



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy. Sta. Monica, Puerto Princesa City
Telfax No. (048) 434-8791
Email Add: penropalawan@denr.gov.ph



September 2, 2022

MEMORANDUM

FOR : The Regional Executive Director
1515 L&S Bldg., Roxas Blvd.
Ermita, Manila 1000

Attn : The Chief, Legal Division

FROM : The Provincial Environment and
Natural Resources Officer

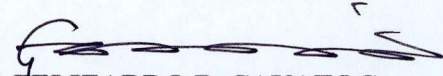
SUBJECT : **LETTER DATED JUNE 21, 2022 FROM OIC ASSISTANT
SECRETARY, DEPARTMENT OF JUSTICE RE: COMPLAINT OF
THE SAMAHAN NG MGA MAGSASAKA NG ZIGZAG, STA.
LUCIA, PUERTO PRINCESA CITY (PACC Reference Number I-
0820-0016)**


Respectfully forwarding the copy of letter dated June 21, 2022 received from Ms. Maria Nerissa A. Molina Carpio, OIC Assistance Secretary under the Department of Justice, regarding the complaint of Samahan ng mga Magsasaka sa Zigzag, Sta. Lucia, Luzviminda, Puerto Princesa City (SMZSLLPPC), Inc. against certain officials of Department of Agrarian Reform Provincial Office (DARPO) Palawan, Department of Environment and Natural Resources (DENR) Palawan and Bureau of Corrections Iwahig Correctional Facility (BuCor-ICF)

The said letter contains the same complaint earlier communicated by the Executive Director of Presidential Anti-Corruption Commission thru your office and forwarded to us in your Memorandum dated July 11, 2022 with subject: "*LETTER DATED MAY 18, 2022 FROM THE EXECUTIVE DIRECTOR, PRESIDENTIAL ANTI-CORRUPTION COMMISSION RE: COMPLAINT OF THE SAMAHAN NG MGA MAGSASAKA NG ZIGZAG, STA. LUCIA, PUERTO PRINCESA CITY (SMZSLUPC) [CO-2022-89780]*".

The actions/responses applicable to these two letters are already addressed in the Memorandum of the undersigned dated September 2, 2022 submitted to the Regional Office thru the Chief of Legal Division, with the same subject "*LETTER DATED MAY 18, 2022 FROM THE EXECUTIVE DIRECTOR, PRESIDENTIAL ANTI-CORRUPTION COMMISSION RE: COMPLAINT OF THE SAMAHAN NG MGA MAGSASAKA NG ZIGZAG, STA. LUCIA, PUERTO PRINCESA CITY (SMZSLUPC) [CO-2022-89780]*".

For your evaluation and appropriate action.


FELIZARDO B. CAYATOC

DENR-PALAWAN
DENR-RECORDS
RELEASED
07 SEP 2022 
Date: _____ CN 22-2240 | 22-776



Republika ng Pilipinas
KAGAWARAN NG KATARUNGAN
Department of Justice
Manila

21 June 2022

Felizardo B. Cayotoc
CENRO, Puerto Princesa City
Palawan

Eriberto B. Sanos
SESE, PENRO Palawan

Natividad Y. Bernardino
OIC – Regional Director
DENR MIMAROPA Region

DENR PENRO
PALAWAN RECORDS
RECEIVED

BY: [Signature]
DATE: 08-10-2022 22-7716

Messrs/Madam:

This refers to the complaint of the Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia, Luzviminda, Puerto Princesa City (SMZSLLPPC). Inc. against certain officials of (1) Department of Agrarian Reform Provincial Office (DARPO) Palawan, (2) Department of Environment and Natural Resources (DENR), Palawan, (3) Bureau of Corrections Iwahig Correctional Facility (BuCor-ICF). The complaint is for violations of (1) Sec. 73 (d), R.A. No. 6657, as amended; (2) R.A. No. 3019; (3) R.A. No. 6713; (4) R.A. No. 9485; (5) Grave Misconduct; (6) Grave Neglect of Duty; (7) Gross Incompetence; and, (8) Gross Ignorance of the Law.

SMZSLLPPC (Samahan for brevity) is a corporation duly registered with the Securities and Exchange Commission, which allegedly has a landholding inside the BuCor-ICF, Purok Zigzag, Brgy. Luzviminda, Puerto Princesa City. It is approximately 1,150 hectares, occupied by "more or less 500 landless farmers and their predecessors-in-interest" who have tilled the land for more than twenty (20) years.

Sometime in May 2017, Samahan sent a petition to President Rodrigo Roa Duterte appealing that the abovementioned land they have been tilling be covered under the Comprehensive Agrarian Reform Program (CARP) and be distributed to its actual occupants who may be qualified as potential Agrarian Reform Beneficiaries (ARBs). The Office of the President (OP) referred the petition to the Offices of the Secretaries of the Department of Agrarian Reform (DAR) and the Department of Environment and Natural Resources (DENR) for appropriate action.

On 3 February 2020, the DAR Regional Director (RD), MIMAROPA issued a Memorandum to Provincial Agrarian Reform Program Officer (PARPO) Conrado S. Guevarra, DARPO, Palawan. Samahan claimed that the Memorandum provided for the segregation of the subject 1,150 hectares of farm land from the BuCor-ICF land and placing it under CARP coverage for distribution to landless farmer beneficiaries. Samahan claimed that the Memorandum also stated that the land will be covered by Executive Order (E.O.) No. 75 and that PARPO Guevarra was directed to conduct an "inventory/CSW for validation early 1st March 2020".

Pending Samahan's petition President Duterte issued E.O. No. 75 dated 15 February 2020 directing "all departments, bureaus, offices and instrumentalities of the Government to identify lands owned by the Government devoted to or suitable for agriculture for distribution to qualified beneficiaries"

Samahan claims that despite the Memorandum of the RD-MIMAROPA to PARPO Guevarra, the latter blatantly defied the lawful order of the superior officer saying his office cannot implement it because the landholding is classified as unclassified public forest and should be reclassified as alienable and disposable land before being covered by CARP. According to Samahan, PARPO Guevarra contravened DAR Central Offices' lawful order, including E.O. No. 75 and R.A. No. 6657. PARPO Guevarra was circumventing the law to favor oligarchs who control lands of public domain in Palawan to the disadvantage of landless farmers. Pursuant to the scope and coverage of R.A. No. 6657, as amended, it includes "xxx all other land of the public domain suitable for agriculture." Accordingly, "unclassified public forest and timberland which are devoted to and suitable for agriculture including reservations such as this landholding provided the same is no longer actually, directly, and exclusively used or necessary for the purposes for which they have been reserved or acquired could be covered by E.O. No. 76, E.O. No. 440, E.O. No. 407, and R.A. No. 6557, as amended.

Samahan named the following DARPO Palawan officials (1) PARD II Ricardo Francisco, CSEE; (2) Atty. Reychele Anne Villarta; and (3) Fideleo Degusman (sic), as having acted in conspiracy with PARPO Guevarra in violating the abovementioned laws, rules and regulations. Their wrongful actions and/or omissions violate: (1) Sec. 73(d) of R.A. No. 6557, as amended; (2) R.A. No. 3019; (3) R.A. No. 6713; and (4) R.A. No. 9485.

In addition to these DARPO Palawan officials, complainants included: (1) Community Environment and Natural Resources Office (CENRO) Felizardo B. Cayatoc; (2) Provincial Environment and Natural Resources Office (PENRO) Eriberto B. Sanos; and, (3) OIC-Regional Director, DENR MIMAROPA Natividad Y. Bernardino, for adopting the position of DARPO Palawan that the 1,150 hectares from Sta. Lucia Sub-Colony of IPPF cannot be covered by CARP and E.O. No. 75 unless reclassified as alienable and disposable.

Also included in Samahan's complaint is CSSUPT Raul Levita, BuCor-IPPF/ICF for allegedly (1) misleading the public by denying during a TV show that the 1,150 hectares from Sta. Lucia Sub-Colony of IPPF/ICF is covered by the CARP Memorandum;

(2) refusing to meet complainants; (3) failing to answer/act on their letters; (4) failing to comply with the provisional of E.O. No. 75; (5) failing to respect or recognize or give due course to CARP coverage memorandum over the 1,150 hectares of IPPF/ICF; and, (6) allowing portions of the IPPF to be rented by private individuals and its rentals pocketed by unscrupulous IPPF/ICF employees.

To substantiate the complaint, the following were submitted:

1. Sketch Map;
2. Memorandum from SARPOs Gloria and Emilio G. Lobederio for Director BLTI dated July 3, 2017;
3. Certificate of Incorporation;
4. Certificate of Accreditation;
5. Referrals/Endorsements from the OP to Secretaries of DAR and DENR;
6. CARP Coverage Memorandum dated February 3, 2020;
7. Memo of PARPO Guevarra, DARPO Palawan for the Regional Director, DAR MIMAROPA dated September 11, 2017;
8. Memo of PARPO Guevarra, DARPO Palawan for CSSUPT ARO, Supt of BuCor-IPPF/ICF dated April 25, 2019;
9. Letter of PARPO Guevarra to Francisco Cabuverde, President SMZSLLPPC (Samahan) dated March 13, 2020;
10. Letter of Engr. Francisco, CSSE to Pacivensidro A. Cataylo, VP for Administration, SMZSLLPPC (Samahan) dated June 17, 2020;
11. DENR Letters (CENRO/PENRO/RD DENR IVB) to the President, SMZSLLPPC (Samahan);
12. Video clip;
13. Letters of Francisco Cabuverde, President, SMZSLLPPC (Samahan) to the Supt. of BuCor-IPPF/ICF requesting for courtesy calls;
14. SMZSLLPPC (Samahan) Resolution No. 08 2020;
15. Letter of Pacivensidro A. Cataylo, VP for Administration, SMZSLLPPC (Samahan) to Engr. Leandro A. Caymo dated November 16, 2019; and
16. Verification and Certification of Non-Forum Shopping.

Upon evaluation of the complaint and the evidence on record, it shows that it involves isolated acts of graft and corruption, misfeasance, malfeasance and/or nonfeasance allegedly committed by identified officials and/or employees of (1) DARPO Palawan; (2) PENRO, Palawan; (3) CENRO, Puerto Princesa; (4) DENR MIMAROPA Region; and (5) BuCor-IPPF/ICF, and that the complaint and/or allegations have both criminal and administrative aspects.

President Rodrigo Roa Duterte has authorized this Department to decide which allegations of corruption in the government to investigate and prosecute as well as to file

the appropriate charges against erring government officials and employees. However, considering that this complaint involves an isolated grievance arising from a regular transaction with the DENR and there are allegations of irregularities you committed, may we refer to you the complaint of the Samahan, together with its attachments. You are advised to submit your comment or explanation on this complaint lodged against you before the Task Force Against Corruption.

Thank you.

Very truly yours



MARIA NERISSA A. MOLINA CARPIO

OIC – Assistant Secretary

Enclosed: As stated.

Copy furnished:

Secretary Menardo I. Guevarra
Department of Justice
P. Faura Street, Ermita, Manila

KGA



Republic of the Philippines
Office of the President
Presidential Anti-Corruption Commission



Ground Floor, Palacio del Gobernador, Intramuros, Manila

1st INDORSEMENT
14 December 2021

FOR: **HON. MENARDO I. GUEVARRA**

Secretary
Department of Justice
Padre Faura Street
Manila

We hereby respectfully endorse to your Honorable Office, the attached concern of Mr. Francisco Cabuverde, et al. (Officers and BOT of SMZSLLPPC Inc.), with reference code **I-0820-0016**, it appearing, after evaluation, that the same properly falls within your jurisdiction.

