

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1126

Introduced by HON. FLORENCIO C. GARAY

EXPLANATORY NOTE

This bill seeks to convert into alienable and disposable land that portion within the former concessional area of Paper Industry Corporation of the Philippines (PICOP Resources, Inc.), in the City of Bislig, Province of Surigao del Sur, actually tilled and occupied by farmer-settlers, in preparation for its eventual distribution to the *bona fide* and long-term farmers/occupants.

The subject land is a forest land. However, with the passage of time, farmers gradually settled on the land, planting vegetables, fruit trees, bananas and root crops and even raising livestock thereon. They became, not mere inhabitants, but stewards of the land, nurturing the soil as they would their own children, watering the soil with their very blood and sweat. Yet, they remain vassals in their own land. It is time that they are liberated from their bondage to the soil and awarded the land they have nurtured for so long.

Among the declared policies of the State is the recognition of the rights of farmers and regular farmworkers, who are landless, to own the lands that they till (*Section 4, Article XIII of the 1987 Constitution: Social Justice and Human Rights*). Considering that the farmers-occupants have developed certain areas of the forest land into an agricultural land, it is high-time said areas are formally classified into alienable and disposable agricultural land and its tenant-farmers be recognized as legitimate owners thereof.

In view of its national and local importance, the approval of this bill is earnestly sought.


FLORENCIO C. GARAY



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AN ACT

TO RECLASSIFY A PORTION OF FOREST LAND FORMERLY UNDER CONCESSION WITH PICOP RESOURCES, INC., LOCATED IN BISLIG CITY, PROVINCE OF SURIGAO DEL SUR, INTO ALIENABLE AND DISPOSABLE LAND OF THE PUBLIC DOMAIN FOR THE PURPOSE OF DISTRIBUTING THE SAME TO BONA FIDE AND LONG-TERM FARMERS/OCCUPANTS THEREOF, AND FOR OTHER PURPOSES

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

SECTION 1. The portion of forest land within the former concessional area of Paper Industry Corporation of the Philippines (PICOP), in the City of Bislig, Province of Surigao del Sur, which is actually tilled and occupied by farmer-settlers, is hereby reclassified and declared as alienable and disposable land of the public domain.

SECTION 2. The aforementioned land shall be distributed in ownership to *bona fide* and long-term farmers/occupants thereon, but the existing creeks in the same area shall be given in usufruct to the City of Bislig; Provided, That the said *bona fide* and long-term farmers/occupants shall manage and develop the said creeks upon payment by them of reasonable compensation to said City;

SECTION 3. The scheme of distribution of the land, including the identities of the *bona fide* and long-term farmers/occupants thereon, shall be prepared by a Committee which shall be composed of the following: a representative of the Department of Environment and Natural Resources as Chairman, a representative of the Department of Agrarian Reform as Vice-Chairman, and the Mayor of Bislig City, the Head of the farmers' organization, and the Provincial Director of the Philippine National Police as Members. The

scheme of distribution shall include the technical description of each lot pertaining to each of the farmers/occupants, following the boundaries of existing integrated social forestry stewardship and/or similar contracts that may have been awarded in their favor; *Provided, That* said scheme of distribution shall be as equitable as possible without gross disparities among the awardees.

Conflicts shall be decided by the Committee after due hearing, appealable to the Department Secretary under whose jurisdiction the issue involved falls. The Secretary's decision or order on appeal may be subject of a petition for review by the Office of the President within fifteen (15) days from promulgation of notice of the decision appealed from; *Provided, That* said petition for review shall be decided within thirty (30) days after receipt thereof; otherwise, the decision or order appealed from shall be deemed ratified and final.

SECTION 4. Once the scheme of distribution is approved by the Committee, the Department of Environment and Natural Resources shall give the technical descriptions, survey maps and similar documents to the DAR, which shall undertake the actual distribution of the land under the principles of agrarian reform and the applicable provisions of the Comprehensive Agrarian Reform Law and other related laws.

SECTION 5. The existing creeks in the area shall be plotted, surveyed and segregated from the other portions of the area by the DENR, and shall be given in usufruct to the City of Bislig. The Mayor and the Head of the organization of the farmer-beneficiaries shall meet to discuss and determine the reasonable compensation to be paid to the City for the management and development thereof by said beneficiaries. In case of disagreement, the Head of the DENR Regional Office shall decide.

SECTION 6. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,