

**[DAR ADMINISTRATIVE ORDER NO. 12, August
30, 1990]**

**POLICY GUIDELINES AND OPERATING PROCEDURES IN THE
IDENTIFICATION AND ACQUISITION OF IDLE OR ABANDONED
LANDS**

I

Prefatory Statement

The 1987 Constitution mandated the institution of the Comprehensive Agrarian Reform Program (CARP) to promote social justice to ensure the dignity, welfare, and security of all the people, regulate the acquisition, ownership, use, enjoyment and disposition of private property and equitably diffuse property ownership and profits.

Further, R.A. No. 6657 provides that "the State shall be guided by the principle that land has a social function and landownership has a social responsibility.

Under R.A. 6657, the coverage of idle or abandoned lands regardless of size is a priority and these lands shall be subject to immediate acquisition and distribution subject to the retention rights as provided for by law.

II

Restatement of Policy

A. The Department is mandated to initiate the expropriation or acquisition of idle or abandoned agricultural lands at the earliest possible time for distribution to the farmer-beneficiaries (FBs) of the agrarian reform program pursuant to Section 22 of Article XVIII of the 1987 Constitution and as reiterated in Section 18 (h) of Executive Order No. 229.

B. The Department is likewise directed under Section 7 of R.A. No. 6657 to plan and program in coordination with the Presidential Agrarian Reform Council (PARC) the acquisition and distribution of all idle or abandoned agricultural lands regardless of size, as one of the priorities in Phase One thereof.

III

Coverage

The policies above shall apply to all idle or abandoned lands as defined under Section 3(e) of R.A. No. 6657, to wit: "Idle or Abandoned Land refer to any agricultural land not cultivated, tilled or developed to produce any crop nor devoted to any specific economic purpose continuously for a period of three (3) years immediately prior to the receipt of notice of acquisition by the government as provided under this Act, but does not include land that has become permanently or regularly devoted to non-agricultural purpose. It does not include land which has become unproductive by reason of force majeure or any other fortuitous event,