Please be reminded of the provision of Section 5(a) of R.A. 6713.¹

Kindly send your reply directly to the concerned person/entity and copy furnished the Commission at complaints@pacc.gov.ph on any actions/s taken, citing the above PACC Reference Number.

Thank you.

By Authority of the Commission,


ATTY. FORTUNATO G. GUERRERO

Executive Director

COPY FURNISHED

: Mr. Francisco Cabuverde, et al (Officers and BOT of SMZSLLPPC Inc.)
Bahay Kapulungan, Purok Zigzag
Luzviminda, Puerto Prinsesa City

¹ Section 5 (a) of R.A. 6713-“ In the performance of their duties, all public officials and employees are under obligation to: (a) Act promptly on letters and requests. - All public officials and employees shall, within fifteen (15) working days from receipt thereof, respond to letters, telegrams or other means of communications sent by the public. The reply must contain the action taken on the request”



July 18, 2020

GRECO ANTONIOUS BEDA B. BELGICA
Commissioner PACC
Presidential Anti-Corruption Commissioner
General Lune St., cor Soriano Ave.,
Intramuros, Manila

Dear Sir:

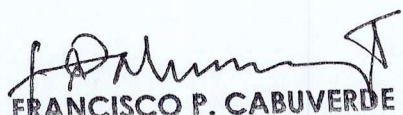
Greetings!

The Samahan ng Magsasaka ng Zigzag Sta Lucia, LUZVIMINDA Puerto Princesa City Inc. Association would like to request for your assistance regarding our complaint against concerned government officials of DAR, DENR and BUCOR-IPFF. We are praying that this will reach to the attention of President Rodrigo Roa Duterte.

Hoping for your kind consideration and appropriate action on the attached complaint folder.

God Bless you and our government more abundantly.

Respectfully,


FRANCISCO P. CABUVERDE
President
SMZSLUPC Line Association
Bahay Kapulungan
Purok Zigzag, Luzviminda,
Puerto Princesa City
Contact No. 09157000302/09171599343

1-08200016

Samahan ng mga Magsasaka ng Zigzag, Sta, Lucia Luzviminda,
Puerto Princesa City (SMSZLLPPC), Incorporated, Company
Registration No. CN201710917 Bahay Pulongan KM 32 Purok
Zigzag, Luzviminda, Puerto Princesa City Palwan

Resolution No. 08 2020

A Resolution urging the President of the Philippines, Rodrigo Roa Duterte to order the investigation of the key personnel of the Department of Agrarian Reform in the Province of Palawan for engaging in widespread public deception in the implementation of Comprehensive Agrarian Reform Program (CARP) and for committing acts or omissions in open defiance to obey lawful orders of duly constituted authority or against superiors officers, amounting to Grave Misconduct, Grave Neglect of duty, Gross Ignorance of the law, Incompetence, and other acts or omissions inimical to public service. Such bold and daring moves of these public officials create doubt that their official acts to carry out the mandate of their Office have been controlled and directed by their "padrino" oligarchs and unscrupulous politicians with ulterior motive in mind to pursue their personal interest over the lands of public domain at the detriment of the otherwise qualified beneficiaries of CARP.

Whereas, we the undersigned are the complainants in this case and bona fide members of the Samahan ng mga Magsasaka ng Zigzag, Sta, Lucia Luzviminda, Puerto Princesa City. (SMZSLLPPC, INC) a farmers' group duly registered with the Securities Exchange Commission. (Certificate of incorporation marked as annex "A").

Whereas, this association has a landholding comprising 1,150 hectares of land located inside the Iwahig Prison and Penal Farm (IPPF) at the vicinity of the above mentioned address and being occupied by more or less 500 landless farmers. (Sketch map marked as annex "B").

Whereas, these actual occupants and their predecessors-in-interest have been openly and continuously cultivating and farming this land for the last 20 years now. (Video clip and DAR certificate showing suitability of subject landholding for agriculture marked as annex "C").

Whereas, as a backgrounder, the members of this association led by its President sent a petition to President Rodrigo Roa Duterte on 22 May 2017, requesting for the CARP coverage of our farm land for which the Office of the President indorsed it the following day, 23 May 2017, to DAR secretary for appropriate action.

Whereas, on 15 February 2019, while such petition was pending before DAR for processing, PRRD showing his true and real concerns for the poor and landless farmers issued E.O NO. 75 "DIRECTING ALL DEPARTMENTS, BUREAUS, OFFICERS AND INSTRUMENTALITIES OF THE GOVERNMENT TO IDENTIFY LANDS OWNED BY THE GOVERNMENT DEVOTED TO OR SUITABLE FOR AGRICULTURE FOR DISTRIBUTION TO QUALIFIED BENEFICIARIES", thus these farmers directly benefited from this E.O which prompted the Director of DAR MIMAROPA to issue the memo "Placing under CARP Coverage of the 1.150 hectares of farm land to be segregated from BUCOR-IPPF for distribution to landless farmers beneficiaries". It took almost 3 years for DAR to place subject landholding under the coverage of CARP after it received the application.

"Said landholding will be covered under EO 75 and you are hereby directed to do the inventory/CSW for validation early 1st Quarter of 2020".

Whereas, unfortunately however, these respondent key personnel of the said DAR Office composed of Conrado S Guevarra (PARO II), Engr. Ricardo SA Francisco CSEE (OIC-PARO II), Atty. Reychele Anne Villarta (chief, Legal Division) and Mr. Feliseo De Guzman (spoke person), conspired with one another and refused to implement the said order by presenting several frivolous alibis. Schemes and tricks to ignore the said memorandum and intentionally blocked the implementation of CARP Coverage over subject landholding (memo of CARP coverage marked as annex "D").

Whereas, it is very clear under section 4, Republic Act 6657, as amended, lands of public domain devoted to or suitable for agriculture can be covered for CARP, and if the farm land is located inside a reservation it still could be within the scope and coverage of CARP if the land is not actually, directly, and exclusively used by the concerned government agency.

Whereas these same officials argued that only lands within the public domain classified as A and D can be covered for CARP in total disregard for CARP law and in total defiance of the presidential directive in EO 75 and complete disobedience to lawful order of his superior officer, Regional Director, DAR MIMAROPA. Nowhere in CARP law can we find that timberland or even farm land classified as UNCLASIFIED PUBLIC FOREST but suitable for agriculture cannot be covered by CARP. This is a deception and it is intentional and wide spread machination used by the syndicate in order to have full control over the use and benefits of lands of public domain, at the disadvantage of the landless farmers and the general public.

Whereas, not only in one occasion where said officials blatantly defied the order of his superior officer and the CARP law, but same public officials of DAR in several occasions in the past since we submitted our petition to their office, were already committing such aforementioned malfeasance and misfeasance in office involving public officials and employees in the public service with their ultimate objective to block the successful implementation of CARP coverage of our landholding and not only ours but also include the whole province of Palawan and Puerto Princesa City working as a syndicate with the involvement also other personnel from government agencies such as DENR and IPPF-BUCOR, with the connivance oligarchs and unscrupulous politician controlling and directing the move of the so-called syndicate.

Whereas, in view of these circumstance there is a need for **Presidential Intervention** considering the magnitude and severity of the problem in the implementation of the CARP in the province of Palawan which affect several thousand poor and landless farmers.

Whereas, all these allegation of complaint are sufficiently supported with factual and legal basis with necessary documents and evidences to support their conviction such documents and evidences are contained in the attached complaint-affidavit.

The desire of PRRD in the E.O No. 75 will just be wasted or put to naught and in vain, instead, oligarchs and the oppressor and abusive politician with corrupt and inept employees of DAR, DENR and IPPF will rule in despotic fashion if not check early. There is a danger, Palawan may create the likes of another AMPATUANS who once ruled Magindanao if national authorities does not move.

Whereas, as of this moment, we could no longer rely on the trustworthiness of officials in the lower echelon to conduct the investigation because they may be part of the syndicate.

NOW, THEREFORE BE IT RESOLVED, by the Board of Trustees of this Association to request the Office of the President the following courses of actions:

1. To form and create a fact finding investigating team to make an inquiry on these alleged wrong doings in the implementation of CARP in the province of Palawan, particularly to our subject landholding.
2. The team shall conduct performance audit and shall determine further whether there was compliance on the part of DAR, CENRO and IPPF on the Presidential directive in E.O No. 75 and its IRR. It seems that these government agencies have zero compliance on said E.O in total disregard of the President's instruction.
3. The fact-finding team shall recommend the relief of respondent DAR key official as same have been in their posts for so long a time that they have deeply rooted in their positions and have developed unholy alliance with corrupt individuals in the community, but only after

finding them with prima facie evidence and affording them with due process of law.

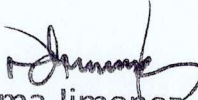
4. The team shall take such other actions which are just, appropriate and equitable under the circumstances.

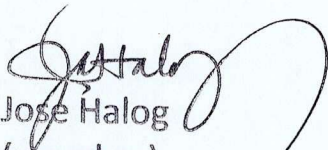
Adopted: 18 JULY 2020


IN WITNESS WHEREOF, the undersigned members of Board of Trustees and officers this association hereby certify that the above resolution was duly adopted by the Association Board of trustees.

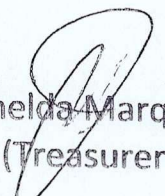

Eugenio De Guzman
(member)

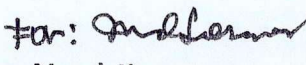

Angelito Flores
(member)


Norma Jimenez
(member)


Jose Halog
(member)

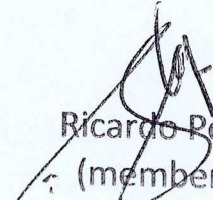

Beverly Yan
(Auditor)


Imelda Marquez
(Treasurer)



Fr. Noel Jimenez
(member)



Jerry Gardonez
(member)

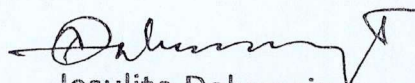

Enrique Mahilum
(member)



Ricardo Pocot
(member)

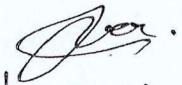

Melinda Malubay
(member)


Carlito Masayon
(secretary)


Pacivensidro A. Cataylo
(VP for Administration)

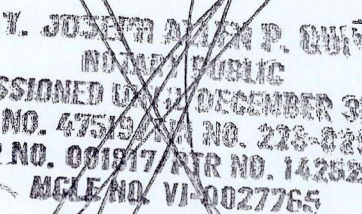

Jesulito Dalumpines
(VP for Operation)


Francisco P. Cabuverde
(President)


Joreheson A. Rodriguez
Member / Affiant

SUBSCRIBED AND SWORN, TO BEFORE ME THIS
JUL 20 2020 AT PUERTO PRINCESA CITY

UC NO. 276
PAGE NO. 17
BOOK NO. 129
SERIES OF 2120


ATTY. JOSEPH ALLEN P. QUIWAN
NOTARY PUBLIC
COMMISSIONED UNTIL DECEMBER 31, 2021
ROLL NO. 47519/NOT. NO. 228-829-182
IBP NO. 001917/ATR NO. 1425234
MCLE NO. VI-0027765



REPUBLIC OF THE PHILIPPINES
SECURITIES AND EXCHANGE COMMISSION
SEC Building, EDSA, Greenhills
City of Mandaluyong, Metro Manila

COMPANY REG. NO. CN201710917

COMPANY TIN 009-618-079

CERTIFICATE OF INCORPORATION

KNOW ALL PERSONS BY THESE PRESENTS:

This is to certify that the Articles of Incorporation and By-Laws of

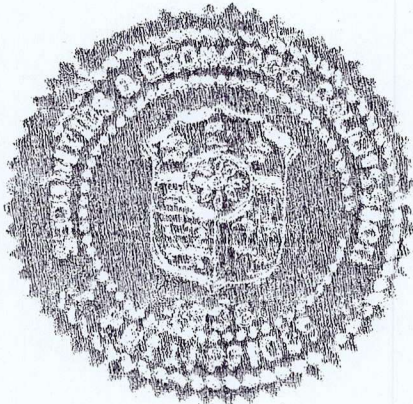
**SAMAHAN NG MGA MAGSASAKA NG ZIGZAG, STA. LUCIA AT
LUZVIMINDA, PUERTO PRINCESA CITY INC.**

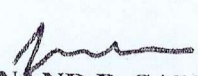
were duly approved by the Commission on this date upon the issuance of this Certificate of Incorporation in accordance with the Corporation Code of the Philippines (Batas Pambansa Blg.68), and copies of said Articles and By-Laws are hereto attached.

