

**[ DAR Administrative Order No. 11, s. 2014,  
December 09, 2014 ]**

**PROCEDURES FOR AND GUIDELINES IN THE HANDLING OF ALL  
PETITIONS FOR COVERAGE UNDER THE COMPREHENSIVE  
AGRARIAN REFORM PROGRAM (CARP)**

*Adopted: 09 December 2014*

*Date Filed: 29 June 2015*

Section 30 of Republic Act (RA.) No. 9700, amending R.A. No. 6657, states that "Any case and/or proceeding involving the implementation of the provisions of Republic Act No. 6657, as amended, which may remain pending on June 30, 2014 shall be allowed to proceed to its finality and be executed even beyond such date". Consequently, numerous Petitions for Coverage under the Comprehensive Agrarian Reform Program (CARP) involving various agricultural landholdings have been filed by tenants-tillers, farmworkers, farmers-occupants, and/or farmer organizations on or before 30 June 2014. The Supreme Court, in the cases of Sotelo vs Dizon (GR No. L-46492, 26 April 1939) and Cabrera vs. Tiano (GR No. L-17299, 31 July 1963), among others, ruled that it is the act of filing that commences an action.

In view thereof, and to ensure the speedy resolution of the above-referenced petitions for coverage pursuant to Administrative Order (A.O.) No. 03, Series of 2003, otherwise known as the "2003 Rules for Agrarian Law Implementation Cases", which hereafter shall accordingly be treated as pending Agrarian Law Implementation (ALI) cases as contemplated by Section 30 of RA No. 9700, the following guidelines/procedures shall be strictly observed:

**SECTION 1. Coverage** . - This Administrative Order shall govern any and all petitions for coverage of agricultural landholdings under the CARP.

**SECTION 2. Commencement** . - Any request or petition for coverage shall be commenced by the filing of a verified initiatory pleading or petition before the Regional Director (RD) having territorial jurisdiction over the subject landholding/s.

Nevertheless, a letter-request therefor shall be treated as such an initiatory pleading or petition.

When a petitioner filed such a request or a petition with any other office of the Department of Agrarian Reform (DAR), the receiving office shall immediately transmit the same to the RD with notice to said petitioner.

Petitions for Coverage filed in any DAR office (not necessarily the Regional Office) on or before 30 June 2014 shall be deemed as filed, and therefore commenced, within the period provided by RA No. 6657, as amended by RA No. 9700.

**SECTION 3. Filing in the DAR Central Office** . - With respect to Petitions for Coverage filed in the DAR Central Office pertaining to ten or more landholdings per Petition, the Field Operations Office, through the Bureau of Land Tenure and Improvement (BLTI), shall first assess the landholdings involved and generate lists of those included in the Petition which is reported to have already been issued validly by Notices of Coverage or already covered by EPs or CLOAs prior to the filing thereof. The BLTI shall generate one list per region per Petition.

The lists shall thereafter be attached to the Petition before it is transmitted to the pertinent DAR Regional Office.

The Regional Office shall thereafter archive the specific cases pertaining to the landholdings which were reported to have already been validly issued Notices of Coverage. These cases shall be dismissed upon confirmation by the Provincial Offices of such valid service - a copy of the return of service of which shall be transmitted to the Regional Office.

**SECTION 4. Assignment of Docket Number** . - Immediately upon receipt of the request or petition, the RD shall require the Chief of the Regional Legal Division to assign a docket number and create a case title therefor, which shall be consistently adopted by the RD and the other concerned processing offices (i.e, Provincial Agrarian Reform Program Officers (PARPOs), Municipal Agrarian Reform Program Reform Officers (MARPOs), investigating officers, or committees, as the case may be).

**SECTION 5. Disclosure Statement** . - The petitioner shall disclose and certify under oath, in the petition or its integral annex, that:

- (a) He is a party-in-interest or properly authorized by a party-in-interest;
- (b) He has not commenced and/or is aware of any other action or proceeding involving the same land, or a portion thereof, or issue in any court, tribunal, or quasi-judicial agency; and to the best of his knowledge, no such action or proceeding is pending in any court, tribunal, or quasi-judicial agency;
- (c) If there is any action or proceeding which is either pending or may have been terminated, he shall state the status thereof; and
- (d) If he thereafter learns that a similar action or proceeding has been filed or is pending before any court, tribunal, or quasi-judicial agency, he undertakes to report that fact within five (5) days therefrom to the DAR Office where the case for cancellation is pending.

The failure to file the required disclosure statement, and/or the commission of acts constituting forum shopping, shall be a ground for dismissal of the cancellation case without prejudice.

**SECTION 6. Duty of the Regional Office on the Disclosure Statement and Verification Requirements.** - It shall be the duty and responsibility of the DARRO to remind the petitioner of the requirement of the Disclosure Statement above-mentioned, and that the request or petition should be verified.

**SECTION 7. Effect of Failure to Comply with Disclosure Statement and/or Verification Requirements.** - The failure or refusal to verify the petition or to file

said Disclosure Statement, after the opportunity to comply therewith was given to the petitioner, shall be a ground for the suspension of the proceedings and archiving thereof, without prejudice to its revival upon verification of the petition and/ or submission of the Disclosure Statement, whichever is applicable.

**SECTION 8. Notice to Landowner or Any Interested Person; Comment to Petition.** - The RD shall notify in writing the landowner/s or any persons who may have an interest in the subject landholding, the PARPO, and the MARPO of the existence of the request or petition. Proof of service of such notice to the parties shall form part of the records of the case. A notice to the landowner or any interested person, with a copy of the petition attached thereto, shall contain a directive to submit a verified Comment within a non-extendible period of fifteen (15) days from receipt thereof.

Arguments to refute the coverage of the landholding, such as, among others, the exclusion or exemption of the landholding from CARP coverage must be raised in the said Comment.

The failure to comply therewith shall be deemed a waiver of the right on the part of the landowner or interested person to refute the allegations of coverage and submit their Comment thereto.

No Notices shall be sent to archived cases as mentioned in Section 3 hereof unless the Regional Office has determined that the Notices of Coverage for the landowners thereof appear not to have been validly issued.

**SECTION 9. Service of the Notice to Landowner.** - The Notice to the

Landowner shall be served in the following manner:

- a. Personal Service: The Notice shall be served primarily by personally handing a copy thereof to the "person authorized to receive" as enumerated under Section 10 hereof. Personal service is effected when the person authorized to receive affixes his signature or thumb mark on the receiving copy of the Notice in the presence of a witness who also affixes his signature.

Personal service of the Notice shall be done by the Bureau of Agrarian Legal Assistance (BALA) in the DAR Central Office if the last known address of the person authorized to receive is within Metro Manila, or the Sheriff of the Provincial Agrarian Reform Adjudicator (PARAD) who has jurisdiction over the last known address of the person authorized to receive, if living in a province outside Metro Manila.

- b. Substituted Service: If the "person authorized to receive" is not present in his/her last known address, or refuses to receive the Notice, the BALA or Sheriff shall immediately avail of substituted service and serve the Notice by leaving a copy of the Notice thereof at the residence of the person authorized to receive with some person of suitable age and discretion residing therein, or by leaving a copy of the Notice at the landowner's office or regular place of business with some competent person in charge thereof.