

Republika ng Pilipinas
KAGAWARAN NG REFORMANG PAHSAKAHAN
(DEPARTMENT OF AGRARIAN REFORM)
Tanggapan ng Kalihim
Diliman, Lungsod ng Quezon

In reply, please address:

THE SECRETARY
Department of Agrarian Reform
P.O. Box No. 1993
Manila

DEPARTMENT MEMORANDUM
CIRCULAR NO. 2 *by 1-24-78*
Series of 1978

TO : All DAR Regional Directors
District Officers
Team Leaders and Fieldmen
All Concerned

SUBJECT: Guidelines on the Inclusion of Land-
holdings Tenanted After October 21,
1972 within the Coverage of Presidential
Decree No. 27

In line with the pronouncement of the President that agrarian reform is a national commitment and the emancipation of tenants is a continuing process, the following guidelines are hereby issued on the land transfer coverage pursuant to PD 27 of private agricultural lands primarily devoted to rice and/or corn which became tenanted after October 21, 1972:

1. Private agricultural lands which started to be primarily devoted to rice and/or corn under a system of share crop or lease tenancy after October 21, 1972, shall be placed under the coverage of the land transfer program pursuant to Presidential Decree No. 27; provided that said landholding has been cultivated or under cultivation for at least three (3) consecutive agricultural years, which fact must be duly certified to by the DAR representative, confirmed by the Samahang Nayon President and the Barangay Captain concerned;

In such case, the tenant-farmers shall be deemed owners of the land they till, constituting a family-size farm of five (5) hectares, if not irrigated and three (3) hectares, if irrigated, as of the date of the Order of the Regional Director concerned placing such landholding under the Land Transfer Program.

2. For the purpose of determining the cost of the land to be transferred to the tenant-farmer pursuant to these guidelines, the value of the land shall be equivalent to two and one-half (2 1/2) times the average gross harvest of three (3) normal crop years as established by the Barangay Committee on Land Production (BCLP) for the same land category within the Barangay area and approved by the Secretary of Agrarian Reform;

3. Lease rentals paid by tenant-farmers to the landowner beginning with the agricultural year immediately following the date of the Order of placement of the landholding under the Land Transfer Program shall be credited to the tenant-farmers as amortization payments;

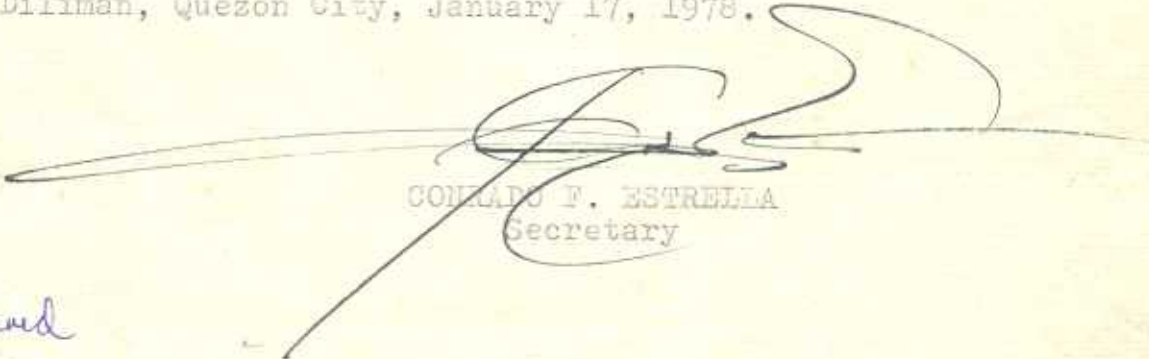
The tenant-farmers shall be liable for the payment of realty tax assessable on the said farmholding beginning the calendar year following placement of the property under land transfer.

4. Tenanted private agricultural lands primarily devoted to rice and/or corn which have been acquired under the provisions of Commonwealth Act 141, as amended, shall also be covered by Operation Land Transfer upon prior certification by the Director of Lands or his duly authorized representative that the institution of tenant/s by the grantee or his successor in interest is not in violation of the provisions of PD 152; and

5. Except as already provided hereinabove, all other matters pertinent to the emancipation of the tenant-farmers on rice and/or corn landholdings shall be governed by the applicable provisions of Presidential Decree No. 27, other related Presidential Issuances and DAR Memorandum Circulars, rules and regulations.

Strict compliance is hereby enjoined.

Diliman, Quezon City, January 17, 1978.


CONRADO F. ESTRELLA
Secretary

mailing to concerned
c/o ASAA
1-24-78
JSA/SCA