

## **DENR Administrative Order**

**No. 2000 - 62**

**July 25, 2000**

**SUBJECT : Revised Guidelines On Land  
Disposition And Records  
Management**

Pursuant to Executive Order No. 192 and consistent with the present thrust of the Department to accelerate land disposition activities in a coherent and uniform manner, improve the present system of administrative titling procedures, and promote the stability of tenurial rights to complement the food security program of the government, the following guidelines are hereby promulgated for the guidance and compliance of all concerned:

### **A. On the Conduct of Surveys**

1. Re-examine all approved cadastral maps and ascertain whether all Land Classification (LC) maps were properly plotted to determine whether the area for disposition falls within the alienable and disposable (A and D) lands.
2. Expedite the cancellation or reversion of cadastral lots found within timberland and other protected areas pursuant to DENR Memorandum Circular No. 14, Series of 1994,
3. The CENR Officer shall review all pertinent documents prior to the issuance of Survey Authority or Order covering public or government lands.
4. All proclamations involving lands whether patrimonial or public domain shall be coursed through the DENR-LMB for

plotting/verification in accordance with DAO Nos. 72 dated August 13, 1990 and 72-1 dated November 2, 1990.

5. The Regional Surveys Division shall regularly update the cadastral maps to reflect correct and current survey pattern. The same shall be reflected in the Unified Projection Maps and Base/Control Maps at the PENRO/CENRO levels, respectively.
6. Ensure the submission of the Location Monument Recovery report to be made a part of the Survey Returns pursuant to DAO No. 61, Series of 1993.

## **B. On Filing of Applications**

- 1 All applications to be filed after the effectivity of this Order shall use the new Public Land Application Form as contained in Annex A of this Order.
2. The application must be personally filed by the applicant or by his duly authorized representative before the CENR Office concerned and the same may be rejected by -the CENR Office -based on the following grounds: 1) the land is not alienable and disposable land of the public domain; 2) timberland area; 3) proclaimed or reserved area per IPAS Law; 4) overlapping with any other lot *with* an approved survey plan. Any application must be accompanied by a certification of the CENR Officer concerned duly annotated on the survey plan itself and under oath that the land is within alienable and disposable land. However, in NCR and regions of similar situation where the CENR Offices functions have been absorbed by the RED, the required certification shall be issued by ARED for Operations.

3. It shall be determined by verifying in the index card and the lot allocation book whether the applicant is the survey claimant in the lot computation sheet or listed in the alphabetical or numerical list of survey claimants. If the applicant is not the survey claimant, he/she must show proof of lawful transfer from the original claimant to the present applicant.
4. The Records Officer of the CENR Office, upon receipt of the application, shall ascertain the completeness of the documents submitted before the public land application is accepted and officially numbered.
5. The accepted applications, which have complied in form and substance, shall then be forwarded by the Records Officer to the Land Management Officers who shall immediately refer or assign the same to the Land Inspector for appropriate field inspection.
6. All Land Inspectors/Land Investigators shall, within fifteen (15) days from the last day of posting of notice of free patent application, as prescribed by the rules, or upon receipt of referral from the Land Management Officer, conduct the necessary field inspection on the application assigned or referred to them. Thereafter, the Land Inspectors/Land Investigators shall prepare and submit updated monthly reports under oath to the CENRO or the action taken by them on the application and the status thereof. Consequently, the Land Management Officer shall monitor these applications and submit monthly reports for this purpose.

### **C. On Disposition**

1. Upon discovery of any false, fraudulent, inaccurate, and falsified material information in the preliminary examination, the application shall be rejected immediately. Administrative and criminal sanctions shall be imposed on personnel and officials who participated in the commission of such misrepresentation.
2. No transfer of rights during the pendency of the application shall be and applications and in cases of hereditary succession except for homestead, succession with prior approval of the office concerned.
3. No application shall be given due course unless all fees are paid and existing rules and regulations are fully complied with such as publication requirements and submission of required certifications from concerned government agencies.
4. Rigged biddings are prohibited and proper charges shall be filed against responsible officials and other persons.
5. Within ten (10) days upon receipt of the report as submitted by Land Inspectors/Land Investigators on the applications, the CENRO shall prepare and issue orders approving, canceling and/or rejecting the application stating the reasons or grounds therefor. All public land application shall be acted with dispatch.

#### **D. On Records Management**

1. There shall be continuous training of personnel on Records Management to upgrade their knowledge and skills on the latest development trends on records and information management to include the latest digital technology.

2. The handling, control and management of DENR land records shall be strictly in accordance with the Operation Manual on the New DENR Records Management System pursuant to DENR Administrative Order No. 36, Series of 1993.

**E. Repealing Clause**

All Orders, Rules and Regulations or any part thereof which are inconsistent herewith are hereby repealed or amended accordingly.

