RULES AND REGULATIONS GOVERNING SUMMARY PROCEEDINGS FOR THE FINAL ADMINISTRATIVE DETERMINATION OF COMPENSATION IN COMPULSORY LAND ACQUISITION

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Pursuant to Section 16 of RA 6657 otherwise known as the Comprehensive Agrarian Reform Law (CARL) and implementing paragraphs (d) and (e) thereof the following rules and regulations are hereby promulgated:

SECTION 1. Final Administrative Determination of Compensation . — When the written notice of acquisition and offer of compensation made by the Secretary of Agrarian Reform for the acquisition of the land is either ignored or rejected by the landowner, the matter, together with the Compulsory Acquisition Claim Folder (CACF) and other pertinent records thereof, shall be transmitted to the DAR Adjudication Board (DARAB) within five (5) days from the expiration of the period within which to reply, or from the receipt of notice of rejection, as the case may be for summary proceedings for final administrative determination of just compensation.

SECTION 2. Summary Procedure in DARAB . — Upon receipt of the CACF by the DARAB, the Secretariat shall forthwith docket the matter as a case for the fixing of just compensation and notify the landowner, the Land Bank of the Philippines (LBP) and other interested parties, to submit evidence on the issue of valuation of just compensation of the land sought to be compulsorily acquired within fifteen (15) days from notice. The parties may also submit a memorandum on their position with respect to the issues raised in the proceedings within the same period of fifteen (15) days or a granted extension. Upon the expiration of such period given, the matter shall be deemed submitted for decision.

SECTION 3. Time for Decision . — Within thirty (30) days after the case shall have been submitted for decision, the DARAB shall promulgate a decision fixing the final just compensation of the land sought to be acquired.

SECTION 4. DARAB Decision Final and Executory ; No Motion for Reconsideration . — The decision of the DARAB on the valuation and just compensation of the land shall be final and executory. The DARAB shall not entertain any motion for reconsideration of its decision fixing the just compensation for lands to be distributed under the CARP.

SECTION 5. Notice to Landowner Accompanying the Decision. — The copy of the decision of the DARAB fixing the compensation of the land shall be sent to the landowner together with a letter notifying him of his right to choose and indicate the mode of payment that he prefers in accordance with RA 6657, Section 18. The landowner shall be given a period of fifteen (15) days within which to respond and indicate such preference. After the lapse of such period or earlier, if the landowner declines to indicate such preference the DAR shall proceed in accordance with the succeeding section.

SECTION 6. No Response or Rejection by Landowner. — In case of rejection by the landowner of the compensation fixed and decided or in case no response is received from him within fifteen (15) days from notice, the DAR shall deposit with an accessible bank the compensation in cash or in Land Bank of the Philippines (LBP) bonds and thereafter shall take immediate possession of the land and shall request the proper Register of Deeds to cancel the landowner's title and issue a Transfer Certificate of Title (TCT) in the name of the Republic of the Philippines. The DAR shall thereafter proceed with the distribution of the land to qualified

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beneficiaries.

SECTION 7. Repealing Clause . — The pertinent provisions of Administrative Order No. 2, Series of 1989, promulgated on January 4, 1989, which are inconsistent herewith are hereby repealed.

Adopted: 8 Nov. 1989

(SGD.) MIRIAM DEFENSOR SANTIAGO
Secretary

Effective: 24 January 1990

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