This Certificate grants juridical personality to the corporation but does not authorize it to undertake business activities requiring a Secondary License from this Commission such as, but not limited to acting as: broker or dealer in securities, government securities eligible dealer (GSED), investment adviser of an investment company, close-end or open-end investment company, investment house, transfer agent, commodity/financial futures exchange/broker/merchant, financing company, pre-need plan issuer, general agent in pre-need plans and time shares/club shares/membership certificates issuers or selling agents thereof. Neither does this Certificate constitute as permit to undertake activities for which other government agencies require a license or permit.

As a registered corporation, it shall submit annually to this Commission the reports indicated at the back of this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of this Commission to be affixed at Mandaluyong City, Metro Manila, Philippines, this 27th day of March, Twenty Seventeen.




FERDINAND B. SALES
Director

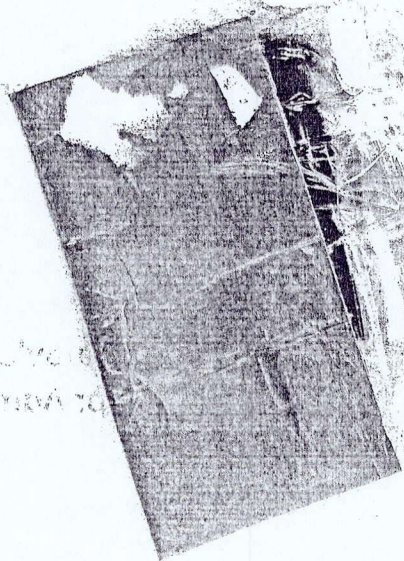
Company Registration and Monitoring Department

POINT	LATITUDE	LONGITUDE
1	9-39-30 N	118-40-44 E
2	9-38-32 N	118-42-12 E
3	9-37-58 N	118-43-30 E
4	9-36-49 N	118-42-20 E



VIDEO CLIPS LIFTED FROM FB ACCOUNTS:

1. Samahan ng Magsasaka ng (Zigzag Sta Lucia, Luzviminda, Puerta Princesa aty ~~Rantawan~~ Inc. Association) ZMSLP
2. DUZO BONG GO POP UNLESS PORMERS
3. BASTO DUZO DISCIPLINA KAGIN UNWARRN



(P)



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF AGRARIAN REFORM
Tunay na Pagbabago sa Repormang Agraryo

MEMORANDUM:

TO:

PARPO CONRADO S. GUEVARRA
DARPO 2F City Coliseum, San Pedro
Puerto Princesa City, Palawan

FROM:

The Regional Director
DAR MIMAROPA, Quezon City

SUBJECT:

**REQUEST FOR OPPORTUNITY TO
PRESENT POSITION DURING THE
CONDUCT OF PROCESSES
(IDENTIFICATION, VALIDATION,
SEGREGATION, TRANSFER AND
DISTRIBUTION) INVOLVING THE
IWAHIG PRISON AND PENAL FARM
RELATIVE TO THE IMPLEMENTATION
OF EXECUTIVE ORDER NO. 72, SERIES
OF 2019**

DATE:

03 February 2020

X

X

Referred the hereto attached Memo with attachments placing under CARP Coverage of the 1,150 hectares of farm land to be segregated from BUCOR-IPPF for distribution to landless farmer beneficiaries.

Said landholdings will be covered under EO 75 and you are hereby directed to do the inventory/CSW for validation early 1st Quarter of 2020.

Reply directly to the letter-sender, copy furnish all parties concerned.

For immediate compliance.

ZORAIDA O. MACADINDANG, Al Hadj JD
LMD/ICL, EMD/ICL/ruby

cc:
Mr. Francisco Tabuena, et al.
Purok Zazag, Luzoninda
Puerto Princesa City, Palawan



REPUBLIC OF THE PHILIPPINES
SECURITIES AND EXCHANGE COMMISSION
SEC Building, EDSA, Greenhills
City of Mandaluyong, Metro Manila

OFFICE OF THE SUPERINTENDENT
COMPANY REG. NO. CN201710917
COMPANY TIN 00918-079

RECEIVED

BY: *[Signature]*
DATE: 01-07-19

2:49 pm

CERTIFICATE OF INCORPORATION

KNOW ALL PERSONS BY THESE PRESENTS:

This is to certify that the Articles of Incorporation and By-Laws of

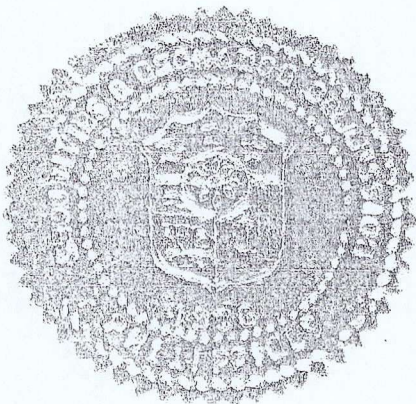
**SAMAHAN NG MGA MAGSASAKA NG ZIGZAG, STA. LUCIA AT
LUZVIMINDA, PUERTO PRINCESA CITY INC.**

were duly approved by the Commission on this date upon the issuance of this Certificate of Incorporation in accordance with the Corporation Code of the Philippines (Batas Pambansa Blg.68), and copies of said Articles and By-Laws are hereto attached.

This Certificate grants juridical personality to the corporation but does not authorize it to undertake business activities requiring a Secondary License from this Commission such as, but not limited to acting as: broker or dealer in securities, government securities eligible dealer (GSED), investment adviser of an investment company, close-end or open-end investment company, investment house, transfer agent, commodity/financial futures exchange/broker/merchant, financing company, pre-need plan issuer, general agent in pre-need plans and time shares/club shares/membership certificates issuers or selling agents thereof. Neither does this Certificate constitute as permit to undertake activities for which other government agencies require a license or permit.

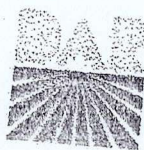
As a registered corporation, it shall submit annually to this Commission the reports indicated at the back of this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of this Commission to be affixed at Mandaluyong City, Metro Manila, Philippines, this 23rd day of March, Twenty Seventeen.



[Signature]
FERDINAND B. SALES
Director

Company Registration and Monitoring Department



REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

MEMORANDUM:

TO:

PARPO CONRADO S. GUEVARRA
DARPO Puerto Princesa City, Palawan

FROM:

The REGIONAL DIRECTOR
DARRO MIMAROPA

SUBJECT:

Resolution No. 04-2019 dated March 09, 2019 with attachments

DATE:

07 October 2019

This refers to the Indorsement dated 23 September 2019 with attachments of Atty. Estrellita B. Briones, Assistant Director, Bureau of Agrarian Legal Assistance relative to the subject Resolution adopted by the Samahan Ng Mga Magsasaka ng Zigzag, Sta. Lucia, Luzviminda, Puerto Princesa City (SMZZLLP), Incorporated entitled **A RESOLUTION URGING THE SUPERINTENDENT OF IWAHIG PRISON AND PENAL FARM (IPPF), THE DIRECTOR OF BUREAU OF CORRECTIONS, THE PROVINCIAL AGRARIAN REFORM OFFICER (PARO) OF PALAWAN AND THE SECRETARY OF DEPARTMENT OF AGRARIAN REFORM, TO PLACE SUBJECT AREA OF OUR PETITION, APPROXIMATELY 1,150 HECTARES, SITUATED AT PUROK ZIGZAG I, LUZVIMINDA, PUERTO PRINCESA CITY, PALAWAN, UNDER THE COVERAGE OF THE COMPREHENSIVE AGRARIAN REFORM PROGRAM.**

Kindly take appropriate action on the matter, copy furnish all parties concerned.

For immediate compliance.

ZORAIDA O. MACADINDANG, Al Haj JD
ZOM/LGL/FMDG/rto/ruby

Cc: Mr. Francisco P. Cabuverde
Samahan Ng Mga Magsasaka Ng Zigzag, Sta Lucia
Luzviminda, Puerto Princesa City (SMZZLLP), Incorporated, Palawan
Atty. Estrellita B. Briones
Office of Assistant Director
Bureau of Agrarian Legal Assistance
DAR Central Office, Elliptical Road, Diliman, Q.C.

DAR MIMAROPA REGIONAL OFFICE
DAR MIMAROPA Building
DARCO Cmpd., Elliptical Rd., Diliman, Q.C.

TELEFAX: (02) 256-44-11
WEBSITE: www.dar.gov.ph



REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

MEMORANDUM:

TO:

PARPO CONRADO S. GUEVARRA
DARPO 2F City Coliseum, San Pedro
Puerto Princesa City, Palawan

FROM:

The Regional Director
DAR MIMAROPA, Quezon City

SUBJECT:

**REQUEST FOR CARP COVERAGE FILED
BY SMZSLLP, AS REPRESENTED BY ITS
PRESIDENT, MR. FRANCISCO P.
CABUVERDE**

DATE:

03 February 2020

X

X

Referred the hereto attached Petition from the Samahang mga Magsasaka ng Ziggag, Sta. Lucia at Luzviminda, Puerto Princesa City (SMZSLLP) regarding the issuance of Proclamation Order to declare some 1,150 hectares from Sta. Lucia sub-Colony of Iwahig Prison and Penal Farm (IPPF) as areas suitable for agriculture to be segregated from IPPF and for distribution to qualified Agrarian Reform Beneficiaries (ARBs) under the CARP.

Kindly take appropriate action on this matter particularly on the validation/segregation/transfer and distribution as requested. Reply directly with Mr. Francisco Cabuverde and his group.

For immediate compliance.

