

SOCIAL SECURITY SYSTEM, PETITIONER, VS. DEPARTMENT OF AGRARIAN REFORM, REPRESENTED BY ITS SECRETARY, HONORABLE ERNESTO GARILAO, AND THE REGISTER OF DEEDS OF MARIKINA CITY, REPRE...

G.R. NO. 139254. March 18, 2005

Ponente: CHICO-NAZARIO, J.

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CHICO-NAZARIO, J.:

The Social Security System (SSS) filed against the Department of Agrarian Reform (DAR), the Register of Deeds of Marikina City and several farmers-beneficiaries, a complaint (Civil Case No. 1300-97)[1] for Annulment of Transfer Certificates of Title (TCTs) No. 1259, No. 1260, and No. 1261 with Recovery of Possession and prayer for the issuance of a writ of preliminary injunction before the Regional Trial Court (RTC) of San Mateo, Rizal, Branch 75.

In its Complaint, the SSS alleged it is the absolute owner of several parcels of land located at Rodriguez, Rizal, with an area of more or less three hundred hectares. The said property was covered under Republic Act No. 6657 (Comprehensive Agrarian Reform Program [CARP]) by the DAR. The SSS earlier filed a case for conversion of the land, from agricultural to residential and other urban uses, before the DAR's Adjudicatory Board which was denied by the DAR on 22 March 1990.[2] Undaunted, the SSS filed before the Court of Appeals a Petition for Review on Certiorari, CA-G.R. SP No. 38043 which was dismissed on 31 August 1995.[3] The SSS elevated the case to this Court on Petition for Review on Certiorari, G.R. No. 122580, which was again denied for failure to comply with Circular No. 1-88,[4] it appearing that petitioner SSS failed to submit a verified statement of material dates to determine the timeliness of the filing of the petition and the timeliness of the payment of legal fees as required by par. 4 of the said circular.[5] Its motion for reconsideration was denied in a resolution of this Court dated 27 March 1996.[6] The denial has become final and executory and Entry of Judgment was issued on 27 June 1996.[7]

Meanwhile, DAR issued Certificates of Land Ownership Award (CLOAs) to some 201 persons identified as farmers-beneficiaries of the land on 23 December 1991. On 11 July 1997,[8] the defendants filed a joint motion to dismiss claiming that jurisdiction over the case falls with the Department of Agrarian Reform Adjudication Board (DARAB). In an Order dated 12 March 1999, the RTC[9] granted the joint motion to dismiss.[10] From this Order, the SSS is now before us arguing that the RTC erred in holding it has no jurisdiction over the case.[11]

In a resolution dated 16 August 1999, this Court denied the Petition for failure of the petitioner to serve a copy thereof to the respondent court.[12]

The SSS filed a motion for reconsideration.[13] In a resolution dated 20 October 1999, this Court resolved to grant the motion and required the respondents to comment on the Petition.[14]

On 10 August 2000, respondents farmers-beneficiaries filed their compliance.[15] From a resolution dated 27

November 2000, the parties were required to file their respective Memorandum.[16]

Insisting on the jurisdiction of the trial court over the case, the SSS averred that the issue raised before the trial court was not the issuance of the CLOAs, nor the coverage or exemption of the SSS from the CARP, but the illegality or lack of legal basis of the cancellation of a valid torrens title in the name of the SSS which led to the issuance of TCTs No. 1259, No. 1260 and No. 1261 in favor of the farmers-beneficiaries, without notice and just compensation. It asserts that the jurisdiction of the DARAB pertains to agrarian disputes which does not obtain in the case at bar. It points out that under Chapter V, Section 16(f) of Rep. Act No. 6657, jurisdiction is with the RTC.[17]

On the other hand, negating it has jurisdiction over the case, the trial court held:

The primordial issue to be (sic) resolved is the jurisdiction of the DARAB which defendants-movants argue to have jurisdiction over the case. Under Rule 11, Section 1(F) of the DARAB New Rules of Procedure the board has jurisdiction over cases “involving the issuance, correction and cancellation of Certificates of Land Ownership Award (CLOAs) and Emancipation Patents (EPs) which are registered with the Land Registration Authority.” The present case was filed by plaintiff SSS precisely to annul Certificate of Title Nos. 1259, 1260 and 1261 which, as pointed out by defendants-movants, emanated from CLOAs issued by the Department of Agrarian Reform. The present case ultimately involves CLOAs and is, therefore, within the jurisdiction of the DARAB. In fine, since SSS seeks annulment of the above-mentioned titles which emanated from CLOAs, the proper venue for the present case is the DARAB.

