

CONRADO B. UICHANCO, PETITIONER AND APPELLEE, VS. THE HONORABLE SECRETARY OF AGRICULTURE AND NATURAL RESOURCES, ET AL., RESPONDENTS AND APPELLANTS.

G.R. No. 17328. March 30, 1963

Ponente: REGALA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-17328/>

REGALA, J.:

This appeal from a decision of the Court of First Instance of Manila was certified to Us by the Court of Appeals on the ground that the question involved is one of law.

It appears that Conrado P. Uichanco filed sales application No. 21922 (E. V-572) with the Bureau of Lands for the purchase of a parcel of public land situated in Victoria, Oriental Mindoro. The application was protested by Vivencio Dueñas and Pablo Yasona, as a result of which the Director of Lands conducted an investigation and later on rendered a decision, dated November 22, 1955, cancelling Uichanco's application and declaring forfeited to the Government whatever amount the applicant had paid on account thereof.

On January 21, 1956, Uichanco filed a motion for re-investigation and reconsideration of the decision: above referred to. Among other things, the motion alleged that Lands Inspector Juan G. Calayan of the Bureau of Lands

"who conducted the investigation was biased and partial against him and displayed unusual enthusiasm in favor of the opposite parties. As a result thereof, the Director of Lands, on February 25, 1957, issued an order suspending the effectivity of the said decision and ordered the re-investigation of the case by another investigator.

Before the reinvestigation could be carried out, however, the Secretary of Agriculture and Natural Resources (hereinafter referred to as Secretary, for brevity) received on April 12, 1957 a 1st Indorsement, dated April 8, 1957, from the Office of the Executive Secretary, directing the former "to take appropriate action" on the letter written in Tagalog dated February 25, 1957, signed by five persons, protesting against Uichanco in that in spite of the decision of the Director of Lands, said Uichanco continued with the cultivation of the area in question. Acting on this indorsement, the Secretary created a committee of three consisting of personnel, from the office of the Secretary, Bureau of Lands and Bureau of Forestry, to conduct an investigation of the case. The committee thus conducted hearings at which Uichanco, with the assistance of counsel, had presented his evidence.

After hearing and ocular inspection, of the property involved, the committee submitted two separate reports to the Secretary, and the latter rendered a decision on December 20, 1957, reinstating the sales application of Uichanco but excluding therefrom the portions occupied by the protesters. Not satisfied, Uichanco filed a motion for reconsideration of said decision, alleging for the first time that the Secretary had no jurisdiction over the case because there had been no appeal from any decision of the Director of Lands.

The motion for reconsideration having been denied, Uichanco instituted with the Court of First Instance of Manila a petition for certiorari contesting the legality of the adjudication made by the Secretary on the ground that the latter had acted without or in excess of jurisdiction and with grave abuse of discretion in issuing the challenged

decision.

On May 18, 1959, the Court of First Instance rendered judgment declaring the decision of the Secretary null and void as having been issued without jurisdiction and with grave abuse of discretion.

In behalf of the Secretary, the Solicitor General has appealed.

Upon the submission of the brief by the appellant, the appellee filed a manifestation stating that the appealed decision of the Court of First Instance of Manila, dated May 18, 1959, contains all the facts and reasons why the said court had arrived at said decision, upon which the herein petitioner-appellee may rely, and he, therefore, hereby waives his right to submit any brief or memorandum in answer to the one presented by the respondent-appellant." The said appellee, therefore, did not present any new arguments or authorities to support his stand.

The sole issue in this appeal is whether the Secretary acted without jurisdiction in assuming to act directly on the conflict in question without first waiting for the decision of the Director of Lands on the matter.

The following pertinent provisions of the Revised Administrative Code state the powers of a Department Secretary, to wit:

"Sec. 79(A). Initiative of the Department Head.- Executive orders, regulations, decrees and proclamations relative to matters under the supervision or jurisdiction of a Department, the promulgation of which is expressly assigned by law to the President of the Philippines, shall, as a general rule, be issued upon proposition and recommendation by the respective Department."

