

**[DENR MEMORANDUM CIRCULAR NO. 2000-11,
May 15, 2000]**

**GUIDELINES IN THE CANCELLATION OF ILLEGAL TITLES BASED
ON CLOAS, CLTS AND EPS**

In contrast to Memorandum Circular No. 2000-06 of 10 March 2000 which provided guidelines for the disposition of cases of fake and illegal titles, the guidelines below apply exclusively to illegal titles based on Certificates of Land Ownership Awards (CLOAs), Certificates of Land Transfer (CLTs) and Emancipation Patents (EPs) issued by the DAT and provides for the procedure for their cancellation based on DAR rules and regulations.

There exists an imperative need to address the rampant issuances of CLOAs, CLTs, and EPs over forest lands, parks, reserved and proclaimed areas and other inalienable lands of the public domain which have been illegally titled by unscrupulous people with the indispensable cooperation and connivance of field personnel of our department and the Department of Agrarian Reform. Whatever reason may have been advanced for having done so, the CLOAs, CLTs, EPs issued over these areas are considered null and void from the very beginning. But because of the registration of these CLOAs in the Registry Of Deeds, there arises the need to cause their cancellation by directly assailing their validity and legality in appropriate proceedings before the DAR and not through the Office of the Solicitor General, in contrast to other fake and illegal land titles covered by Memorandum Circular No. 2000-6 dated 10 March 2000.

Sections 49 and 50 of RA No. 6657 (CARL) and Section 34 of Executive Order 129-A in relation to Section 13 thereof have provided for the creation of a quasi-judicial body vested with primary jurisdiction to determine and adjudicate land reform matters with exclusive original jurisdiction over all matters involving the implementation of agrarian reform except those falling under the exclusive jurisdiction of the Department of Agrarian Reform and Department of Environment and Natural Resources. Titles based on CLOAs, CLTs, EPs, etc., found to cover forest, reserved or proclaimed area and other inalienable lands may be cancelled or annulled by filing an action for cancellation with the Provincial Agrarian Reform Adjudication Board (PARAB), Regional Agrarian Reform Adjudication Board (RARAB) or Department of Agrarian Reform Adjudication Board (DARAB).

To effect the cancellation of an illegal title based on a CLOA, CLT or EP issued over public land, the process is as follows:

1. File petition, complaint for cancellation together with supporting papers such as affidavits of witnesses and documentary evidence such as land classification map, extensive proclamation, forestry administrative order, etc. The Provincial Environment and Natural Resources Officer (PENRO), the Assistant Regional Executive Director for Legal (ARED) or