As to the argument raised by the SSS regarding the nature of the land, suffice it to say that since plaintiff itself has filed a petition with the DAR for conversion of the classification of the subject parcel of land from agricultural to residential land, it has expressly recognized that said parcels of land to be agricultural land. This being the case, said parcels of land are under the jurisdiction of DARAB because under Section 4 of R.A. 6657 “all public and private agricultural land” are covered by CARP and all disputes involving lands covered by the CARP are within the jurisdiction of the DARAB.

SSS should not be allowed in one breath to invoke the jurisdiction of the DARAB and then, after failing to obtain the relief it sought, assail the same and now claim that jurisdiction rests with the regular courts. It should be noted at this point that the application for conversion filed by the SSS had been finally disposed off by no less than the Supreme Court.[18]

The Petition lacks merit.

Irrefragably, the titles sought to be annulled by the SSS, namely, TCTs No. 1259, No. 1260 and No. 1261 originated from the CLOAs issued by the DAR in pursuance of, and in accordance with, the provisions of Rep. Act No. 6657, the Comprehensive Agrarian Reform Program.

Specifically, the SSS in its Complaint implored the trial court “to restrain the DAR from implementing Rep. Act No. 6657 and the defendants, farmers-beneficiaries from occupying/tilling, cultivating /disposing the properties.”[19]

Section 1, Rule II, 2002 DARAB Rules of Procedure provides that:

Section 1. Primary And Exclusive Original and Appellate Jurisdiction. – The board shall have primary and exclusive jurisdiction, both original and appellate, to determine and adjudicate all agrarian disputes involving the implementation of the Comprehensive Agrarian Reform Program (CARP) under Republic Act No. 6657, Executive Order Nos. 228, 229, and 129-A, Republic Act No. 3844 as amended by Republic Act No. 6389, Presidential Decree No. 27 and other agrarian laws and their implementing rules and regulations. Specifically, such jurisdiction shall include but not be limited to cases involving the following:

a) The rights and obligations of persons, whether natural or juridical engaged in the management, cultivation and use of all agricultural lands covered by the CARP and other agrarian laws.

...

Specifically, such jurisdiction shall extend over but not limited to the following:

...f) Cases involving the issuance of Certificate of Land Transfer (CLT), Certificate of landownership Award (CLOA) and Emancipation Patent (EP) and the administrative correction thereof; (Italics added)

Thus, taking its bearings from the above provision, *Centeno v. Centeno*[20] explicitly and compellingly validated the jurisdiction of the DARAB over cases involving issuance of CLOAs, and went on further:

... under Section 50 of R.A. 6657 (the Comprehensive Agrarian Reform Law of 1988), the DAR is vested with primary jurisdiction to determine and adjudicate agrarian reform matters and shall have the exclusive jurisdiction over all matters involving the implementation of the agrarian reform program. The rule is that the DARAB has jurisdiction to try and decide any agrarian dispute or any incident involving the implementation of the Comprehensive Agrarian Reform Program. (Italics supplied)

Section 1, Rule II of the Revised Rules of Procedure of the DARAB provides:

Section 1. Primary, Original and Appellate Jurisdiction. – The Agrarian Reform Adjudication Board shall have primary jurisdiction, both original and appellate, to determine and adjudicate all agrarian disputes, cases, controversies, and matters or incidents involving the implementation of the Comprehensive Agrarian Reform Program under Republic Act No. 6657, Executive Orders Nos. 229, 228 and 129-A, Republic Act No. 3844 as amended by Republic Act No. 6389, Presidential Decree No. 27 and other agrarian laws and their implementing rules and regulations.

In the relatively recent case of *Rivera v. Del Rosario*,[21] this Court cited Section 1, Rule II, 2002 DARAB Rules of Procedure and reiterated that:

The DARAB has exclusive original jurisdiction over cases involving the rights and obligations of persons engaged in the management, cultivation and use of all agricultural lands covered by the Comprehensive Agrarian Reform Law.

Again in *David v. Rivera*,[22] this Court pointed out that the jurisdiction over agrarian reform matters is now expressly vested in the DAR through the DARAB.

Indeed, Section 50 of R.A. 6657 confers on the Department of Agrarian Reform (DAR) quasi-judicial powers to adjudicate agrarian reform matters. In the process of reorganizing the DAR, Executive Order No. 129-A created the DARAB to assume the powers and functions with respect to the adjudication of agrarian reform cases. Section 1, Rule II of the DARAB Rules of Procedure enumerates the cases falling within the primary and exclusive jurisdiction of the DARAB.