"Sec. 79(B). Power to regulate.—The Department Head shall have power to promulgate, whenever he may see fit to do so, all rules, regulations, orders, circulars; memorandums, and other instructions, not contrary to law, necessary to regulate the proper working and "harmonious and efficient administration of each and all of the offices and dependencies of his Department, and for the strict enforcement, and proper execution of the laws relative to matters under the jurisdiction of said Department; but none of said rules or orders shall prescribe penalties for the violation thereof, except as expressly authorized by law. All rules, regulations, orders or instructions of a general and permanent character promulgated in conformity with this section shall be numbered by each Department consecutively each year, and shall be duly published.

"Chief of Bureaus or offices may, however, be authorized to promulgate circulars of information or instructions for the government of the officers and employees in the interior administration of the business of each Bureau or office, and in such case said circulars shall not be required to be published."

Sec. 79 (G). Power of direction and supervision.—The Department Head shall have direct control, direction, and supervision over all bureaus and offices under his jurisdiction, and may, in any provision of existing law to the contrary notwithstanding, repeal or modify the decisions of the chief of said bureaus or offices when advisable in the public interest."

Under the above quoted provisions, it is clear that the Secretary of Agriculture and Natural Resources is empowered to promulgate rules and regulations for the internal administration of offices and bureaus under its jurisdiction, and to repeal or modify the decisions of the chiefs thereof. This power of supervision and control is derived not only from the Administrative Code but mainly from the provision of the Constitution which explicitly ordains that "the President shall have control over all executive departments, bureaus and offices." (Section 10, Art. VII). "Control" in this sense implies the power of an officer to alter or modify or nullify or set aside what a subordinate officer had done and substitute the judgment of the former for that of the latter (*Mondano vs. Silvosa*, 97 Phil., 148; 51 Off. Gaz. p. 2887). This power-insofar as bureaus and offices are concerned—is exercised by the President through the heads of the executive departments who, as agents or tools of the Executive shall have

direct control over all bureaus and offices when advisable in the public interest. (See Acting „ Collector of Customs vs. Court of Tax. Appeals, 102 Phil., 244.) In other words, the Department heads, as agents of the President, have direct control and supervision over all bureaus and offices under their jurisdiction. And the last sentence of section 74 of the said Code is explicit that "each Department Secretary shall assume the burden of, and responsibility for, all activities of the Government under his control and supervision."

The lower court has ruled, notwithstanding the above authorities, that the Secretary of Agriculture and Natural Resources acted without jurisdiction in rendering a decision on the land conflict without any appeal taken to his office from the decision of the Director of Lands, on the supposition that there was a violation of Lands, Administrative Order No. 6 and its amendments. While these Administrative Orders outline the procedure to be followed in appeals from the decisions of the Director of Lands respecting conflicting land claims, yet there is nothing in the said rules and regulations or in any existing law which prohibits the Secretary from exercising the power which he did in this particular instance. These rules and regulations were promulgated by the Secretary for the convenience, of the Department as well as litigants and are adopted to facilitate office transactions. Under the special circumstances obtaining in the case at bar, it was to the benefit of both parties, ; it being more expedient and practical, for the. Secretary to act upon and decide the land conflict in question, because the matter was referred to him by the Office of the President.

It is significant that before, during and even after the, investigation by the Departmental committee created by the . Secretary, Uichanco himself had recognized the authority of said official to handle the case. It was Uiehanco who was insistent in having. another ocular inspection of the area involved and- he even requested the Secretary to expedite the final determination of the case. If the Secretary had the authority to appoint a committee to investigate the conflict and inspect the area in question, his jurisdiction to make a decision on the matter is beyond dispute.

At any rate, there had been no violation of the constitutional or substantive rights of the appellee. As indicated above, lie had at all times been represented by counsel while the case was pending with the Secretary. And the adjudication made by the latter is even more favorable to him because, while the suspended decision of the Bureau of Lands is to dismiss entirely his sales application, the decision of the Secretary is to reinstate the said application with the exclusion only of the portions occupied by the protestants. There should, therefore, be no room for complaint on the part of the appellee.

The above observation persuade Us, at this instance, to disagree with the lower court.

Wherefore, the judgment below is hereby reversed, with costs against the appellee.

Bengzon, C. J., Padilla, Bautista Angela, Labrador, Reyes, J. B. L., Barrera, Paredes, and Makalintal, JJ., concur.

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.