

**Department Circular  
No. 1  
January 25, 1990**

**SUBJECT: Supplementary Guidelines in the  
Disposition of Alienable and Disposable  
Public Lands in Baguio City and in the  
Acceptance and Processing of Public Land  
Applications Therein**

For a more effective and orderly implementation of Administrative Order No.504, series of 1986 as amended by Administrative Order No. 92 dated September 22, 1988 which lifted the ban on the acceptance and processing of land applications in the City of Baguio, the following supplementary guidelines in the disposition of public lands as well as in the acceptance and processing of public land applications in Baguio City are hereby issued for the information and guidance of all concerned:

- I. Filing and Acceptance of New Public Land Applications:**
  - a. Receiving of new applications shall only be made after the ancestral lands of the Indigenous Cultural Communities, particularly the native tribes of Baguio City and the City needs for public purposes have been identified, surveyed and delineated. All areas so identified as ancestral lands and/or for City needs shall be titled in the name of the concerned party; provided, however that the duly identified ancestral lands shall give way to City needs for public purposes upon payment of just compensation to the claimants;
  - b. Application forms serially numbered shall be provided only by the Regional Secretariat duly initialed by the duly designated issuing officer. Only one application form in duplicate shall be issued for every applicant who shall sign receipt thereof;
  - c. Duly accomplished application forms must be submitted to the Regional Secretariat at the Lands Management Sector Office with the following documents to be attached therewith:

1. 2x2 I.D. picture of the applicant
  2. Xerox copy of the Voter's I.D.
  3. Certificate of Landholdings/ownership from the City Assessor
  4. Descriptive sketch of the land (in case of isolated area)
- d. Receipt of duly accomplished applications does not entitle applicant to enter the lot applied for. The same will be subjected to further verification to determine whether or not the lot applied for is alienable and/or disposable before said application is formally accepted and subsequently processed. Improvements shall only be introduced upon the issuance of a provisional permit to enter the lot applied for;
- e. New application shall be received and processed in case they cover isolated lots. In the case of large areas subject of subdivision scheme, processing shall be done only after the preparation and approval of the said scheme with an average area of 200.0 square meters per lot. Townsite Sales Applications submitted through letters to the then Bureau of Lands (Manila and Baguio District) during the ban shall be treated as new applications in which case applicants thereof shall file anew using the serially numbered TSA Forms;
- f. All applications filed shall be accepted and processed only upon approval by the A.O. 504 Committee in coordination with the Special Task Force responsible on the acceptance, identification, evaluation and delineation of ancestral land claims in the Cordillera Administrative Region created under DENR Special Order No. 66 Series of 1990;
- g. No applications shall be received and accepted in areas covered by ancestral land claims until after the claims shall have been resolved.

## **II. Processing of Public Land Applications:**

- a. Townsite Sales Applications filed before February 1, 1977 (when acceptance and processing of TSA's were banned) and which were duly certified by the City Engineer's Offices that the lands applied for are not needed by the City shall continue to be processed; provided, that applications within ancestral lands shall not be processed until after the ancestral land claims shall have been resolved;**
- b. Townsite Sales Applications filed before February 1, 1977 which are not yet certified by the City Engineer's Office, shall not be acted/processed until after the City needs within the Barangay affected, shall have been identified and surveyed; provided likewise, that applications within ancestral lands shall not be acted/processed until after the ancestral land claims shall have been resolved;**
- c. Filing, acceptance and processing of new public land applications shall commence upon approval of this circular. Only duly approved applications shall be processed;**

## **III. Additional Guidelines in the Disposition of Public Lands:**

- a. Subdivision lots shall have an average area of 200.0 square meters and shall no longer be subdivided even after patent is issued except among heirs; (A wider area for isolated lots maybe allowed on exceptional cases taking into consideration the actual needs of the applicant and the economic benefit that will redound to the community and the country in the utilization, occupancy and disposition thereof, but such total area shall not exceed 1,000.0 square meters);**
- b. No preference shall be accorded squatters or builders in bad faith (those without building permits) in the acquisition of public lands;**
- c. No applications nor surveys shall be accepted inside reservations;**

- d. Applications covering areas inside the identified, surveyed and delineated ancestral lands and land needs of the City for public purposes shall be rejected and the applicant will be notified accordingly;**
- e. Builders in bad faith (those without building permits) shall remove any improvements within 90 days upon receipt of notice from the Regional Secretariat; otherwise the improvements shall be forfeited in favor of the City or removed at the builder's expense. The successful bidder in the subsequent public auction shall pay the appraised value of any improvements retained by the City, as appearing in the notice of sale;**
- f. Any bidder must possess all qualifications and none of the disqualifications of lot applicant in accordance with the Public Land Act, as amended;**
- g. Subdivision survey costs shall be advanced by the City Government which shall be later on collected from the applicant/awardee before the patent is issued;**
- h. All hazardous areas which are characterized by steep slopes, flood and erosion-prone location, low-lying areas, natural and man-made drainage areas such as creeks, gullies and canals, geologically unstable grounds which pose environmental risks to lives and properties shall be excluded in the areas under Townsite Sales Applications;**
- i. All conflicts of applications shall be submitted to the Claims and Conflicts Section of the Land Management Sector, Baguio City whose recommendations will be subject to the provisions of Administrative Order No. 18, dated February 12, 1987 and which will finally be transmitted to the A.O. 504 Committee for final decision and/or referral to higher authorities thru the Regional Secretariat;**

- j. **The acceptance, identification, evaluation and delineation of ancestral land applications shall be undertaken by the Special Task Force created under DENR Special Order No. 66 series of 1990, provided, that in order to protect ancestral land claimants no public land application whether old or new shall be received without prior clearance from the said Special Task Force.**

**This Circular takes effect immediately and supplements the guidelines embodied in Department Circular No. 3, dated November 3, 1988 and supersedes previous Department Orders and policies on land disposition in Baguio City which are inconsistent herewith.**

**FULGENCIO S. FACTORAN, JR.**  
**Secretary**