

[PRESIDENTIAL DECREE NO. 316, October 22, 1973]

PROHIBITING THE EJECTION OF TENANT-TILLERS FROM THEIR FARMHOLDINGS PENDING THE PROMULGATION OF THE RULES AND REGULATIONS IMPLEMENTING PRESIDENTIAL DECREE NO. 27

WHEREAS, notwithstanding my earlier instructions that no tenant-farmer shall be ejected from the land cultivated by him, many landowners are ejecting or threatening to eject their tenants;

WHEREAS, numerous complaints for ejectment have been filed in the courts by landowners against their tenants and orders have been issued enjoining or restraining the latter from entering and cultivating their farmholdings or impounding their harvest; and likewise, numerous criminal cases have been filed by landowners against tenant-tillers which arise from the possession and cultivation of farmholdings and other agrarian causes, as a result of which tenant-farmers have been arrested and detained;

WHEREAS, the aforementioned acts have resulted in strained relations between landowners and tenant-farmers or tillers of the soil which threaten to disturb the peace and order conditions in the rural areas; and

WHEREAS, these ejectment suits or other acts of harassment by landowners intended to eject or remove their tenants cannot be sanctioned or condoned by the Government, especially in the light of our current efforts to bring forth a New Society — a Filipino society that is more compassionate and that adheres to the basic principle of social justice;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby order and decree, as part of the law of the land the following:

SECTION 1. No tenant-farmer in agricultural lands primarily devoted to rice and corn shall be ejected or removed from his farmholding until such time as the respective rights of the tenant-farmer and the landowner shall have been determined in accordance with the rules and regulations implementing Presidential Decree No. 27.

SEC. 2. Unless certified by the Secretary of Agrarian Reform as a proper case for trial or hearing by a court or judge or other officer of competent jurisdiction, no judge of the Court of Agrarian Relations, Court of First Instance, municipal or city court, or any other tribunal or fiscal shall take cognizance of any ejectment case or any other case designed to harass or remove a tenant of an agricultural land primarily devoted to rice and corn, and if any such cases are filed, these cases shall first be referred to the Secretary of Agrarian Reform or his authorized representative in the locality for a preliminary determination of the relationship between the contending parties. If the Secretary of Agrarian Reform finds that the case is a proper case for the court or judge or other hearing officer to hear, he shall so certify