ZORAIDA O. MACADINDANG, Al Hadj JD

ZMD, LGL, FBIC, Rto, raby

cc:

Mr. Francisco Cabuverde, et al.,
Parok Ziggag, Luzviminda
Puerto Princesa City, Palawan

MEMORANDUM

FOR

: ATTY. SHEILA B. ENCISO
Head Executive Assistant
Office of the Secretary
DARCO, Diliman, Quezon City

FROM

: The Provincial Agrarian Reform Officer II
2nd Floor, DAR, City Coliseum
San Pedro, Puerto Princesa City

SUBJECT

: LETTER OF FRANCISCO CABUVERDE DATED OCTOBER 16, 2017 OF SMZSLLP, PUERTO PRINCESA CITY


DATE

: November 14, 2017

This refers to the attached copy of letter of Francisco Cabuverde, dated October 16, 2017, on his comment involving our recommendation contained in our memorandum dated September 11, 2017, submitted to the Office of the Regional Director, DAR, Region IV-B, Pasig City, concerning the coverage and distribution of the 1,700 hectares, located at Barangay Iwahig, Puerto Princesa City, under CARP (Annex "A").

It is our position even before with previous farmers' groups and during the dialogue between the SMZSLLP, DENR, LGU and BUCOR held in DARPO-Palawan on August 29, 2017, that, as timberland, this office cannot do anything to distribute the land under CARP unless sooner re-classified into Alienable and Disposable by Congress and a law is thereafter passed extending the implementation of the program.


For consideration.


CONRADO S. GUEVARRA

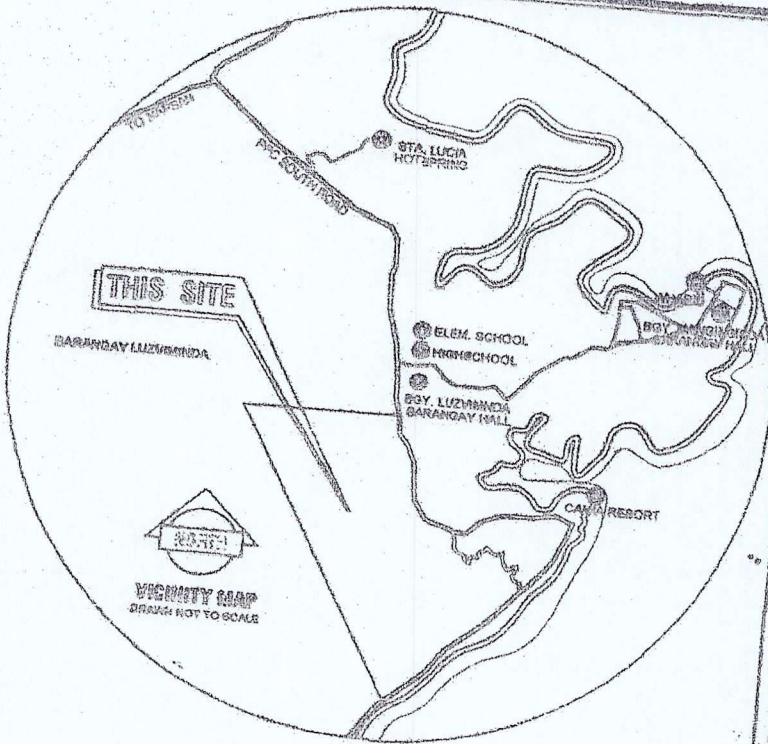
Copy furnished:

MR. FRANCISCO P. CABUVERDE
President, SMZSLLP, Inc.
Barangay Luzviminda, Puerto Princesa City
09068717609

The Regional Director
DAR, Region IV-B
Rudgen I Bldg.
No. 17 Shaw Boulevard corner
Meralco Avenue, Pasig City


CSG/LIP
mem hea SMZSLLP-1,700

DAR
28 NOV 2017
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RELEASED



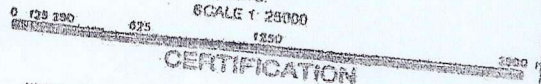

 NORTH
 VICINITY MAP
 DRAWN NOT TO SCALE

SKETCH PLAN LAND

AS PREPARED FOR
 SAMAHAN NG MGA MAGSASAKA NG ZIGZAG,
 STA. LUCIA AT LUZVIMINDA, PUERTO PRINCESA
 CITY, INCORPORATED
 SITUATED IN THE

RURBAN CODE :
 BARANGAY OF : LUZVIMINDA
 CITY OF : PUERTO PRINCESA
 PROVINCE OF : PALAWAN
 ISLAND OF : PALAWAN
 CONTAINING AN AREA OF 11,500,000 GCL. M.

ZONE NO.:
 PPCB-PTM/PRS 92.
 BEARING:
 SCALE 1: 25000



CERTIFICATION

Date prepared:

8/31/2020
EDWN
NOISSBET

O.P Case No. _____

1. Viol Of sec. 73(d), RA 6657
as amended

2. Viol of RA 3019

3. Viol of RA 6713

4. Viol of 9485

5. Grave Misconduct

6. Grave Neglect of Duty

7. Gross Incompetence

8. Gross Ignorance of the Law

From DENR Palawan:

Puerto, Princeca City.

Eriberto B Sanos SESE- PENRO Palawan

From IPPF-BUCOR:

CSSUP Raul Levita Superintendent,

Iwahig Prison and Penal Farm

Respondents

X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-

AFFIDAVIT-COMPLAINT

We, the undersigned Officers and members of the Board of Trustees (BOT) of the Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia, Luzviminda, Puerto Princesa City (SMZSLLPPC), Inc. Filipinos and all of legal ages with postal address at Bahay Pulungan KM. 32, Purok Zigzag, barangay Luzviminda, Puerto Princesa City, after having been duly sworn to in accordance with law do hereby depose and say:

1. That we are the complainants in the above- entitled case.
2. That we are formally charging ~~administratively~~ aforementioned respondent key personnel of the Provincial Agrarian Reform Office of Palawan; PENRO Eriberto B Sanos of Palawan and CENRO Felizardo Cayatoc of Puerto Princesa City; CSSUPT Raul Levita, Superintendent, IPPF, with postal address for respondent DAR Officials at City Coliseum, San Pedro, Puerto Princesa City, and for DENR officials at Sta. Monica, Puerto Princesa City and for CSSUPT Raul Levita at IPPF, barangay Iwahig, PPC, the circumstances of the complaint are as follows:
3. That this "Samahan" has a landholding inside the Iwahig Correctional Facility (ICF) Located at Purok Zigzag, barangay, Luzviminda, Puerto Princesa City, whose area is about 1,150 hectares and occupied by more or less 500 landless farmers and their predecessors-in-interest who tilled the land for more than 20 years now. Sketch map marked as annex "A" and Video clips showing the area and its suitability for agriculture is marked as annex "B".
4. The association is a duly registered with the Securities and Exchange Commission (SEC). Certificate of Incorporation is marked as annex "C" and the certificate of accreditation by the City government of Puerto Princesa is marked as annex "D".

5. That on 22 May 2017, the members of this association led by its president, Fransisco Cabuverde, sent a petition to President Rodrigo Roa Duterte requesting that the said farmland be covered by the Comprehensive Agrarian Reform Program (CARP) for the purpose of distributing this land to actual occupants who maybe qualified as the potential Agrarian Reform beneficiaries (ARBs)

6. And accordingly, the Office of the President referred this petition, resolution and many other follow up letters to the Secretaries of DAR and DENR for appropriate action. Marked as annex "E"

7. That fortunately for the landless farmers, while subject petition was under process, President Rodrigo Roa Duterte issued E.O 75 on 15 Feb 2020, "directing all departments , Bureaus, Offices and Instrumentalities of the government to identify lands owned by the government devoted to or suitable for agriculture for distribution to qualified beneficiaries". Also, it's IRR joint DAR-DOJ Administrative Order No. 07 was issued on May 31 2019.

8. That subject petition passed thru the different processing channels of DAR and DENR until it reached the office of the Regional Director DAR MIMAROPA who finally issued the CARP coverage memo on subject landholding, on 03 Feb 2020. This memo is marked as annex "F".

9. That it took 2 years and 9 months for DAR to complete the processing of the petition before the CARP coverage memo was approved on 03 Feb 2020 reckoned from the date of its submission on 23 may 2017

10. The said CARP coverage memo directed respondent DARPO Conrado S Guevara to undertake the acquisition Process particularly the validation stage as prescribed in the said joint DAR-DOJ Administrative Order No. 7 but the said Official blatantly defied the lawful order of his superior officer saying that his office could not implement the order on the ground that subject landholding is classified as unclassified Public Forest arguing

for: [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

further that subject landholding has to be reclassified first as alienable and Disposable (A and D) before it could be covered by the CARP.

11. This move of respondent DARPO Guevarra to hold in abeyance the conduct of validation on the ground that subject land holding is classified as unclassified public forest is highly irregular because he was questioning the validity of the CARP coverage order we should take note that it is the Regional Director, DAR who has the exclusive and primary responsibility power and authority to determine the validity of any CARP coverage contest or controversy and has the exclusive authority to issue CARP coverage order on any landholding. The Department of Agrarian Reform Provincial Officer does not have this power and authority.

12. What is very alarming here is that these respondent key DAR Officials does not only defy their superior officer in DAR Central Office but also defy the order of the President in E.O 75 specifically directing the DAR to distribute vacant or idle lands and other lands public domain suitable for agriculture. The same respondents also defied the comprehensive Agrarian Reform law (RA 6657 as amended), by circumventing the law in favor of the oligarchs who control the lands of public domain here in Palawan at the detriment of the landless Farmers.

13. That this unfavorable or adverse position of DARPO Guevara and the other respondent key official of DAR has no legal basis. The scope and coverage of CARP is explicitly provided under Sec. 4, RA 6657, as amended, which states in part: "and all other lands of the public domain suitable for agriculture". Thus even in unclassified public forest and timberland which are devoted to and suitable for agriculture including reservations such as this land holding provided same is no longer actually, directly, and exclusively used or necessary for the purpose for which they have been reserved or acquired could be covered by E.O 75, E.O. 448, E.O 407 and RA 6657, as amended.

14. Aside from ~~DARPO~~ Guevarra, other respondent key officials of DAR Palawan like ~~Ricardo~~ Francisco CSEE (PARO II), Atty. Reychele Anne

for: endorsed

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for: endorsed

for: endorsed

for: endorsed

for: endorsed

for: endorsed

for: endorsed

for: endorsed

Villarta and fideleo Degusman are also included in this complaint because they conspired with respondent DARPO Guevarra who committed acts or omissions which constitute the afore cited violations of laws, rules and regulations, the same officials are the ones who faced us during the several meetings/conferences we had in their office who were responsible for the wrongful actions of DARPO Guevarra. The official position of these respondent DAR officials is their collective action.

15. The following are the official positions and collective action of respondent DAR Officials in response to this association's application for CARP coverage under E.O 75 and other related laws, rules and regulation.

