

LEOPOLDO ANZANO, CRISTITA HALASAN, JOSEPHINE MANDALUNES, RUBEN SARABIA, DELILAH VILLACORTEZA AND VIRGINIA VILLACORTEZA, PETITIONERS, VS. ANASTACIO ANCAY, NESTOR LAGRIMAS, BONIFA...

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/cea0dc654b8e/>

SINGH, J.:[*]

This is a petition for review under Rule 43 of the Revised Rules of Court filed by petitioners Leopoldo Anzano, Cristita Halasan, Josephine Mandalunes, Ruben Sarabia, Delilah Villacorteza and Virginia Villacorteza seeking to annul and set aside the 7 May 2009 Decision of the Office of the President, dismissing the appeal of petitioners in O.P. Case No. 08-A-020, as well as the Office of the President's Resolution dated 3 January 2012 denying petitioners' Motion for Reconsideration.

The Antecedents

In 1994, the Department of Agrarian Reform (DAR) through its Municipal Agrarian Reform Office (MARO) placed under the coverage of the Comprehensive Agrarian Reform Program (CARP) two vast tracts of land owned by Davao Abaca Plantation Company, Inc. (DAPCO land) with an aggregate area of 1,004 hectares situated in Panabo, Davao del Norte. The DAPCO land was then leased to DOLE Philippines, Inc.-STANFILCO Division (STANFILCO).

Upon expiration of the lease contract on 7 February 1994,[1] DAR, as the implementing agency of the CARP, conducted an identification, verification and validation of all potential Agrarian Reform Beneficiaries (ARBs) covering DAPCO lands involving the workers of STANFILCO who are qualified as CARP beneficiaries.

After the screening process was conducted, a total of 482 farmworkers of STANFILCO were found to have qualified. Consequently, Certificate of Land Ownership Award (CLOA) No. 00257107 and Certificate of Land Ownership Award No. 02257933 were issued to STANFILCO Employees Agrarian Reform Beneficiaries Incorporated (SEARBAI), an association of identified agrarian reform beneficiaries among STANFILCO's workers, on 6 October 1994 and 29 December 1994, respectively. [2]

58 former STANFILCO employees, a combination of retrenched and terminated employees between 1992 to 1994 were declared by the DAR as disqualified to be agrarian reform beneficiaries, which included the herein petitioners and respondents. On 18 September 1996, herein petitioners and respondents filed a "Petition for Inclusion as Farmers Beneficiaries of CLOAs Nos. 00257107 and 00257933, entitled as Felicisimo Aying, et al. v. Honorable Secretary of DAR, DARAB Case No. XI-07070-DN-96." [3] They claimed that they are qualified to be CARP beneficiaries because they were already STANFILCO employees when Republic Act No. 6657 took effect on 15 June 1988.

On 31 March 1997, the Department of Agrarian Reform Adjudication Board (DARAB) through the Office of the Provincial Adjudicator rendered its Decision, to wit:

"WHEREFORE, foregoing premises considered, Decision is hereby rendered, as follows:

- Declaring as qualified and lawful Agrarian Reform Beneficiaries, and whose names shall be included in CLOA No. 0257107 and CLOA No. 00257933 the following:

1. Delilah Villacorteza
2. Cristita Halasan
3. Ruben Sarabia
4. Jovencio Masalta
5. Josephine Mandalunes
6. Villa Tucayao
7. Virginia Villacorteza
8. Leopoldo Ansano, and
9. Valeriano Candilosas

- Directing the Register of Deeds of Davao Province to cause to be corrected and/or modified said CLOAs to include the names above-mentioned;

- Dismissing the claims of herein forty-nine (49) other petitioners for lack of merit.

SO ORDERED.”[4]

The aforementioned Decision was appealed with DARAB. DARAB dismissed the appeal for lack of jurisdiction and referred the same to the Regional Director of Region XI. [5]

On 24 October 2005, DAR Regional Director Rodolfo T. Inson declared Anastacio Ancay, Nestor Lagrimas, Bonifacio Gador, Victor Betalmos and Colito Romero as additional qualified beneficiaries:

“WHEREFORE, foregoing premises considered, Decision is hereby rendered, as follows:

- Declaring Delilah Villacorteza, Cristita Halasan, Ruben Sarabia, Jovencio Masalta, Josephine Mandalunes, Villa Tucayao, Virginia Villacorteza, Anastacio Ancay, Nestor Lagrimas, Bonifacio Gador, Victor Betalmos, Manuel Floren, Leopoldo Ansano, Colito Romero and Valeriano Candilosas as qualified to become beneficiaries of the former DAPCO land.

