

Republic of the Philippines
HOUSE OF REPRESENTATIVES
CONGRESS OF THE PHILIPPINES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS

First Regular Session

House Resolution No. 717



Introduced by Honorable RESURRECCION MARRERO-ACOP, MD

**A RESOLUTION DIRECTING THE APPROPRIATE HOUSE
COMMITTEE(S) TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION,
INTO THE ALLEGED VIOLATIONS OF PRESIDENTIAL DECREE NO. 1529
OTHERWISE KNOWN AS THE "PROPERTY REGISTRATION DECREE"
WITH RESPECT TO CASE 10 OF THE BARAS CADASTRE**

WHEREAS, in 1980, the Baras Cadastral Survey was conducted, and was allegedly approved by the Department of Environment and Natural Resources (DENR) in 1985, but neither the Municipalities of Tanay and Teresa nor the City of Antipolo, Province of Rizal were informed or notified thereof;

WHEREAS, Case 10 of the Baras Cadastral Survey was conducted in violation of Section 35 (a) and (b), Chapter III – II (A) of Presidential Decree No. 1529, otherwise known as the Property Registration Decree, in connection with the: (a) absence of an order to make a cadastral survey; (b) absence of proofs of compliance with the notice, publication and posting requirements; and (c) it covered registered lands and lands considered as "res nullius", considering that it covers substantial portions of the Marikina Watershed Reservation;

WHEREAS, Case 10 of Baras Cadastre violates the Survey Manual of the Philippines because: (a) it covered lands which are outside the Control Map and Political Boundary Map of the Municipality of Baras; (b) it has no boundary monuments; and (c) it has no Barangay Boundary Index Map;

WHEREAS, Case 10 of the Baras Cadastre is described as "Barangay Pinugay, Baras, Rizal," but covers land either titled to or owned by the Municipalities of Tanay, Teresa or Antipolo City, Province of Rizal;

WHEREAS, there is no available record of the creation of "Barangay Pinugay" in Baras, Rizal, in the form of an ordinance issued by the Sangguniang Bayan, as certified by the Sangguniang Panlalawigan of Rizal, the Records Section of the Provincial General Services Office of the Rizal Provincial Government, and the Archives and Museum Management Service thru the Deputy Secretary

General, Legislative Information Resources Management Department of the House of Representatives;

WHEREAS, available DENR records show that the name "Barangay Pinugay" came into form only in the Certification dated 26 September 1996, by OIC Surveys Division Edgardo A. Reynoso of the DENR Regional Office wherein it was stated, thus: *"This is to certify that per verification of available records of Cad-689-D, Baras Cadastre, on file at this office, Barangay Pinugay with an area of 6, 059.0577 has. is located in the Municipality of Baras, Rizal, which is Case 10 of the aforesaid cadaster xxx"*;

WHEREAS, Case 10 of the Baras Cadastre has a total land area of 6, 059.0577 hectares which were part of the land of the Municipalities of Tanay, and Teresa and Antipolo City. This has caused the reduction of the land area of the Municipality of Tanay from 24, 340 hectares to 20, 000 hectares, and the City of Antipolo from 30, 610 hectares to 20, 000 hectares;


WHEREAS, on September 2013 the Municipality of Tanay filed a petition before the office of DENR-CLABARZON with regard to Case 10 Baras Cadastre, however until now it has not been acted upon by the said office;

WHEREAS, there is a need to determine the validity of the Baras Cadastral Survey with respect to Case 10 and make corresponding amendments to the Baras Cadastre, if necessary, and determine the rights and obligations of the parties involved;

WHEREAS, there is a need to re-examine the provisions of PD No. 1529, especially with respect to the provisions on cadastral proceedings such as, but not limited to, specific penalties on person/s who shall conduct cadastral surveys;

NOW, THEREFORE, BE IT RESOLVED, as it is resolved, that the House of Representatives direct the appropriate committee(s) to conduct an inquiry, in aid of legislation, on the alleged violations of PD No. 1529 or the Property Registration Decree, in the cadastral proceedings on Case 10 of the Baras Cadastre to determine the rights, obligations, and liabilities, if any, of the parties involved as well as to re-examine the provisions of the said law with respect to cadastral proceedings and such other matters that may be made subject of legislation in connection with the legislative inquiry to be conducted.

Adopted.


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