- a) Memo of DARPO Guevarra for Regional Director, DAR MIMAROPA dated 11 Sep 2017 (annex "G") stating in part: "considering the present classification of the land it is recommended that the SMZSLPPC association secure a copy of the requirements from the office DENR the issuance of a proclamation. It is similarly recommended that a law by the congress reclassifying the area into Alienable and disposable (A and D)" requiring us to lobby in congress to file a bill to reclassify subject land holding to A and D. Is intentional wrong advice because this is not legally possible at this time unless there is a law that establish the specific limits of forest lands in the country. (Sec. 4 RA 6657). Requiring us to secure requirement from DENR for the issuance of a proclamation is bureaucratic and violation of anti red tape law. There was no need for this requirement.
- b) Memo of DARPO Guevara for Atty. Enciso dated 14 Nov 2017 (annex "H"), 2nd paragraph of this memo reads: "it is our position even before with previous farmers' groups and during the dialogue between the SMZSLPPC, DENR, LGU and BUCOR held in DARPO-Palawan on August 29, 2017, that, as timberland, this office cannot do anything to distribute the land under CARP unless sooner reclassified into alienable and disposable by Congress and a law is

thereafter passed extending the implementation of the program". This official position taken by respondent Guevarra has no legal basis as earlier explained this is a deception to mislead the general public so that the poor and landless farmers would not pursue their claims, rights and privileges available to them under CARP and the desire of the president to distribute these carpable lands to them.

- c) 1st endorsement of DARPO Guevarra to SSSUPT ARO, Superintendent of IPPF dated 25 April 2019 (annex "I") reads: "Please be informed that SMZSLLP officers and representative have visiting the DAR Provincial Office Asking for Assistance but their concerns are found within your competence and jurisdiction, thus this referral". Respondent DARPO Guevarra by referring our concerns to the superintendent IPPF is avoiding responsibility this is a trick or deception or delaying tactics employed by respondents to block our petition. Under the law it is DAR who has the primary responsibility in the implementation of CARP. Certainly respondent DAR has the mandate and authority over the subject matter or our concerns.
- d) Letter of DARPO Guevarra to Francisco Cabuverde, president SMZSLLPPC dated 13 March 2020, (annex "J"). This letter stated in brief that the sked validation over subject landholding is held in abeyance on the ground that its classification is unclassified public forest. This action of respondent Guevarra is just a repetition of wrongful act with intention not to implement the CARP over our subject holding despite the CARP coverage order already issued by higher headquarters. We suspect that these respondent DAR officials are controlled and manipulated by a very powerful group of oligarchs who control the land of public domain in the province of Palawan
- e) Letter of respondent Engr. Francisco CSEE to Pacivensidro A Cataylo, Vice President for Administration, SMZSLLPPC (annex "K"). This letter denied this association's request for reconsideration on

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St. Chryse

for

Guevarra

J

paper

Guevarra

g. g.

Guevarra

the DECISION of PARO Holding in abeyance the conduct of the Field Validation. This denial is highly irregular or without legal ground this is intentional to frustrate poor and landless farmers to receive the benefits of CARP. This action of respondent is a circumvention of the law to follow the desire and dictates of the powerful oligarchs.

16. On letter a) above in annex "G": this official position of respondent DARPO Guevarra and the rest of respondent DAR Official shows their incompetence and ignorance of law because subject land holding in order to be covered for CARP need not be reclassified into A and D what is needed only is for DAR to conduct the validation stage to determine its suitability and non-exclusivity or not actually and directly used by IPPF.
17. On letter b) above in annex "H": the official position of respondents reiterated only their previous views committing similar mistakes.
18. On letter c) above in annex "I": respondent DARPO Guevarra and other respondent DAR officials held the view that his office has no jurisdiction over subject farmland has no legal basis.
19. On letter d) above in annex "J": stating that the sked validation could not be continued on the ground that subject landholding is classified as unclassified public forest is just a reiteration of their previous position which is bereft of legal basis.
20. On letter e) above in annex "K": this letter denied this association's request for reconsideration on the DECISION of PARO Holding in abeyance the conduct of the Field Validation. The grounds for the discontinuance of validation is again without legal basis. This is a direct defiance of the lawful order of his superior officer. This is highly irregular action on the part of the respondents.
21. Respondent DAR Officials further failed to directly inform us on its action taken on SMZSLLPPC. Inc. Resolution No. 04-2019 and other

communication as received by their office, in violation of RA 6713 and RA 9485 (anti Red Tape law)

22. By this manifest official position or acts or omissions committed by respondent DAR Officials it is clear that respondent DAR have no intention to cover subject landholding under E.O 75. Respondents resorted to all tricks, lies or deception to block the distribution of this land to qualified landless beneficiaries. They resorted to engaging wide spread public deception by misleading the public into believing that only lands classified as A and D could be covered by CARP for as long as respondent DAR Officials remain in Palawan, this province will not benefit the social justice program in CARP. The poor and landless farmers will be adversely affected the most. These acts or omissions of respondents constitute violation of sec. 73(d), RA 6657 or malicious and willful prevention or obstruction by any person, Association or entity of the implementation of the CARP; violation of RA 3019 (Anti-graft and Corrupt practices act); viol of RA 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees); viol RA 9485 (Anti Red Tape Act); Grave Misconduct; Grave Neglect of Duty; Gross Incompetence; Gross Ignorance of the Law.

23. On the part of respondents CENRO Felizardo B Cayatoc, PENRO Eriberto B Sanos and OIC Regional Director, MIMAROPA Region DENR, they also adopted the official position of respondent DAR Officials stating that subject landholding could not be covered by CARP and E.O 75 unless the land is reclassified to A and D (annex "L").

24. On the part of respondent CSSUPT Raul Levita he committed the following acts or omissions;

- a) He misled the general public in denying that subject land holding is already covered by CARP Memo. This denial happened during his public live interview with abs-cbn TV Palawan on 14 APRIL 2020 video clip annex "M".

b) He refused to see us in his office despite our written request which we sent three times. Annex "N".

c) He failed to respond to our letters needing appropriate action (Annex "O").

d) Failed to comply with the Presidential directive in E.O 75 "DIRECTING ALL DEPARTMENTS, BUREAUS, OFFICES AND INSTRUMENTAL OF THE GOVERNMENT TO IDENTIFY LANDS OWNED BY THE GOVERNMENT DEVOTED TO OR SUITABLE FOR AGRICULTURE FOR DISTRIBUTION TO QUALIFIED BENEFICIARIES"

e) Failed to respect or recognize or give due course to the CARP coverage Memo over subject landholding.

f) Allows portion of IPPF to be rented by private individuals but the rentals go to the pocket of unscrupulous IPPF employees.

25. We should take note that all respondents coming from DAR, DENR and IPPF-BUCOR are in chorus to engage in wide spread public deception to mislead us into believing that only lands of the public domain classified as A and D could be covered by CARP. The fact is there is no truth to this.


26. This is the main reason why the implementation of CARP in Palawan is almost zero.

27. Considering the severity of the problem and magnitude of the wide spread deception committed by the three agencies of the government involving high ranking officials both in the national and local levels involving the implementation of CARP, there is a need therefore for a Presidential Intervention.

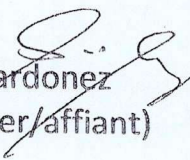
28. That we are executing this affidavit to attest to the truth of the foregoing statements and for the purpose of charging the respondents for the above-mentioned violation of laws rules and regulations.

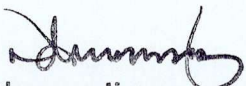
IN WITNESS WHEREOF, We have hereunto affixed our signatures this 20th day of July 2020, in the city of Puerto Princesa City.


Eugenio DeGuzman
(member/affiant)

for: 
Fr. Noel Jimenez
(member/affiant)


Angelito Flores
(member/affiant)


Jerry Gardonez
(member/affiant)



Norma Jimenez
(member/affiant)


Enrique Mahilum
(member/affiant)


Jose Halog
(member/affiant)


Ricardo Pucot
(member/affiant)


Beverly Yan
(auditor/affiant)


Melinda Malubay
(member/affiant)

Imelda Marquez
(Treasurer/affiant)

Carlito Masayon
(secretary/affiant)

Eacivensidro A. Cataylo
(VP for Administration/affiant)

Jesulito Dalumpines
(VP for Operation/affiant)

Francisco P. Cabuverde
(President/affiant)

Joreleson A. Rodriguez
Member / Affiant

SUBSCRIBED AND SWORN, TO BEFORE ME THIS
2011 2 6 2020 AT PUERTO PRINCESA CITY, PALAWAN

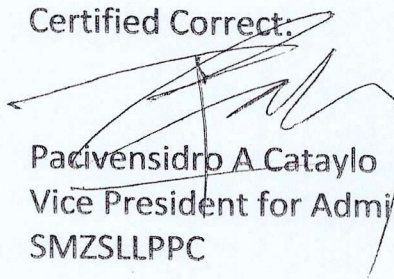
DOC NO. 277
PAGE NO. 57
BOOK NO. 129
SERIES OF 2020

ATTY. JOSEPH ALLEN T. QUINON
NOTARY PUBLIC
COMMISSIONED UNTIL DECEMBER 31, 2020
ROLL NO. 47519/TIN NO. 223-829-182
IBP NO. 001817/PTA NO. 1425234
MCLE NO. VI/0027765

List of Annexes:

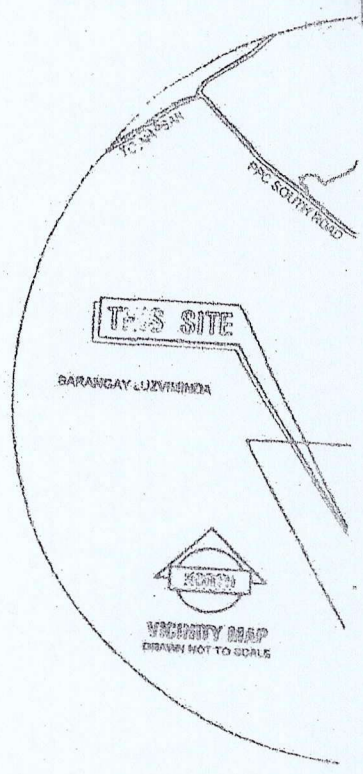
1. "A" Sketch Map.
2. "B" Memorandum from SARPOs Gloria Almazan and Emilio G Lobederio for Director, BLTI dated July 3 2017.
3. "C" Certificate of Incorporation.
4. "D" Certificate of Accreditation.
5. "E" Referrals/Endorsements from the Office of the President to Secretaries of DAR and DENR.
6. "F" CARP Coverage Memo.
7. "G" Memo of DARPO Guevarra for Regional Director, DAR MIMAROPA dated September 11 2017.
8. "H" Memo of DARPO Guevarra to for Atty. Enciso dated Nov 14 2017.
9. "I" 1st Endorsement of DARPO Guevarra to CSSUPT ARO, SUPT of IPPF dated April 25 2019.
10. "J" Letter of DARPO Guevarra to Francisco Cabuverde Dated march 13 2020.
11. "K" Letter of Engr. Francisco CSEE to Pacivensidro A Cataylo, VP for Administration, SMSZLLPPC dated June 17 2020.
12. "L" DENR Letters (CENRO/PENRO/RD, DENR Region IVB) to President, SMZSLLPPC.
13. "M" Video clip.
14. "N" Letters of Francisco Cabuverde President, SMZSLLPPC to SUPT, IPPF requesting for a courtesy calls.
15. "O" Resolution, letters of President, SMZSLLPPC to SUPT IPPF.
16. "P" Letter of Pacivensidro A. Cataylo to Engr. Leandro A. Caymo dated november 16 2019.
17. "Q" Verification of and certification of Non-Forum Shopping.