- Directing the Provincial Agrarian Reform Office of Davao del Norte to initiate a correction/amendment of the CLOAs issued to the beneficiaries of the DAPCO land to include those mentioned in the preceding paragraph.”[6] (emphasis supplied)

In the 9 January 2006 Resolution of DAR Regional Director Inson, the respective motions for reconsideration of SEARBEMCO and DARBCO were denied. [7]

Petitioner SEARBEMCO and herein petitioners Anzano, et al. appealed the Order of DAR Regional Director Inson before the Office of the DAR Secretary. [8]

On 13 March 2007, DAR OIC-Secretary Nasser C. Pangandaman issued DARCO Order No. BI-0703-082, Series of 2007 denying the appeals of SEARBEMCO and herein petitioners and affirming the Order dated 24 October 2005 of the DARRO-XI Regional Director.[9] Thereafter, Secretary Pangandaman denied the Motion for Reconsideration filed by SEARBEMCO in its DARCO Order No. BI(MR)-0712-521, Series of 2007 dated 19 December 2007. [10]

SEARBEMCO and petitioners Anzano, et al. elevated the instant case to the Office of the President in O.P. No. 08-A-020. [11] In the Decision dated 7 May 2009, the Office of the President dismissed both appeals[12] and denied the Motion for Reconsideration filed by petitioners Anzano, et al. in the Resolution dated 3 January 2012. [13]

The Issue

Petitioners assail the Decision dated 7 May 2009 on the sole ground:

“WHETHER OR NOT THE OFFICE OF THE PRESIDENT COMMITTED SERIOUS AND REVERSIBLE ERROR IN AFFIRMING THE DECISION OF THE DAR SECRETARY DECLARING RESPONDENTS QUALIFIED AS AGRARIAN REFORM BENEFICIARIES.”[14]

The Ruling of the Court

Article II, paragraph A of DAR Administrative Order No. 02-93, otherwise known as “Supplemental Guidelines on Administrative Order No. 10, Series of 1990 and other issuance on the Rights of Farmworkers” dated 16 April 1993 provides:

“Qualified farmworkers shall include all those who are found to be directly working on the land at the time the DAR conducts actual investigation and documentation. However, other workers who are employed directly by the agricultural enterprise or corporation may be considered as beneficiaries provided they meet the basic qualifications as provided under Section 22 of RA No. 6657.” (emphasis supplied)

Section 22 of Republic Act No. 6657, in turn, states:

“Section 22. Qualified Beneficiaries. – The lands covered by the CARP shall be distributed as much as possible to landless residents of the same barangay, or in the absence thereof, landless residents of the same municipality in the following order of priority:

- (a) agricultural lessees and share tenants;
- (b) regular farmworkers;
- (c) seasonal farmworkers;
- (d) other farmworkers;
- (e) actual tiller or occupants of public lands;
- (f) collective or cooperative of the above beneficiaries, and;
- (g) others directly working on the land.

A basic qualification of a beneficiary is his willingness, aptitude and ability to cultivate and make the land as productive as possible. xxx ”(emphasis supplied)

There is no dispute that Anastacio Ancay, Nestor Lagrimas, Bonifacio Gador, Victor Betalmos and Colito Romero were all former employees of STANFILCO. All of them were separated from work prior to the issuance of CLOA No. 0257107 and CLOA No. 00257933 in 1994. Petitioners do not question the factual findings of the DAR Regional Director that Anastacio Ancay, Bonifacio Gador and Colito Romero were severed from work on September 1994, 7 April 1994 and 15 March 1994, respectively; while, Nestor Lagrimas and Victor Betalmos were terminated from work on 9 April 1994. Likewise, petitioners do not question that the documentation of the CARP coverage of the DAPCO lands commenced immediately after the expiration of the lease contract on 7 February 1994, pursuant to Republic Act No. 6657 which provides:

“Lands leased, held or possessed by multinational corporations, owned by private individuals and private non-governmental corporations, associations, institutions and entities, citizens of the Philippines, shall be subject to immediate compulsory acquisition and distribution upon the expiration of the applicable lease, management, grower or service contract in effect as of August 29, 1987, or otherwise, upon its valid termination, whichever comes sooner, but not later than after ten (10) years following the effectivity of this Act.”

Petitioners mainly harp on the argument that respondents Anastacio Ancay, Nestor Lagrimas, Bonifacio Gador, Victor Betalmos and Colito Romero are disqualified to be beneficiaries because they were no longer

STANFILCO employees at the time of the issuance of the CLOA Nos. 0257107 and 00257933 on 6 October 1994 and 29 December 1994.

