

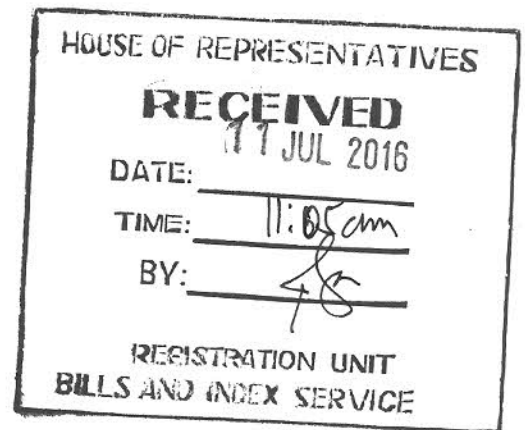


Republic of the Philippines  
House of Representatives  
Quezon City, Metro Manila

**Seventeenth Congress**

**First Regular Session**

**House Bill No. 1343**



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Introduced by **HON. ROMEO M. ACOP**

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### **EXPLANATORY NOTE**

On July 26, 1904, Civil Governor Luke Wright, pursuant to the Philippine Commission's Act No. 648, promulgated Executive Order No. 33 creating the 'Mariquina Reserve' to serve as water source for the City of Manila. Since 1904, numerous executive issuances defined and altered the Reservation's boundaries, mostly excluding considerable portions from it. These exclusions engendered opportunities for both conservative and exploitative human activities within the reservation and gave rise to land-use conflicts amidst invading masses of informal settlers and land speculators.

On June 5, 1990, President Corazon Aquino issued Proclamation No. 585 segregating and placing 1,430 hectares of the reservation under the 'Integrated Social Forestry' (ISF) Program of the Department of Environment and Natural Resources (DENR). Under the proclamation, the segregated areas are located in Barangay San Jose, within the jurisdiction of the 2<sup>nd</sup> Legislative District of Antipolo City. The Integrated Social Forestry Program aims to address the twin concerns of rural poverty and the ecological preservation of forest lands where occupants are provided secured access to land through Certificates of Stewardship Contract (CSCs).

In the passage of time, the ISF Project area has become a well-developed and established community with the awardees and other occupants having

constructed concrete houses and engaged in small-scale enterprises aside from farming activities. Basic social services and facilities such as schools, barangay halls, health centers and sports facilities are already existing in the area. Significantly too, road networks have been established and the area is almost completely energized. In short, the area is already a vibrant community in transition to becoming a self-sustaining human settlement. In fact, it is already part of a barangay (San Jose) duly recognized as a constituent political unit of the City of Antipolo. The area at present, has almost completely lost its previous character as forest land and is metamorphosing into an agricultural and residential area.

On November 24, 2011, President Benigno Aquino III issued Proclamation No. 296 declaring the Marikina Watershed Reservation as a protected area pursuant to RA No. 7586 and renaming it 'The Upper Marikina River Basin Protected Landscape'. Its technical description indicated that the protected landscape is 'bounded on the southwest by the Integrated Social Forestry Program under Proclamation No. 585'. Hence, the ISF Project area has been removed from and is no longer part of the protected landscape.

This bill seeks to declare certain parcels of land of the public domain covered by Proclamation No. 585 situated in barangay San Jose, Antipolo City, as agricultural lands and have the same declared open for disposition to enable the present occupants of the land to qualify to apply for land titles under conditions and limitations provided for in the bill and by existing applicable laws. The measure seeks to distribute and utilize the land for the following purposes :


- 1) Agricultural purpose under Republic Act no. 6657 or the Comprehensive Agrarian Reform Law;
- 2) Residential purpose under Republic Act No. 730 and Commonwealth Act No. 141;
- 3) Socialized Housing Purpose under Republic Act No. 7279 or the Urban Development and Housing Act; and,
- 4) For the establishment of a government center.

It is hoped that the government may strike a compromise between poverty alleviation and the need to conserve a critical natural resource. While environmental protection and conservation must be promoted, social justice must also be pursued.