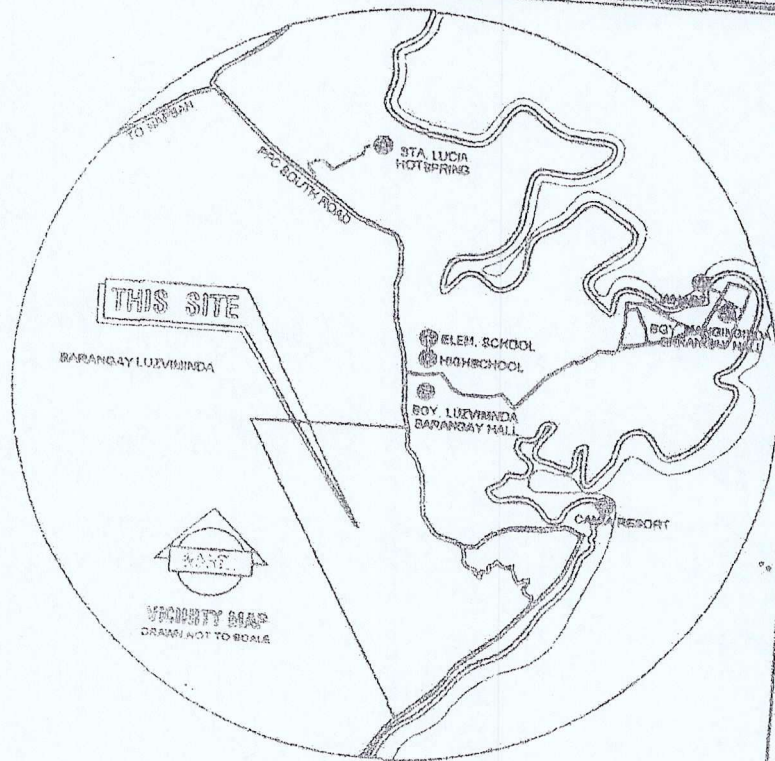
Certified Correct:



Pacivensidro A Cataylo
Vice President for Administration
SMZSLLPPC

POINT	LATITUDE	LONGITUDE
1	9-39-30 N	118-40-44 E
2	9-39-32 N	118-42-12 E
3	9-37-58 N	118-43-30 E
4	9-36-49 N	118-42-20 E





SKETCH PLAN

LAND

AS PREPARED FOR
SAMAHAN NG MGA MAGSASAKA NG ZIGZAG,
STA. LUCIA AT LUZVIMINDA, PUERTO PRINCESA
CITY, INCORPORATED
SITUATED IN THE

RURBAN CODE:
BARANGAY OF: LUZVIMINDA
CITY OF: PUERTO PRINCESA
PROVINCE OF: PALAWAN
ISLAND OR: PALAWAN
CONTAINING AN AREA OF

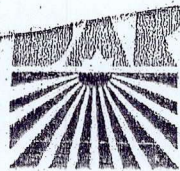
11,500,000 SQ. M.

ZONE NO.:
PPCS-PTM/PRS 92:
BEARING:
SCALE 1: 25000

0 125 250 500 750 1000 1250 1500 1750 2000 2250 2500 2750 3000 3250 3500

CERTIFICATION

Date prepared:



MEMORANDUM

FOR : THE DIRECTOR
Bureau of Land Tenure Improvement

FROM : GLORIA P. ALMAZAN and EMILIO G. LOBEDERIO, JR.
SARPOs, LTIDCD-BLTI

SUBJECT : Feedback Report on the ocular inspection conducted Re: Petition by the Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda, Puerto Princesa City (SMZSLLP) for the issuance of a Proclamation Order to declare some 1,150 hectares from the Sta. Lucia sub-colony of Iwahig Prison and penal Farm (PPPF), as areas suitable for Agriculture to be segregated from the said Prison and Penal Farm for distribution to qualified agrarian reform beneficiaries under the CARP.

DATE : 3 July 2017

I. Background Information

1. This pertains to the petition addressed to Secretary Rafael V. Mariano dated 22 May 2017 of Mr. Francisco P. Cabuverde, President of SMZSLLP relative to the aforementioned subject.
2. SMZSLLP is a duly registered organization with the Securities and Exchange Commission. Please refer to the attached Certificate of Incorporation.
3. SARPOs Gloria P. Almazan and Emilio G. Lobederio, Jr. conducted the ocular inspection on June 28, 2017 in coordination with MARPO Susie Magdayao of DARMO Puerto Princesa City and some staff of DARPO Palawan. The following are the results of the ocular inspection conducted:
 - There are more or less 300 potential farmer beneficiaries/households who are occupants/actual tillers of the estimated 50 to 70 hectares, portion of the Iwahig Prison and Penal Farm in Puerto Princesa City and presently residing in the said area.
 - The area is presently planted with root crops; such as, cassava, corn, vegetables and fruit trees (banana, mango, jackfruit, guava, etc.) and various big trees. The subject landholdings are proven to be suitable for agriculture because they produced organic crops.
 - The said potential farmer beneficiaries were in actual cultivation in the area for the past twenty (20) years, hence, their petition that the same be awarded to them.
4. At present, the whole area is covered by Proclamation Order No. 718, Re: Amending Proclamation No. 350 declaring 1,072 hectares of the Sta. Lucia sub-colony of the Iwahig Penal Colony as an industrial commercial estate and reclassifying the same as an environmental estate. Under the said Proclamation, the Palawan Council for Sustainable Development and the Iwahig Penal Colony Inter-Agency Committee jointly endorses the



Republic of the Philippines
OFFICE OF THE SANGGUNIANG PANLUNGSOD
Puerto Princesa City

CERTIFICATE OF ACCREDITATION

CMSPC-007

THIS IS TO CERTIFY THAT, having satisfactorily complied with the requirements for accreditation pursuant to the Local Government Code and as promulgated in the LRAI Memorandum Circular No. 2016-07 dated July 12, 2016 and City Ordinance No. 564, the

SAMAHAN NG MGA MAGSABAKA NG ZIGZAG, STA. LUCIA AND LUZVIMINDA, PUERTO PRINCESA INCORPORATED (SMZSLLP)

PUERTO PRINCESA CITY

an organization duly registered with the Department of Labor and Employment and established in accordance with law, and pursuant to Resolution No. 1807-2019 adopted by the 15th Sangguniang Panlungsod during its 136th Regular Session held on April 8, 2019 is hereby awarded this Certificate of Accreditation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Sangguniang Panlungsod to be affixed herein this 22nd day of April 2019, at Puerto Princesa City, Philippines.

LOUIS M. MARCAIDA III

City Vice Mayor
Presiding Officer

ATTESTED:

MODesto S. RODRIGUEZ II

City Councilor

Chairman, Committee on People's
Organization and NPO Affairs

JOSEPHINE S. RIVERO
Secretary to the Sangguniang Panlungsod



Office of the President
PRESIDENTIAL COMPLAINT CENTER
Malacañang, Manila

23 May 2017

HEA LUZ J. PEREZ
Office of the Secretary
Department of Agrarian Reform
Elliptical Road, Diliman, Quezon City


M a d a m :

Respectfully forwarding the attached undated petition letter, with enclosures, addressed to **President RODRIGO ROA DUTERTE**, for appropriate action, subject to existing laws, rules and regulations on the matter, from the **Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda, Puerto Princesa City, Incorporated**, Purok Zigzag, Luzviminda, Puerto Princesa City, seeking Presidential intercession, relative to their request stated therein.

A reply direct to the party/ies concerned, copy furnished the Center, citing **PCC Code No. GL-CYR-05-22-2017-115** will be highly appreciated.

Our cordial regards.

Very truly yours,


JAI ME LLAGUNO MABILIN
Director IV

Encl.: a/s
CC: PARTY/IES CONCERNED
/cyr

BAHAY UGNAYAN, JOSE P. LAUREL STREET, MALACAÑANG, MANILA
Telephone Numbers: 736-8645 (Governance and Local Affairs Division);
736-8603 (Social Services Division); Fax Number: 736-8621
Email Address: pcc@malacanang.gov.ph

Office of the President
of the Philippines
Malacañang

APR 08 2019

SECRETARY ROY A. CIMATU
Department of Environment and Natural Resources
Visayas Avenue, Diliman
Quezon City

Dear Secretary Cimat:

This refers to the letter dated 23 August 2018 received by our Office last 15 March 2019 from Mr. Francisco P. Cabuverde, President of Samahan ng mga Magsasaka ng Zigzag, St. Lucia at Luzviminda, Puerto Princesa, Inc. (SMZSLPP), requesting assistance for the issuance of a Proclamation declaring some 1,150 hectares of land to be segregated from Iwahig Prison and Penal Farm (IPPF) and placed under the Comprehensive Agrarian Reform Program (CARP).

According to Mr. Cabuverde, the mentioned 1,150 hectares of land out of the 42,000 hectares reserved for IPPH are left idled and abandoned. However, through the efforts of more than 300 farmers from SMZSLPP, the lands were cultivated, tilled, and developed for more than 20 years now.

Mr. Cabuverde further disclosed that they already lodged a petition before the Office of the Director of Department of Agrarian Reform Region IV-B (MIMAROPA) and the Provincial Agrarian Reform Officer of Palawan sometime in October 2017. However, until now, they are still waiting for the said office's reply to their request.

Recommending that the Department of Environment and Natural Resources, kindly evaluate the merits of the request in accordance with your existing guidelines and other applicable laws, rules, and regulations. Please inform the proponent of the action taken on the matter, copy furnished this Office.

Thank you and God Bless.

Very truly yours,

WENDEL E. AVISADO

President's Assistant for Special Concerns

cc: MR. FRANCISCO P. CABUVERDE
Samahan ng mga Magsasaka ng Zigzag, St. Lucia at Luzviminda Puerto Princesa City, Inc.
Purok Zigzag, Luzviminda, Puerto Princesa City
Palawan



Office of the President of the Philippines
PRESIDENTIAL MANAGEMENT STAFF
Malacañang

26 June 2018

Secretary JOHN R. CASTRICIONES
Department of Agrarian Reform (DAR)
Elliptical Road, Diliman
Quezon City

Dear Sir,

This is to respectfully forward, for appropriate action, the attached letter of Mr. Francisco Cabuverde, a farmer requesting the distribution of the lands under the Comprehensive Agrarian Reform Program in Luzviminda, Puerto Princesa City to the expecting farmer beneficiaries in the area.

Kindly evaluate the merits of his request, *in accordance with your existing guidelines and applicable laws, rules and regulations*. Further, please note that this letter should not, in any way, be misconstrued as interfering with the processes and procedures of your Office.

Please inform the proponent of the action taken on the matter, copy furnished this Office.

Thank you.

Very truly yours,

JOAQUIN ROMEO S. SANTIAGO
Acting Director, Public Concerns Office
2018-PMS/OSAP-01279

cc: Mr. Francisco Cabuverde
Purek Zigzag P. Luzviminda
Puerto Princesa City

PMS-QMS-PCO-SOP02-F01-02



REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

(F)

MEMORANDUM:

TO: **PARPO CONRADO S. GUEVARRA**
DARPO 2F City Coliseum, San Pedro
Puerto Princesa City, Palawan

FROM: **The Regional Director**
DAR MIMAROPA, Quezon City

SUBJECT: **REQUEST FOR OPPORTUNITY TO
PRESENT POSITION DURING THE
CONDUCT OF PROCESSES
(IDENTIFICATION, VALIDATION,
SEGREGATION, TRANSFER AND
DISTRIBUTION) INVOLVING THE
IWAHIG PRISON AND PENAL FARM
RELATIVE TO THE IMPLEMENTATION
OF EXECUTIVE ORDER NO. 72, SERIES
OF 2019**

DATE: 03 February 2020

X

X

Referred the hereto attached Memo with attachments placing under CARP Coverage of the 1,150 hectares of farm land to be segregated from BUCOR-IPPF for distribution to landless farmer beneficiaries.

