
3. Records of the ANCA and the Tabacalera, the previous owners of the estates may be used as reference, if available.
4. A report of the Committee shall be submitted to the Regional Director concerned as basis and guide in the subdivision survey of the estates.

II. Subdivision Survey

1. A subdivision survey team shall be constituted by the Bureau of Lands to undertake the survey of the two estates.
2. The Survey Team to undertake the survey shall use as basis and guide the report of the committee assigned in identifying the prospective farmer-beneficiaries and the approximate area occupied/tilled by each.
3. Subdivision of the estates may be either based on actual occupation/tillage or a consolidation of the lots actually occupied/tilled by each farmer. In no cases, however, should a homelot be subdivided excess of 1,000 square meters and a farmplot in excess of three (3) hectares if irrigated and five (5) hectares if unirrigated.
4. The Bureau of Lands shall furnish copies of the approved subdivision survey plan to the MAR Regional Offices and MAR Central Office.

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III. Classification and Appraisal or Valuation of the Subdivision Lots

The Land Bank of the Philippines shall create a committee to classify and determine the appraise value of the subdivision lots in the estates. Classification and appraisal of the subdivision lots shall be made in accordance with the accepted technique and taking into consideration the memorandum dated March 9, 1982 of the President of the Philippines.

IV. Screening and Allocation

1. The Regional Director concerned shall create a Screening and Allocation Committee to screen the prospective farmer beneficiaries and allocate lots to them.
2. Before embarking into its assigned Task, the committee shall first undergo training on screening and allocation work to be coordinated by the Chief, Land Distribution Division, BLADD, MARCO.
3. The Committee shall be composed of the MAR Team Office personnel covering the areas, with the assistance of Geodetic Engineer of the Survey Team in Regional Office.
4. The members of the Committee shall assist the farmer-applicants in accomplishing application to purchase lots forms, which are to be provided by the Ministry;
5. In identifying the lots to be applied for, the approved plan of subdivision survey furnished by the Bureau of Lands should be used as reference.
6. The Committee shall screen the farmer-applicants based on the following qualifications.
 - a. Must be Filipino citizen of the more than 18 years of age or head of a family.
 - b. He must be capable of tilling the land personally or with the aid of the immediate members of his/her family.
 - c. If applicant applies to purchase a residential, he must neither be:
 - (1) a previous owner/vendee/awardee of a residential lot, nor
 - (2) one who has waived or transferred his rights or interests over a residential lot in the lands administered by the Ministry of Agrarian Reform or its predecessor offices.
 - d. If the applicant applies to purchase an agricultural lot, he must not:
 - (1) own land which when added to that which he is applying for will have an area in excess of five (5) hectares except in case of hereditary succession, and



(2) have previously waived or conveyed his rights and interests over a lot or lots in lands under the agrarian reform program.

7. The committee, in allocating lots to applicants, shall observe the following priorities:

1. First priority - Actual occupants/tillers of lands either as agricultural lessee or otherwise with respect to their occupancy or cultivation;
2. Second priority - Farmers falling under the preceding category who are cultivating uneconomic farms with respect to idle and abandoned lands
3. Third priority - Children of farmers falling under the first priority who are qualified after having been screened.
4. Fourth priority - Other categories as may be fixed by virtue of the Code of Agrarian Reform.

A land previously occupied/tilled by a deceased lessee or tenant of the estate must be allocated to the next of Kin in line with the rules of succession.

Preference:

Among applicants falling under the same category in the foregoing priorities, selection should be based on the following factors:

- (1) Comparative length of occupation of the lots
- (2) Participation in the petition for the acquisition of the estate, and
- (3) Comparative length of residence in the estate

8. Report of the Committee

The Committee shall prepare and submit its report in six (6) copies to the Regional Director for approval. A copy of the approved report shall be furnished the Land Distribution Division, BLADD, MARCO and the Land Bank of the Philippines. The report shall contain the following:

- (a) A brief history of the estate, its acquisition, subdivision, previous disposition of the lots therein, if any, and all pertinent informations which trace the background of the work undertaken.
 - (b) A subdivision map of the estate showing the occupants/claimants in each lot, thereof;
 - (c) Comments and recommendations together with an alphabetical list of proposed allocatees and numerical lists of lots proposed for allocation to them by survey plan numbers.
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- (d) All application to purchase received with supporting papers duly processed and verified. Land conflicts which may not be resolved by the committee without entailing much time shall be properly described as to lots, parties and nature of conflict and referred to the Legal Officer of the Regional Office.

V. Documentation of Lots

- 9. In the disposition of the lots in the estates certificates of land transfer and emancipation patents shall be issued to the farmer-beneficiaries.

Requirements of Certificates of Land Transfer:

- (a) Application to purchase (in triplicate copies) of the applicant.
- (b) Sketch of the lot and improvement thereon duly identified and verified as to areas.
- (c) If by information from the applicant himself or other persons, the applicant is a land-owner, certification from the Provincial/City Assessor concerned as to area, classification and location of landholding of the applicant and his spouse.
- (d) Report of preliminary investigation conducted by the Team Leader concerned or his authorized representative (This may be dispense with if application has been recommended by a screening and allocation committee).
- (e) Certification of the Regional Legal Officer and Trial Attorney that there exist no adverse claim over the lot. This may likewise be dispensed with if the screening and allocation committee recommended the application).

The certificate of land transfer shall be prepared in 8 copies by the committee or the Team Office concerned. Duly processed CLTs⁸ shall be forwarded to MARCO through the Regional Director for approval. A more facilitative arrangement that may be made by the Regional Director on this procedure is preferred.

Requirement on Emancipation Patent:

- (a) Certificate of land transfer previously issued for the lot.
- (b) Receipt or evidence of full payment by the applicant issued by the Land Bank of the Philippines.
- (c) Certification of the Regional Legal Officer and Trial Attorney that there exist no conflict of claims or court litigation over the lot.



- (d) Certification of Samahang Nayan or a duly organized farmer cooperative as to membership of the farmer-beneficiaries.

The emancipation patent shall be prepared by the Regional Office to be forwarded to the Minister through Land Distribution Division, BLADD, MARCO for approval.

This Memorandum Circular shall take effect immediately and all orders, circulars and memoranda inconsistent herewith are hereby superseded, revoked, modified, or repealed accordingly.

Aug-9, , 1982.



CONRADO F. ESTRELLA
Minister