



Republic of the Philippines

MINISTRY OF
NATURAL RESOURCES

SPECIAL ORDER)
NO. 42 :
SERIES OF 1981)

February 24, 1981

SUBJECT: Reviving the Committee created under S.O. No. 320, series of 1977, to effect final implementation of the decision of the President dated August 20, 1957 in MNR Case No. 581 entitled "Tocao, et. al. vs. Heirs of Orval Hughes".

1. The aforesaid decision of the President was sustained by the Supreme Court on September 21 and December 7, 1971. The case involves the so called Orval Hughes estate in Malalag, Davao del Sur, covering 716 hectares of agricultural land under the expired Lease Agreement No. 815 of the late Orval Hughes. Under said decision, 399 hectares were awarded to 133 landless petitioners at 3 hectares each and the remaining 317 hectares awarded to the five (5) surviving heirs of Hughes at 63.4 hectares each.

2. For unknown reasons, the decision remains unimplemented despite a series of directives for its immediate implementation issued by the Office of the President and the then Secretary of Agriculture and Natural Resources, prompting this Office to create a Screening Committee under S.O. No. 320, series of 1977. Subsequently, the functions of subject screening committee were transferred to the local PACLAP of Davao del Sur under S.O. No. 7, series of 1978.

3. Both the MNR Committee and the PACLAP of Davao almost completed implementation of said Presidential decision when, on September 21, 1979, the PACLAP was abolished by Executive Order No. 561.

4. In the interim, the petitioners are restless because this case has been pending for the last 25 years. Several petitions had been filed by the

petitioners pleading that this Office takes final action on this case.

5. In view thereof, the Committee created by this Office under Special Order No. 320, s. 1977, composed of the following:

- Atty. Romulo A. Redula - - - - - Chairman
Chief, Litigation and
Investigation Division,
Legal Service, MNR
- The PC Provincial Commander - - - Member
Davao del Sur
(Upon proper authorization)
- The Provincial Fiscal - - - - - Member
Davao del Sur
(Upon proper authorization)
- The Regional Director - - - - - Member
Bureau of Lands
Davao City
- The District Land Officer - - - - Member
Bureau of Lands, Digos
Davao del Sur
- Mr. Rodrigo C. Lanche - - - - - Stenographer/
Sr. Stenographer, Legal Service Recorder
MNR

is hereby revived with the following functions, duties and responsibilities:

5.1 - Screen and investigate carefully, in accordance with the approved criteria and guidelines, the qualification of the 145 petitioners who have been qualified by the defunct local PACLAP in its preliminary screening, and allocate to those who may have so qualified one (1) lot each, by raffle and, after approval of this Office, install them in possession of their respective lots.

5.2 - Maintain possession of subject property in order to accomplish the foregoing

functions, without molestation or interference from anybody.

5.3 - Administer oath, issue subpoena and subpoena duces tecum, summon parties and/or witnesses and take their testimony.

6. The Committee shall immediately perform its functions upon issuance of the authorization of the PC Provincial Commander and Provincial Fiscal, respectively.

7. All questions on the matter that may be raised by parties other than the original petitioners must be elevated to this Office for immediate action.

8. This Order supersedes all other orders inconsistent herewith.

9. This Order shall take effect immediately.


JOSE J. LEIDO, JR.
Minister of Natural Resources