

**[DAR JOINT ADMINISTRATIVE ORDER NO. 04, S.
1993, May 04, 1993]**

ILLEGAL CONVERSION OF AGRICULTURAL LANDS

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PREFATORY STATEMENT

It is the policy of the State to pursue a Comprehensive Agrarian Reform Program (CARP). The welfare of the landless farmers and farmworkers will receive the highest consideration to promote social justice and to move the nation toward sound rural development and industrialization, and the establishment of owner cultivatorship of economic-size farms as the basis of Philippine agriculture.

Pursuant to the legal mandate set forth in Republic Act No. 6657, the Secretary of Agrarian Reform issued Department of Agrarian Reform (DAR) Administrative Order No. 1, Series of 1991 which disallows the conversion of lands devoted to or suitable for agriculture into non-agricultural uses, except in the following instances:

- "1. When the land ceases to be economically feasible and sound for agricultural purposes as certified by the Regional Director of the Department of Agriculture (DA) or the land or locality has become highly urbanized and the land will have a greater economic value for residential, commercial or industrial purposes as certified by the Deputized Zoning Administrator of the HLURB; or
2. When lands are classified as commercial, industrial and residential in new or revised town plans approved by Inter-Agency Planning Task Forces organized by the HLURB with the participation of the DA, DENR, DAR, Department of Trade and Industry (DTI), National Economic and Development Authority (NEDA) and in applicable cases, the Department of Tourism (DOT). In the town planning process, the communities affected and the concerned NGOs shall be involved; or
3. When in the case of the city/municipality which does not have Land use plans or integrated zoning ordinance duly approved by HLURB, the dominant use of the area surrounding the land subject of the application for conversion is not longer agricultural. If the proposed use is similar to, or compatible with the dominant use of the surrounding area, the petition for conversion may be given due course. Moreover, the Regional Physical Framework Plan as approved by the Regional Development Council (RDC) shall be used as a basis for decision-making."

Despite the policy guidelines set in DAR Administrative Order No. 1, Series of 1990, there are a lot of reported cases of conversion which are not authorized by the DAR.

The continued unauthorized conversion of lands from agricultural to non-agricultural uses is an obstacle to the implementation of the CARP.