**F. Effectivity**

This Order shall take effect immediately

**(Sgd.) ANTONIO H. CERILLES**  
Secretary

**DENR Administrative Order**  
**No. 2000 – 67**  
**September 01, 2000**

**SUBJECT : Prescribing New Guidelines,  
Application Form And Standards  
For Public Land Applications And  
Records Management**

Pursuant to Executive Order No. 192 and consistent with the present thrust of the Department to accelerate land disposition activities in a coherent and uniform manner, improve the present system of administrative titling procedures, preserve the integrity of public land records and promote the stability of tenurial rights to complement the food security program of the government, the following guidelines are hereby prescribed for the guidance and compliance of all concerned:

**A. Survey Examination**

1. Re-examine all approved cadastral maps and ascertain whether all Land Classification (LC) maps and or reservations were properly projected therein to ascertain that lots for disposition fall specifically within the alienable and disposable (A and D) areas.
2. Cadastral lots and other legally approved surveys, if any, found within timberlands shall be treated separately for issuance of appropriate tenurial instrument while those found within protected areas shall be treated in accordance with the NIPAS Act.

3. The CENR Officer shall review all pertinent documents prior to the issuance of Survey Authority for the subdivision of any cadastral lot.
4. The Regional Surveys Division shall regularly update the cadastral maps to reflect subsequent surveys. All PENROs and CENROs shall be regularly furnished copies of approved cadastral maps and isolated survey plans. The same shall be reflected in the Unified Projection Maps and Base/Control maps at the CENRO/PENRO levels, respectively.

## **B. Filing of Applications**

1. All applications to be filed after the effectivity of this Order shall use the new Public Land Application Form in Annex A of this Order for all patent applications.
2. The application shall be filed personally by the applicant or by his duly authorized representative before the CENR Office concerned.
3. Determine whether the applicant is the survey claimant as listed in the alphabetical or numerical list of survey claimants and by verifying the same in the sketch and survey record card and lot allocation book. If the applicant is not the survey claimant, the applicant must show proof how that land has been acquired from the said survey claimant.
4. Prior to receipt of application, the Records Officer of the CENR Office shall ascertain compliance with all requirements for the application. Applications with incomplete requirement/s shall not be accepted.

5. The accepted application, which has complied in form and substance, shall then be forwarded by the Records Officer to the CENR Officer who shall assign the said application to the Land Management Officer who in turn shall immediately refer or assign the same to the land inspector for appropriate field inspection and shall conduct the field inspection/ verification within fifteen (15) days upon receipt of the referral and who shall submit the corresponding report five (5) days after the field inspection.

### **C. Application Processing**

1. The land inspectors/land investigators, within thirty (30) days from the last day of posting of notice of homestead patent or any public land application shall conduct the necessary field inspection. Thereafter, the land inspectors/land investigators shall prepare and submit within five (5) days the inspection report under oath to the CENRO or the action taken by them on the application and the status thereof. Consequently, the Land Management Officer shall monitor these applications and submit monthly reports for this purpose.
2. The application shall be given due course if found in order. However, upon discovery of any false, fraudulent, inaccurate, and falsified material information in the preliminary examination, the application shall be rejected immediately, based on the following grounds: 1) the land is not alienable and disposable land of the public domain; 2) the land is covered by a proclamation or reservation or by NIPAS Law; 3) the land overlaps with any other lot with an approved survey plan; 4) the application lacks the required supporting documents. The application must be accompanied by a certification of the CENR Officer concerned duly annotated on the isolated survey



plan itself or on the BL Form V-37 for approved cadastral lots and under oath that the land is within alienable and disposable land. However, the NCR and regions of similar situation where the CENR Offices' functions have been absorbed by the RED, the required certification shall be issued by the ARED for Operations.

3. No transfer of rights during its pendency shall be allowed except for homestead applications and in cases of hereditary succession with prior approval of the office concerned.
4. No application shall be given due course unless all existing rules and regulations are fully complied with, including but not limited to the publication requirements and submission of required certifications from concerned government agencies.
5. Within ten (10) days upon receipt of the report as submitted by land inspectors/land investigators on the applications, the CENR Officer shall prepare and issue orders approving, cancelling and/or rejecting the application stating the reasons or grounds thereof, unless it is protested, in which case procedures should be followed for the issuance of an investigation order. All public land applications shall be acted with dispatch.

#### **D. Land Records Management**

1. All records shall at all times be filed in the Records Room and shall only be accessed upon request and prior approval by the CENR Officer. The control and management of DENR land records shall be strictly in accordance with the Operation Manual on the New DENR Records Management System pursuant to DENR Administrative Order No. 36, Series of 1993.

2. The Records Officer shall submit a report in tabulated form to the PENR Officer through the CENR Officer twice a month on the applications received and the actions taken thereon.
3. The PENR Officer shall likewise submit a similar consolidated monthly report to the Regional Executive Director (RED).
4. The RED shall submit the region-wide report to the Secretary on a quarterly basis.
5. The Records Officer shall immediately report to the CENR Officer any missing record, copy furnished the PENR Officer, the RED and the Secretary.
6. There shall be continuous training of personnel on records management to upgrade their knowledge and skills on the latest development trends on records and information management to include the latest digital technology.

#### **E. Penal Provision**

Administrative and criminal sanctions shall be imposed on personnel and officials, after due process, who have participated in the commission of misrepresentation and other infractions relative to this Order.

#### **F. Repealing Clause**

All orders, rules and regulations or any part thereof which are inconsistent herewith are hereby repealed or amended accordingly.

## **G. Effectivity**

This Order shall take effect upon acknowledgment from the U.P. Law Center and after fifteen (15) days from the date of publication in at least two (2) newspapers of general circulation.

**(Sgd.) ANTONIO H. CERILLES**  
Secretary

### Publication:

KABAYAN - October 19, 2000  
MANILA STANDARD - October 19, 2000