Said landholdings will be covered under EO 75 and you are hereby directed to do the inventory/CSW for validation early 1st Quarter of 2020.

Reply directly to the letter-sender, copy furnish all parties concerned.

For immediate compliance.

ZORAIDA O. MACADINDANG, Al Hadj JD
(MD-101-146-17/11/19/19)

Cc:

Mr. [Name] [Address]
[Address]
[Address]
[Address]



DEPARTMENT OF AGRARIAN REFORM
Tunay na Pagbabago sa Repormang Agraryo

MEMORANDUM:

TO: **PARPO CONRADO S. GUEVARRA**
DARPO 2F City Coliseum, San Pedro
Puerto Princesa City, Palawan

FROM: **The Regional Director**
DAR MIMAROPA, Quezon City

SUBJECT: **REQUEST FOR CARP COVERAGE FILED
BY SMZSLLP, AS REPRESENTED BY ITS
PRESIDENT, MR. FRANCISCO P.
CABUVERDE**

DATE: 03 February 2020

X

X

Referred the hereto attached Petition from the Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda, Puerto Princesa City (SMZSLLP) regarding the issuance of Proclamation Order to declare some 1,150 hectares from Sta. Lucia sub-Colony of Iwahig Prison and Penal Farm (IPPF) as areas suitable for agriculture to be segregated from IPPF and for distribution to qualified Agrarian Reform Beneficiaries (ARBs) under the CARP.

Kindly take appropriate action on this matter particularly on the validation/segregation/transfer and distribution as requested. Reply directly with Mr. Francisco Cabuverde and his group.

For immediate compliance.

ZORAIDA O. MACADINDANG, Al Hadj JD
ZMD/LGL/FMDC/rto/ruby

Cc:

Mr. Francisco Cabuverde, et al.,
Purok Zigzag, Luzviminda
Puerto Princesa City, Palawan

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF AGRARIAN REFORM
BUREAU OF AGRARIAN LEGAL ASSISTANCE

OFFICE OF THE ASSISTANT DIRECTOR
BUREAU OF AGRARIAN LEGAL ASSISTANCE
OFFICE OF AGRARIAN LEGAL ASSISTANCE

Indorsement
23 September 2017

Respectfully referring to the OFFICE OF THE REGIONAL DIRECTOR, DAR Region IV-B, DAR Central Compound, Elliptical Road, Diliman, Quezon City, pursuant to Section 2.1, Rule I, Section 6, Rule II, and Section 12.1, Rule III, all of Administrative Order No. 03, Series of 2017, the herein Resolution No. 04-2019 dated March 02, 2019 (with attachments) adopted by the "Samahan Ng Mga Magsasaka ng Zigzag, Sta. Lucia, Luzviminda, Puerto Princesa City (SMZZLLP), Incorporated, Company Registration No. CN201710917, Purok Zigzag, Luzviminda, Puerto Princesa City, Palawan" entitled "A RESOLUTION URGING THE SUBCOMMITTEE OF IWANIG PRISON AND PENAL FARM (IPPF), THE DIRECTOR OF BUREAU OF CORRECTIONS, THE PROVINCIAL AGRARIAN REFORM OFFICER (PARO) OF PALAWAN AND THE SECRETARY OF DEPARTMENT OF AGRARIAN REFORM, TO PLACE SUBJECT AREA OF OUR PETITION, APPROXIMATELY 1,150 HECTARES, SITUATED AT PUROK ZIGZAG 1, LUZVIMINDA, PUERTO PRINCESA CITY, PALAWAN, UNDER THE COVERAGE OF THE COMPREHENSIVE AGRARIAN REFORM PROGRAM."

"Section 2.1. Classification and Identification of landholdings for coverage under the agrarian reform program and the initial issuance of Certificates of Land Ownership Award (CLOAs) and Emancipation Patents (EPs), including protests or oppositions thereto and petitions for lifting of such coverage; (emphasis supplied)

"Section 6. General Jurisdiction. The Regional Director shall exercise primary jurisdiction over all agrarian law implementation cases except when a separate special rule vests primary jurisdiction in a different DAR Office."

"Section 12.1 Without or prior to issuance of Notice of Coverage - When the land in question has never been the subject of a notice of coverage, an ALI case involving said land shall commence upon filing of the initiatory pleading or application before the

MEMORANDUM

FOR

: Director Arnel S. Dizon, CESO V
DAR Region IV-B, MIMAROPA
#17 Rudgen Building
Shaw Boulevard, Pasig City

DAR
13 SEP 2017
02:45 PM
RELEASED

FROM

: The Provincial Agrarian Reform Program Officer II
DAR Provincial Agrarian Reform Office
2/F City Coliseum, San Pedro, Puerto Princesa City

SUBJECT

: MINUTES OF INTER-AGENCY MEETING/DIALOGUE AMONG
DAR- DENR-IPPF AND SMZSLLP ON AUGUST 29, 2017

DATE

: September 11, 2017


This has reference to your directive relative to the conduct of Inter-Agency meeting/dialogue with the Officers/representatives of DAR-DENR-IPPF regarding the petition of the Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda (SMZSLLP), Puerto Princesa City, represented by Mr. Francisco P. Cabuverde, President of SMZSLLP regarding the issuance of a Proclamation Order to declare some 1,150 hectares from Sta. Lucia Sub-Colony of Iwahig Prison and Penal Farm (IPPF) as areas suitable for Agriculture to be segregated from IPPF and for distribution to qualified Agrarian Reform Beneficiaries (ARBs) under the CARP.

Please be informed that an invitation letter dated August 2, 2017 addressed to the Hon. Mayor Lucilo R. Bayron, City of Puerto Princesa was also issued and received on August 8, 2017 but unfortunately no representative from the Office of the City Mayor attended the said inter-agency meeting.

Relative to this, please find the attached final Minutes of the Meeting prepared by Mrs. Jesusela L. Magdayao, Municipal Agrarian Reform Officer of DARMO- Puerto Princesa City, relative to the positions taken by the concerned offices on the matter.

Considering the present classification of the land, it is recommended that the SMZSLLP association secures a copy of the requirements from the Office of DENR for the issuance of a Proclamation. It is similarly recommended that a law be passed by the Congress re-classifying the area into Alienable and Disposable (A & D).

For your information and evaluation.


CONRADO S. GUEVARRA
CSG/amvd

Cc:

Director Leandro A. Caymo – DARCO, BLTI
SARPO Gloria P. Almazan

The President Action Center – Malacanang Palace, Manila

The Asst. Secretary –DARCO, Diliman, Q.C.

Mr. Francisco P. Cabuverde- President, SMZSLLP)



Samahang ng mga Magsasaka ng Zigzag, Sta Lucia at
Luzviminda, Puerto Princesa City (SMZSLLP), Incorporated
Company Registration No. CN201710917 Dated 27 March 2017
Purok Zigzag, Luzviminda, Puerto Princesa City

DAR
19 OCT 2017
02 Letter in/1:24
RECEIVED

16 October 2017

MR. CONRADO S. GUEVARA
The Provincial Agrarian Reform Officer II
DAR Provincial Agrarian Reform Office
2/F City Coliseum, San Pedro
Puerto Princesa City

Sir:

Reference:

Your memo to Director Arnel S. Dizon, CESO V, DAR Region IV-B (MIMAROPA) dated 11 Sept 2017, Subj: Minutes of Inter-Agency Meeting (Dialogue among DAR-DENR-IPPF and SMZSLLP on August 29, 2017.

With due respect to your recommendation as stated in the above reference which reads:
"Considering the present classification of the land, it is recommended that SMZSLLP Association secures a copy of the requirements from the office of DENR for the issuance of a proclamation. It is similarly recommended that a law be passed by the Congress Re-Classifying the area into alienable and disposable (A&D)"

We would like to respectfully offer our explanation.

Land reclassification is an executive function. Thus, the power to reclassify lands of public domain belongs to the President (CA141)

But Congress has the sole authority to set the specific limits of forest, lands and national parks and determine the size of lands of the public domain which may be acquired, developed, held or leased and the conditions therefor. (sections 3 & 4 of art XII of 1987 Constitution) But Congress to date has yet to ^{A Law} pass and implement this particular provision of the constitution.

A forest land or portion thereof once declared by DAR as areas suitable for agriculture becomes an agricultural land to become further as alienable for the purpose of CARP coverage. This does not require legislative enactment. (sec 4, RA 6657, E.O. 407 & E.O. 448)

But reclassification of forest lands to agricultural lands under the purview of sec 4, RA 6657 is different from a declaration by the President of portions of a forest land suitable for agriculture for the purpose of placing the same under CARP

Agricultural lands or lands classified as A & D may have different purposes and uses and may be further sub classified into the following: "Agricultural, residential, commercial, industrial or similar productive purposes, educational, charitable, or other similar purposes, reservation for town sites and for other public and quasi-public uses" (Joint DAR-DENR-LRA-NCIP Administrative Order No. 01-12)

While a portion of forest land declared by DAR as such mentioned above shall have an exclusive purpose - CARP coverage

Act of Congress is required to reclassify forest lands to agricultural lands pursuant to sec. 4, RA 6657 as amended by RA 9700 (comprehensive agrarian reform law) but same is not required to declare, through a Presidential proclamation, a portion of forest land and a reservation to be covered by the comprehensive agrarian reform program (CARP) if both are suitable for agriculture, and if the latter is left idled or abandoned and it is not actually, directly or exclusively used or necessary for the purpose for which they have been reserved as determined by DAR. The power and authority of the President, he having control of executive department, bureaus and offices, will suffice to issue such as declaration pursuant also to the provisions of section 1, E.O. No. 448 series of 1991, E.O. No. 407 series of 1990, E.O. No. 292 (administrative code of 1987), PD705, CA 141, section 4, RA 6657, etc.

In general, all agricultural lands or lands suitable for agriculture regardless of their classification as to whether they are classified as A & D, forest land and even private agricultural lands maybe placed under the coverage of CARP. (section 4, RA 6657)

Before the passage of the comprehensive agrarian reform law only lands classified as A & D maybe declared open for concession or disposition for agricultural activity, but now forest lands or portion thereof maybe awarded and distributed to qualified agrarian reform beneficiaries (ARB), for as long as these lands have become suitable for agriculture.

The following will help elucidate the issues:

Section I, E.O. 448 provides: "Section I. Executive order no. 407 is hereby amended by adding a new section to read as follows: sec. I-A. All lands or portions thereof reserved by virtue of Presidential proclamations for specific public uses by the government, its agencies, and instrumentalities, including government owned or controlled corporations suitable for agriculture and no longer actually directly and exclusively used or necessary for the purpose for which they have been reserved as determined by DAR in coordination with the government agency or instrumentality concerned in whose favor the reservation was established, shall be segregated from the reservation and transferred to DAR for distribution to qualified beneficiaries under CARP."