The proposed measure was initially filed in the 15<sup>th</sup> Congress and was approved by the Committee on Natural Resources. However, it failed to pass plenary deliberations due to lack of material time. This representation re-filed the bill in the 16<sup>th</sup> Congress with refinements introduced by the Forest Management Bureau (FMB) of the DENR pertaining to the coverage of the bill relative to

hazardous areas and forestlands found therein. On that occasion, the bill was approved on Third Reading by the House of Representatives, as well as by the Committee on Environment and Natural Resources of the Senate which reported out the measure under Committee Report No. 376. However, the Senate still failed to seasonably act on the measure. It is hoped that the proposed measure will be finally enacted into law in the current 17<sup>th</sup> Congress.

For the foregoing reasons, the immediate passage of this bill is earnestly sought.



**HON. ROMEO M. ACOP**  
**Representative**  
**2<sup>nd</sup> District, Antipolo City**



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**AN ACT**  
**DECLARING AS AGRICULTURAL LAND CERTAIN PARCELS OF LAND OF**  
**THE PUBLIC DOMAIN EMBRACED BY PROCLAMATION NO. 585**  
**SITUATED IN BARANGAY SAN JOSE IN THE CITY OF ANTIPOLO,**  
**PROVINCE OF RIZAL, AND DECLARING THE SAME OPEN TO**  
**DISPOSITION**

*Be it enacted by the Senate and the House of Representatives of the Republic of the Philippines in Congress assembled :*

**SECTION 1. - Coverage** - The parcels of land of the public domain located in Barangay San Jose in the City of Antipolo, Province of Rizal, identified as Integrated Social Forestry Area under Proclamation No. 585 dated June 5, 1990, are hereby declared agricultural land and open to disposition for agricultural, residential and socialized housing, and other purposes under certain conditions. Said parcels of land are more particularly described as follows :

Beginning at a point marked `1' on map, being S 42°54'9"W, 1127.935 meters from RZL-34 (PRS '92 Control Point Latutude 14°38'0.121 Longitude 121°13'51.163), situated in the City of Antipolo, Province of Rizal.

	BEARING	DISTANCE	CORNER
Thence	N 14°54'9" W	1127.935 meters	to corner 2;
Thence	N 74°6'26" E	475.372 meters	to corner 3;
Thence	N 17°19'14" W	252.337 meters	to corner 4;
Thence	S 81°13'49" W	387.217 meters	to corner 5;
Thence	N 32°25'46" W	603.249 meters	to corner 6;
Thence	N 36°5'6" W	538.81 meters	to corner 7;
Thence	N 23°30'38" E	842.911 meters	to corner 8;
Thence	N 16°7'2" W	513.784 meters	to corner 9;
Thence	N 4°7'38" E	423.811 meters	to corner 10;
Thence	N 69°23'37" E	450.011 meters	to corner 11;
Thence	S 9°18'55" W	703.041 meters	to corner 12;
Thence	S 59°6'19" E	188.083 meters	to corner 13;
Thence	N 13°39'11" E	450.342 meters	to corner 14;
Thence	N 59°37'55" E	289.868 meters	to corner 15;
Thence	S 51°42'19" E	328.379 meters	to corner 16;
Thence	N 24°24'48" E	434.368 meters	to corner 17;
Thence	S 80°58'5" E	118.691 meters	to corner 18;
Thence	S 19°33'18" E	269.305 meters	to corner 19;
Thence	S 7°10'37" W	232.308 meters	to corner 20;
Thence	S 68°32'8" E	141.926 meters	to corner 21;
Thence	N 39°55'47" E	545.994 meters	to corner 22;
Thence	S 38°54'45" E	705.61 meters	to corner 23;
Thence	S 15°23'7" E	562.009 meters	to corner 24;
Thence	S 13°37'54" W	432.231 meters	to corner 25;
Thence	S 86°30'22" W	258.276 meters	to corner 26;
Thence	S 40°23'7" W	346.292 meters	to corner 27;
Thence	S 67°45'40" W	334.946 meters	to corner 28;
Thence	S 9°50'45" E	690.251 meters	to corner 29;
Thence	S 47°40'46" W	359.944 meters	to corner 30;
Thence	S 31°53'54" E	397.178 meters	to corner 31;
Thence	S 30°51'40" W	1401.609 meters	to corner 32;