In an earlier ruling rendered in the case of *Vda. de Tangub v. Court of Appeals*,[23] reiterated in *Morta, Sr. v. Occidental*[24] and *Heirs of the late Herman Rey Santos v. Court of Appeals*,[25] this Court decreed:

Section 1 of Executive Order No. 229 sets out the scope of the Comprehensive Agrarian Reform Program (CARP); it states that the program –

“... shall cover, regardless of tenurial arrangement and commodity produce, all public and private agricultural land as provided in Proclamation No. 131 dated July 22, 1987, including whenever applicable in accordance with law, other lands of the public domain suitable to agriculture.”

Section 17 thereof

1) vested the Department of Agrarian Reform with “quasi-judicial powers to determine and adjudicate agrarian

reform matters,” and

2) granted it “jurisdiction over all matters involving implementation of agrarian reform, except those falling under the exclusive original jurisdiction of the DENR and the Department of Agriculture (DA), as well as powers to punish for contempt and to issue subpoena, subpoena duces tecum and writs to enforce its orders or decisions.”[26]

In *Nuesa v. Court of Appeals*,[27] the Court, in addition to re-echoing the jurisdiction of the DARAB, puts emphasis on the extent of the coverage of the term “agrarian dispute,” thus:

As held by this Court in *Centeno v. Centeno* [343 SCRA 153], “the DAR is vested with the primary jurisdiction to determine and adjudicate agrarian reform matters and shall have the exclusive jurisdiction over all matters involving the implementation of the agrarian reform program.” The DARAB has primary, original and appellate jurisdiction “to determine and adjudicate all agrarian disputes, cases, controversies, and matters or incidents involving the implementation of the Comprehensive Agrarian Reform Program under R.A. 6657, E.O. Nos. 229, 228 and 129-A, R.A. 3844 as amended by R.A. 6389, P.D. No. 27 and other agrarian laws and their implementing rules and regulations.”

Under Section 3(d) of R.A. 6657 (CARP Law), “agrarian dispute” is defined to include “(d). . . any controversy relating to tenurial arrangements, whether leasehold, tenancy, stewardship or otherwise over lands devoted to agriculture, including disputes concerning farmworkers associations or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms or conditions of such tenurial arrangements. It includes any controversy relating to compensation of lands acquired under this Act and other terms and conditions of transfer of ownership from landowners to farmworkers, tenants and other agrarian reform beneficiaries, whether the disputants stand in the proximate relation of farm operator and beneficiary, landowner and tenant, or lessor and lessee.” (Underlining ours)

In the light of the foregoing, and guided by the pronouncements made by this Court in the cases cited above, we find that the trial court correctly ruled that the DARAB has jurisdiction to hear and decide the case of herein petitioner SSS.

WHEREFORE, premises considered, the instant petition for review is DENIED for lack of merit.

SO ORDERED.

Puno, (Chairman), Austria-Martinez, Callejo, Sr., and Tinga, JJ., concur.

[1] Rollo, pp. 32-40.

[2] Rollo of G.R. No. 122580, pp. 47-48.

[3] *Ibid.*, p. 23.

[4] Implementation of Sec. 12, Art. XVIII of the 1987 Constitution and Complementing Administrative Circular No. 1 of 28 January 1988 on expeditious disposition of cases pending in the Supreme Court.

[5] Rollo of G.R. No. 122580, p. 185.

[6] *Ibid.*, p. 91.

[7] *Ibid.*, p. 209 .

[8] Rollo, p. 174.

[9] Presided by Judge Andres B. Reyes.

[10] Rollo, Annex A, pp. 21-22.

[11] Rollo, p. 9.

[12] Rollo, pp. 63-64.

[13] Rollo, pp. 65-72.

[14] Rollo, p. 73.

[15] Rollo, pp. 89-100.

[16] Rollo, p. 113.

[17] Chapter V, Sec. 16(f), Rep. Act No. 6657 -

Sec. 16. Procedure for acquisition of private lands. - For purposes of acquisition of private lands, the following procedures shall be followed:

...

(f) Any party who disagrees with the decision may bring the matter to the court of proper jurisdiction.

[18] Rollo, pp. 26-27.

[19] Complaint, p. 8; Rollo, p. 39.

[20] G.R. No. 140825, 13 October 2000, 343 SCRA 153, 159.

[21] G.R. No. 144934, 15 January 2004, 419 SCRA 626, 635.

[22] G.R. Nos. 139913 & 140159, 16 January 2004, 420 SCRA 90.

[23] UDK No. 9864, 03 December 1990, 191 SCRA 885.

[24] G.R. No. 123417, 10 June 1999, 308 SCRA 167.

[25] G.R. No. 109992, 07 March 2000, 327 SCRA 293.

[26] Supra, note 20, p. 888.[27] G.R. No. 132048, 06 March 2002, 378 SCRA 351, 361-362.

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