

**[ DAR ADMINISTRATIVE ORDER NO. 01, s. 2003,  
January 16, 2003 ]**

**2003 RULES GOVERNING ISSUANCE OF NOTICE OF COVERAGE  
AND ACQUISITION OF AGRICULTURAL LANDS UNDER RA 6657.**

**Prefatory Statement**

The Notice of Coverage (NOC) commences the compulsory acquisition of private agricultural lands coverable under the Comprehensive Agrarian Reform Program (CARP). Along the various phases of the CARP proceedings, the process stalls because of Land Owner (LO) resistance, most of whom invoke the ground of lack of notice or non-observance of due process in attacking the proceedings. This Order aims to plug common loopholes in the coverage process to safeguard and ensure completion of the acquisition process.

**Procedure**

*1. Commencement*

1.1. Commencement by the Municipal Agrarian Reform Officer (MARO) — After determining that a landholding is coverable under the CARP, and upon accomplishment of the Pre-Ocular Inspection Report, the MARO shall prepare the NOC (CARP Form No. 5-A).

1.2. Commencement by a party — Any person may commence the proceedings herein by filing a petition for coverage before the Department of Agrarian Reform (DAR) Regional Office (DARRO) or DAR Provincial Office (DARPO) of the region or province where the subject landholding is located. Upon receipt of a petition for coverage, the DARRO or DARPO shall transmit the case folder to the MARO of the municipality where the subject landholding is located. From then on, all rules herein pertaining to service of a copy of the NOC to the LO shall likewise apply to service of a copy of the petition for coverage to the LO.

2. The MARO shall post copies of the NOC for at least seven (7) days in the bulletin boards of the barangay hall and municipal/city hall where the property is located. The Barangay Agrarian Reform Committee (BARC) Chairperson and proper official of the municipal/city government shall issue the corresponding Certification of Posting Compliance.

*3. Service of the NOC*

3.1. The MARO of the place where the subject landholding is located shall issue and order the service of the NOC to the LO in accordance with these rules.

- 3.2.If the subject landholding and LO's residence are not in the same municipality or city, the MARO shall endorse the NOC to the MARO exercising jurisdiction over the place where the LO resides. The endorsee MARO shall then personally serve the NOC to the LO.
- 3.3.In case of co-ownership, the MARO shall issue the NOC and personally serve copies thereof to each and every LO. If any or all co-landowners reside outside the municipality or city where the subject landholding is located but within the Philippines, the MARO shall endorse copies of the NOC to the MARO/s exercising jurisdiction over the place/s where each of the co-landowners reside. Thereupon, the endorsee MARO/s shall personally serve copies of the NOC to each of the respective co-landowners.
- 3.4.If the LO's residence is outside the Philippines or unknown, the MARO of the place where the subject landholding is located shall arrange for a service by publication.

#### *4. Receipt of service of the NOC*

- 4.1.General rule. — The LO shall receive service of the NOC.
- 4.2.Service upon minors or incompetents. — When the LO is a minor, insane or otherwise an incompetent, service shall be made upon him personally and on his legal guardian if he has one, or if none, upon his guardian ad litem whose appointment shall be applied for by the DAR. In the case of a minor, service may also be made on his father and/or mother.
- 4.3.Service upon entity without juridical personality. — When the LOs are persons associated in an entity without juridical personality are sued under the name by which they are generally or commonly known, service may be effected upon all the LOs by serving upon any one of them, or upon the person in charge of the office or place of business maintained in such name. Such service shall not bind individually any person whose connection with the entity has, upon due notice, been severed before the action was brought.
- 4.4.Service upon domestic private juridical entity. — When the LO is a corporation, partnership or association organized under the laws of the Philippines with a juridical personality, service may be made on the president, managing partner, general manager, corporate secretary, treasurer, or in-house counsel.
- 4.5.Service upon LO whose identity or whereabouts is unknown. — In any action where the LO is designated as an unknown owner, or the like, or whenever his whereabouts are unknown and cannot be ascertained by diligent inquiry, service may be effected upon him by publication in a newspaper of general circulation in such places and for such time as the DAR may order.
- 4.6.Extraterritorial service. — When the LO does not reside and is not