Thence N 37°24'14" W 423.053 meters to corner 1; the point of beginning, containing an area of SIX HUNDRED FIFTY AND 22/100 (650.22) hectares, more or less, subject to actual ground survey and delineation.

**SECTION 2. - Disposition of Lands** - The parcels of land embraced in this Act, subject to Section 3 hereof, shall be alienated and disposed accordingly for the following purposes :

- a) **Agricultural Purpose** - The Department of Agrarian Reform (DAR) shall distribute certain parcels of land embraced in this Act for agricultural purpose in accordance with Republic Act No. 6657, as amended, otherwise known as 'The Comprehensive Agrarian Reform Law of 1988': *Provided*, that, each qualified beneficiary shall be allotted not more than one (1) hectare. No interest shall be imposed on the value of the land to be paid by the beneficiaries.
- b) **Residential Purpose** - The Department of Environment and Natural Resources (DENR) shall dispose certain parcels of land embraced in this Act for residential purpose in accordance with Republic Act No. 730, otherwise known as 'An Act To Permit the Sale Without Public Auction of Public Lands of the Republic of the Philippines for Residential Purposes to Qualified Applicants Under Certain Conditions', in relation to Commonwealth Act No. 141, as amended, otherwise known as 'The Public Land Act';
- c) **Socialized Housing Purposes** - The National Housing Authority (NHA) shall dispose certain parcels of lands embraced in this Act for socialized housing purpose in accordance with Articles IV (Land Use, Inventory, Acquisition, and Disposition) and V (Socialized Housing) of Republic Act No. 7279, otherwise known as 'The Urban Development and Housing Act of 1992'; and,
- d) **Government Center Reservation Purposes** - The DAR and the DENR, in consultation with the City Government of Antipolo, shall determine and reserve certain parcels of land embraced in this Act for the establishment of a government center and facilities that the public interest requires. The City Government of Antipolo shall oversee the establishment of a government center which shall house offices and

instrumentalities of the City Government and local offices of the various national government agencies.

As far as practicable, the allocation and disposition of the lands covered by this Act for the above-named purposes shall be distributed as follows :

- a) Sixty percent (60%) for agricultural;
- b) Twenty percent (20%) for residential;
- c) Ten percent (10%) for socialized housing; and,
- d) Ten percent (10%) for government center.

The DENR shall continue to maintain as forestlands such parcels of land not covered by Section 1 of this Act.

**SECTION 3. - Land Survey** - Prior to the disposition of the lands embraced in this Act, the DENR, shall, within 6 months from the effectivity of this Act, conduct a survey of said lands for the purpose of determining and delimiting the specific areas most suitable for the purposes provided for in the preceding section. The findings and recommendations of the survey team shall be subject to the approval of the Secretary of the DENR, the Secretary of the DAR and the General manager of the NHA.

**SECTION 4. - Beneficiaries** - (a) For lands intended for agricultural and residential purposes, the following shall be deemed beneficiaries in accordance with the following priority :

- (1) Those who are awardees of Certificates of Stewardship Contract (CSC) in good standing under Proclamation No. 585, Letter of Instruction No. 1260 and DENR Administrative Order No. 97 dated December 29, 1988;
- (2) Those who are awardees of CSCs referred to in the preceding paragraph but who have not substantially complied with the terms and conditions of the stewardship contract as determined by the DENR; *Provided*, that their CSCs have not been revoked prior to the effectivity of this Act; and,



- (3) Those who are not awardees of CSC but have actually occupied and cultivated the lands embraced in this Act for not less than five (5) years before the effectivity of this Act; *Provided*, that their actual occupation of the land has not been attended or facilitated by any mode of assignment or transfer of possession prohibited by existing regulations and by this Act; *Provided further*, that transfers of possession otherwise allowed but where the prior approval of the DENR was not previously secured shall be subject to confirmation by the DENR in a proper proceeding.

