

JOINT MEMORANDUM CIRCULAR OF THE DEPARTMENT OF AGRARIAN REFORM (DAR), LAND BANK OF THE PHILIPPINES (LBP), DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) AND DEPARTMENT OF AGRICULTURE (DA)

SUBJECT: Clarificatory Guidelines on Land Acquisition Pursuant to NIACIT Resolution No. 91-7-2

I. PREFATORY STATEMENT

The DAR is the lead agency mandated by RA 6657 to implement the CARP. The LBP, DENR and DA are likewise mandated to perform their respective complementary roles in the implementation of the program. In order to effectively coordinate with each other, there is the need to clarify the respective roles of these agencies and seek their assistance in their area of expertise in resolving conflicting findings in the acquisition of the land.

II. POLICY STATEMENTS

- A. Suitability to agriculture is a major consideration in the acquisition of agricultural lands.
- B. Private lands of 18% slope or over shall be covered if the same are already developed for agricultural purposes.
- C. Idle and abandoned lands, with verifiable production data, and as defined under Sec. 3(e) of RA 6657 shall be acquired provided there are qualified beneficiaries, as certified by DAR.

III. PROCEDURES

In the event that there is a difference or variance between the findings of the DAR and the LBP as to the propriety of covering the land under CARP, whether in whole and in part, on the issue of suitability to agriculture, degree of development or slope, and on issues affecting idle lands the following shall be undertaken:

1. The LBP (LVLCO) shall request the DAR (RARO) to cause the review of the coverage of the subject land.
2. The DAR (RARO) shall convene a team composed of DAR, LBP, DENR and DA representatives designated by their respective regional heads of agencies which shall jointly conduct a review and ocular inspection of the property involved.

3. The team shall submit its findings in writing to DAR and LBP, duly signed by the chairman and the members thereof within five (5) working days from the conclusion of the inspection. The Chairman shall be the DA representative, if the issues involved are the suitability of the land to agriculture and its development or the DENR representative, if the issue involved is the percentage of slope.
4. The DAR or LBP shall continue processing of the claim folder should the findings of the team as concurred by the Chairman be favorable.
5. In case of the adverse findings that the land is not covered, the processing of the claim folder shall be stopped. However, if only a portion of the land is found to be not suitable, the processing shall continue in accordance with the procedures outlined in DAR Administrative Order No. 9, series of 1990.
6. The agencies concerned shall defray the expenses of their respective representatives in the Composite Team. However, expenses for survey, when necessary to determine suitability by reason of slope, may be charged by the DENR-LMS to the funds allotted to said agency for CARP surveys.

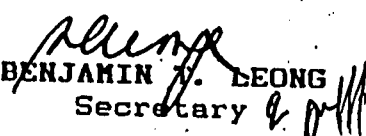
IV. EFFECTIVITY

This joint memorandum circular takes effect immediately. Strict compliance by all concerned is hereby enjoined.

27 January 1992

DEPARTMENT OF AGRARIAN REFORM

By:


BENJAMIN N. LEONG
Secretary

LAND BANK OF THE PHILIPPINES

By:


DEOGRACIAS N. VISTAN
President

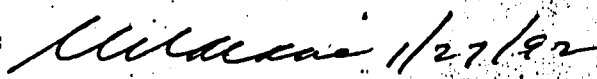
DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES

By:


FULGENCIO S. FACTORAN, JR.
Secretary

DEPARTMENT OF AGRICULTURE

By:


SENEN C. BACANI
Secretary

NIACIT RESOLUTION NO. 91-7-2

RESOLUTION CLARIFYING THE GUIDELINES ON LAND
ACQUISITION TO FAST TRACK CARP IMPLEMENTATION

Now, therefore, on motion duly seconded;

RESOLVED, as it is hereby resolved, that in case of conflict as to the findings of the DAR and the LANDBANK regarding the land suitability for agriculture of certain areas and determination of areas whether within or over 18% slope, developed or undeveloped, the conflict shall be resolved by a composite team of DAR, LMS-DENR, DA and LANDBANK which shall jointly conduct further investigation thereon. The team shall submit its report of findings which shall be binding to both DAR and LANDBANK;

RESOLVED, further, as it is hereby resolved, that in case of idle and abandoned lands as defined under Section 3, RA 6657 subject for acquisition, the LANDBANK shall value the same and compensate the landowners as long as there are qualified beneficiaries certified by DAR;

RESOLVED, finally, that the concerned agencies are requested to issue a joint Memorandum Circular to operationalize this Resolution.

UNANIMOUSLY APPROVED.

August 28, 1991.

ORIGINAL SIGNED
LETICIA LOURDES A. CAMARA
TEAM Secretary

Attested by:

ORIGINAL SIGNED
RENATO B. PADILLA
Undersecretary, DAR/
Chairman, NIACIT



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM

31 January 1992

MEMORANDUM

FOR : All Regional Directors, Assistant
Regional Directors for Operations and
Provincial Agrarian Reform Officers

SUBJECT : Joint Memorandum Circular of the DAR, LBP,
DENR and DA dated 27 January 1992

We are furnishing you herewith a copy of the Joint Memorandum Circular dated 27 January 1992 of the DAR, LBP, DENR and DA, entitled, "Clarificatory Guidelines on Land Acquisition Pursuant to NIACIT Resolution No. 91-7-2."

We hope that implementation of this Circular will solve the bottlenecks in the determination on the suitability for agricultural production and on the slopes of lands covered by CARP, and other issues affecting idle lands. The procedures prescribed in the said Circular will surely hasten the documentation and processing of claim folders and accelerate the phase of land acquisition and distribution.

It is advised that this Circular be reproduced for dissemination to your field units and all others concerned for their reference.

For immediate compliance.

SEVERINO T. MADRONIO
DIC-Undersecretary
Field Operations & Support Services Office

Attached: As stated