The contention is misplaced and lacks legal basis. As stated, respondents Anastacio Ancay, et al. were still all working in the DAPCO land as STANFILCO employees at the time DAR commenced its actual investigation and documentation on 7 February 1994. Hence, respondents possessed the very important qualification of a potential agrarian reform beneficiary which is – employment with STANFILCO at the time of actual investigation and documentation.

In *Department of Agrarian Reform v. Polo Coconut Plantation Co, Inc.*, [15] the Supreme Court ruled that:

“xxx Only the DAR Secretary can identify and select CARP beneficiaries. Thus, courts cannot substitute their judgment unless there is a clear showing of grave abuse of discretion.”

As correctly ratiocinated by the DAR OIC-Secretary in the Decision dated 13 May 2007:

“On the issue that petitioner Nestor Lagrimas had already been retrenched from his job and is already 68 years old, is (sic) of no moment. It bears emphasis that nowhere in the law and jurisprudence would (sic) supply that such an age is a ground to disqualify a person from becoming a beneficiary. Further, the Regional Director found that Nestor Lagrimas, together with a certain Victor Betalmos, were still working with STANFILCO at the time the actual investigation and documentation were conducted. On this score, they are qualified to become beneficiaries pursuant to paragraph II (A) of DAR Administrative Order (A.O.) No. 02, Series of 1993, which provides that:

‘Qualified farmworkers shall include all those who are found to be directly working on the land at the time the DAR conducts actual investigation and documentation.’[16]

The Office of the President also stressed that:

“First, Section 12 (b), second paragraph of Presidential Decree No. 946 states that the task of identifying qualified farmer-beneficiaries should be done by the DAR through the Regional, Provincial and Municipal Offices. The authority of the DAR Regional Director, when he issued the October 29, 2005 Order declaring herein appellants Anzano, et al and nine (9) others as qualified ARBs, is thus beyond question. In fact, the DARAB Central Office specifically referred the determination of qualified ARBs to the Regional Director on November 10, 2003. If the Regional Director is authorized to identify qualified ARBs, he is likewise authorized to direct the correction or amendment of CLOAs over the subject property to include other qualified ARBs therein.

Second, the November 10, 2003 Order of the Regional Director is based on the finding that the named qualified ARBs were still working with STANFILCO even after the expiration of its lease contract over the subject land. They were found to be working with STANFILCO on the subject land at the time of the actual investigation and documentation. Paragraph II (A) of DAR Administrative Order No. 2, Series of 1993, states that qualified farmworkers shall include those who are found to be directly working on the land at the time DAR conducts actual investigation and documentation. This factual finding established by the Regional Director and affirmed by the DAR Secretary is binding on this Office in the absence of clear and convincing evidence. In fact, in the implementation of the Comprehensive Agrarian Reform Law (Republic Act No. 6657), the DAR Secretary and his deputies are deemed expert in the identification of qualified ARBs and therefore, their findings deserve utmost respect in the absence of any evidence to the contrary. This Office finds that no error was committed by the DAR Secretary in affirming the Order of the Regional Director dated November 10, 2003.”[17] (emphasis supplied)

All told, the ruling of the Office of the President should remain undisturbed, having been based on applicable law and established facts.

WHEREFORE, the instant appeal is DENIED. The Decision dated 7 May 2009 of the Office of the President is hereby AFFIRMED IN TOTO.

SO ORDERED.

Borja, J., Ch., and Badelles,JJ., concur.

[*] This Case was re-raffled to the new Ponente only on 15 July 2014.

[1] Rollo, DAR Order dated 29 October 2005, p. 4.

[2] Rollo, DARAB Decision dated 31 March 1997, pp. 67-78.

[3] Rollo, DARAB Decision dated 31 March 1997, p. 68.

[4] Supra at Note 2.

[5] Rollo, Order of the Regional Director, Region X dated 24 October 2005, p. 39.

[6] Rollo, Order of the Regional Director, Region X dated 24 October 2005, pp. 39-44.

[7] Rollo, pp. 45-47.

[8] Rollo, p. 49.

[9] Rollo, pp. 49-55.

[10] Rollo, pp. 57-59.

[11] Rollo, p. 60.

[12] Rollo, pp. 60-63.

[13] Rollo, pp. 64-66.

[14] Rollo, p. 18.

[15] G.R. Nos. 168787 and 169272, 3 September 2008.

[16] Supra at Note 9.

[17] Rollo, Annex G to the Petition for Review dated 12 February 2012, pp. 60-66.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.