Qualified beneficiaries shall have the option between a residential lot or an agricultural land; *Provided*, that members of a family living with a CSC awardee under one household shall be considered as belonging to such one family household constituting a single qualified beneficiary.

Awardees of CSCs who have sold, disposed of, or abandoned the lands allotted to them in violation of the foregoing issuances and their transferees, whether actual occupants or not at the time of effectivity of this Act, are disqualified to become beneficiaries under this Act. An actual occupant of any land embraced in this Act, awardee of a CSC, or any former participant of the Integrated Social Forestry Program who fails to qualify as beneficiary under this Act, shall be considered to become a beneficiary of the socialized housing program as provided for under this Act: *Provided*: That if such person still fails to qualify as beneficiary of the socialized housing program, such person shall be entitled to a fair compensation for all permanent improvements introduced on the land being occupied based on the fair market value of such improvements as assessed by a government assessor.

- (b) For lands intended for socialized housing program, the following shall be deemed beneficiaries, in addition to the provision of Section 16 of Republic Act No. 7279, Eligibility Criteria for Socialized Housing Program Beneficiaries :

- (1) Must be a *bona fide* resident of the City of Antipolo for at least two (2) years prior to the effectivity of this Act; and,
- (2) Must not have been a previously delinquent beneficiary of any housing program of the government.



**SECTION 5. - *Transferability of Purchased and Awarded Lands* -**

Lands acquired by beneficiaries under this Act may not be sold, transferred or conveyed except through hereditary succession, in favor of the government, or to other qualified beneficiaries, for a period of ten (10) years from the date of the award of the Certificate of Land Ownership (CLOA) or issuance of the patent as the case may be: *Provided* , that the transfer of the land to other qualified beneficiaries shall be by the appropriate government agency in accordance with this Act. Any sale or disposition made in violation hereof shall be null and void.

**SECTION 6. - *Suppletory Application of Existing Legislations* -**

The provisions of Commonwealth Act No. 141, Republic Act No. 730, Republic Act No. 6657 as amended, Republic Act No. 7279, and other laws not inconsistent with this Act, whenever applicable, shall have suppletory effect.

**SECTION 7. - *Implementing Rules and Regulations* -**

Within ninety (90) days from the effectivity of this Act, the Secretaries of the DAR and the DENR and the General Manager of the NHA shall promulgate the rules and regulations necessary for the effective implementation of this Act. The City Government of Antipolo shall also be consulted in the formulation of the rules and regulations with respect to the establishment of the government center.

**SECTION 8 - *Transitory Provision* -**

Awardees of the CSCs under Proclamation No. 585 shall continue to discharge their responsibilities as program participants under DENR Administrative Order No. 97 until after the disposition of the lands covered by their respective contracts under this Act: *Provided*, that such dispositions shall be completed within three (3) years from the effectivity of this Act; *Provided further*, that occupants of the lands covered by this Act who do not qualify as beneficiaries hereof shall be relocated after being given due notice and an opportunity to participate in the identification of their relocation sites.

**SECTION 9. - *Separability Clause* -**

If any provision of this Act is declared unconstitutional or invalid, the other parts hereof shall remain in full force and effect.

**SECTION 10. - *Repealing Clause*** - Proclamation No. 585 issued on June 5, 1990, insofar as the coverage of this Act is concerned, is hereby modified accordingly, and all other laws, decrees, executive orders, rules and regulations, issuances, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

**SECTION 11. - *Effectivity Clause*** - This Act shall take effect fifteen (15) days after publication in the Official Gazette or in a newspaper of general circulation.

**Approved.**