And Section 4, RA 6657 as amended by RA 9700 enumerates what are those lands to be covered by CARP, and it reads:

"Section 4. Scope - the comprehensive agrarian reform law of 1988 shall cover, regardless of tenurial arrangement and commodity produced, all public and private agricultural lands as provided in proclamation no. 131 and executive order no. 229, including other lands of the public domain suitable for agriculture: provided that landholdings of landowners with a total area of five (5) hectares and below shall not be covered for acquisition and distribution to qualified beneficiaries.

"More specifically, the following lands are covered by the CARP:

"(a) all alienable and disposable lands of the public domain devoted to or suitable for agriculture. No reclassification of forest or mineral lands to agricultural lands shall be undertaken after the approval of this act until Congress, taking into account ecological, development and equity considerations, shall have determined by law, the specific limits of the public domain;

"(b) all lands of the public domain in excess of the specific limits as determined by Congress in the preceding paragraph;

"(c) all other lands owned by the government devoted to or suitable for agriculture; and

"(d) all private lands devoted to or suitable for agriculture regardless of the agriculture products raised or that can be raised thereon

"A comprehensive inventory system in consonance with the national land use plan shall be instituted by the department of agrarian reform (DAR), in accordance with the local govt. code, for the purpose of properly identifying and classifying farm lands within one (1) year from effectivity of this act, without prejudice to the implementation of the land acquisition and distribution."

It may be worthwhile to note some Presidential Proclamations concerning segregations of portions of lands from Iwahig Penal Colony, a reservation that is still classified as forest land, for the purpose of establishing industrial-commercial site, environmental estate and civil reservations for resettlement and agricultural:

PD. 350

The then President Fidel V. Ramos issued a Presidential Proclamation, in March 25, 1994 "segregating 1,072 hectares from the Sta. Lucia Sub-Colony of Iwahig Penal Colony to be used as an industrial-commercial site, and vesting the government of Puerto Princessa City with full authority and responsibility to manage, develop and dispose of the same."

The same President Fidel V. Ramos issued in 23 January 1996, a Proclamation No. 718 "amending proclamation No. 350 declaring 1,072 hectares of the Sta. Lucia Sub-Colony if the Iwahig Penal Colony as an Industrial Commercial Estate and reclassifying the same as an environmental estate."

And finally, the then President Gloria M. Arroyo issued proclamation No. 718 in 2004, "amending E.O. 67 dated October 15, 1912 which established the Iwahig Penal Colony in Palawan by segregating portions of the land embraced therein and declaring the same as civil reservations for resettlement and agricultural purposes."

A careful reading of the above provisions of laws will reveal very clearly the following:

That the coverage of CARP is not just limited only to land classified as A & D. It includes as well forest lands and reservations suitable for agriculture.

That DAR is mandated by law to determine that the reservation is left idled or abandoned and to determine further that same is suitable for agriculture before it can be placed under CARP.

That DAR and other government agencies concerned are mandated to accelerate the acquisition and distribution of lands of public domain covered by CARP to qualified agrarian beneficiaries.

That the forest land or reservation need not be reclassified to A & D or agriculture lands first before same can be covered under CARP.

That in order for a forest land or portions thereof to be covered by CARP, same must first be declared by DAR as areas suitable for agriculture, and once this is achieved, same portions of land becomes now alienable, and be distributed to qualified agrarian beneficiaries without need of Act of Congress.

That the issuance of a Presidential proclamation will be legally in order with no legal impediment whatsoever under the circumstances.

Question: If the previous Presidents then could validly issue proclamations concerning segregations of portions of lands from reservations and forest land for specific use, such as resettlement and agricultural purposes, why can't the President, with similar circumstances, now issue similar or appropriate proclamation sought for in our petition?

The issues of land reform, classification and reclassification of lands in public domain, alienable lands of public domain, among others, are clearly spelled-out in the constitution – the fundamental law of the land. Therefore, all laws, rules and regulations must conform to it.

The constitution of 1987 was promulgated in 1987, but RA 6657, RA 9700, E.O. 407 and E.O. 448 were enacted and issued thereafter. These were all passed after the approval of the constitution.

Presumably, Congress and the President do not intend to pass laws and issue proclamations, respectively, which would violate the provisions of the constitution.

The rationale behind why lands in public domain which are not yet classified as A & D but have become suitable for agriculture will have to be covered by CARP. The reason is obvious – to develop these lands into maximum utilization for food production.

Why should we allow these lands to become idled and abandoned for all the years when these can be developed for enterprising and productive endeavors?

I think this is the main essence and objective of CARP, a landmark legislation which addresses among others, social justice, the object of our petition.

We should take note that RA 6657 and RA 9700 are Acts of Congress and E.O. 407 and E.O. 408 are Executive issuances which are all valid, subsisting, and in effect; these laws, rules and regulations are intended to interpret, clarify and implement the issues of

land reform, classification and reclassification of lands in public domain, alienable lands of public domain, laid down in the said constitution.


If a Presidential Proclamation is not the correct mode or process to declare legally a land or portion thereof suitable for agriculture for purposes of CARP coverage, then the provisions of E.O. 292, CA 141, PD705, sec 4, RA 6657, E.O. 407 and E.O.448 will become inutile. This will have a chilling effect for the President to be divested of his power and authority as head of the Executive Department.

In view of the above, may we request the following courses of action to be taken by your office:

1. To conduct a thorough ocular or field inspection of the area to determine the validity of the basis of our petition that the area has become suitable for agriculture and that the IPPF has left idled or abandoned the area and actually it did not use the area for the purpose for which they have been reserved, in compliance with the provisions of E.O. 407 and E.O. 448.
2. To send to IPPF an equivalent notice of coverage for lands owned by the government to be covered by CARP in order to afford the IPPF the opportunity to interpose objection or no objection or make its official stand on our petition.
3. To negotiate with the IPPF, DENR, LGU, other government agencies, in ^{PORTION OF} collaboration with this association, within its level of jurisdiction, the necessary processes for the purpose of accelerating the acquisition, transfer of jurisdiction of subject reservation from IPPF to DAR and for distribution to qualified ARB,

Marami pong salamat at mabuhay po kayo!

Very respectfully yours,


Francisco P. Cabuverde
09068717609

Copy furnished:

1. Director, DAR Region IV-B
2. MARO PPC
3. Director, Bureau of Land Tenure, DAR
4. Office of the Assistant Secretary for Field Operation, DAR
5. Head Executive Assistant, Office of DAR Secretary
6. Presidential Action Center

MEMORANDUM

FOR : **ATTY. SHEILA B. ENCISO**
Head Executive Assistant
Office of the Secretary
DARCO, Diliman, Quezon City

FROM : **The Provincial Agrarian Reform Officer II**
2nd Floor, DAR, City Coliseum
San Pedro, Puerto Princesa City

SUBJECT : **LETTER OF FRANCISCO CABUVERDE DATED OCTOBER 16, 2017 OF SMZSLLP, PUERTO PRINCESA CITY**

DATE : November 14, 2017

DAR
28 NOV 2017
02 MDC/10:35
RELEASED

This refers to the attached copy of letter of Francisco Cabuverde, dated October 16, 2017, on his comment involving our recommendation contained in our memorandum dated September 11, 2017, submitted to the Office of the Regional Director, DAR, Region IV-B, Pasig City, concerning the coverage and distribution of the 1,700 hectares, located at Barangay Iwahig, Puerto Princesa City, under CARP (Annex "A").

It is our position even before with previous farmers' groups and during the dialogue between the SMZSLLP, DENR, LGU and BUCOR held in DARPO-Palawan on August 29, 2017, that, as timberland, this office cannot do anything to distribute the land under CARP unless sooner re-classified into Alienable and Disposable by Congress and a law is thereafter passed extending the implementation of the program.


For consideration.


CONRADO S. GUEVARRA

Copy furnished:

MR. FRANCISCO P. CABUVERDE
President, SMZSLLP, Inc.
Barangay Luzviminda, Puerto Princesa City
09068717609

The Regional Director
DAR, Region IV-B
Rudgen I Bldg.
No. 17 Shaw Boulevard corner
Meralco Avenue, Pasig City


CSG/LIP
mem hea SMZSLLP-1,700



REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

DAR

02 MAY 2019

03 PM 12:05X

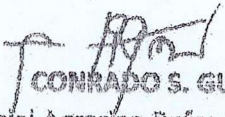
RELEASE

1st Indorsement

April 25, 2019

Respectfully indorsed to CSSUPT GERALDO I. ARO, Superintendent, Iwahig Prison and Penal Farm, Barangay Iwahig, Puerto Princesa City the herein attached copy of letter of Samahan ng Magsasaka ng Zigzag, Sta Lucia at Luzviminda, Puerto Princesa City (SMZSLLP, Inc.) represented by Mr. Jesulito O. Dalumpines, addressed to the President of the Republic of the Philippines.

Please be informed that SMZSLLP officers and representatives have been visiting the DAR Provincial Office asking for assistance but their concerns are found within your competence and jurisdiction, thus this referral.


CONRADO S. GUEVARRA
Provincial Agrarian Reform Program Officer II

Copy furnished:

Mr. Jesulito O. Dalumpines
SMZSLLP, Inc
Purok Zigzag
Barangay Luzviminda
Puerto Princesa City

The Regional Director
DAR Region IV-B, MIMAROPA
DAR, Diliman, Quezon City

Dir. Cleon Lester G. Chavez
Director
Public Assistance and Media Relation Service
DAR Central Office, Elliptical Road
Diliman, Quezon City

Director Jaime Llaguno Mablin
Office of the President
Presidential Complaint Center (PCC Code Number GE CAM 03-21-2019-074)
Malacanang, Manila

Secretary John R. Castriellones
Department of Agrarian Reform

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF AGRARIAN REFORM
na Pagbabago sa Reformang Agraryo

1 / MAR 2020

at Letter/10:15

March 13, 2020

Francisco Cabuverde
Panguio, SMZSLP, Inc.
Purok Zigzag, Luzviminda
Puerto Princesa City

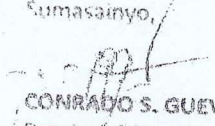
Ginoong Cabuverde,

Ito po ay may kinalaman sa inyong resolusyon na may petsang Nobyembre 16, 2019 ukol sa lupa na may sukat na 1150 hectares na bahagi ng Iwahig Prison and Penal Farm. Ayon po sa nilalaman ng liham ninyo, ay ibig po ninyong masakop at maisailalim ito sa DAR sa pamamagitan ng Executive Order No. 75 Series of 2019.

Dahil po dito ay magsasagawa po sana ang DAR, DENR at DA ng Field Validation noong March 26, 2020 para tingnan ang posibilidad na masakop ito sa EO 75, Series of 2019. Subalit base doon po sa ginanap na "pre-field validation meeting" noong March 2, 2020 sa panlalawigang tanggapan ng Department of Agrarian Reform ay nabanggit po ng kawani ng CENRO, DENR, Puerto Princesa City na ang land classification ng Iwahig Prison and Penal Farm ay "UNCLASSIFIED PUBLIC FOREST". Dahil po dito ay hindi na muna matutuloy ang "field validation" dahil hindi po natin pwedeng ipamahagi ang lupang ang klasipikasyon ay "UNCLASSIFIED PUBLIC FOREST".

Kalakip po nito ang apat na certipikasyon galling sa CENRO, DENR, Puerto Princesa City.

Sumasainyo,

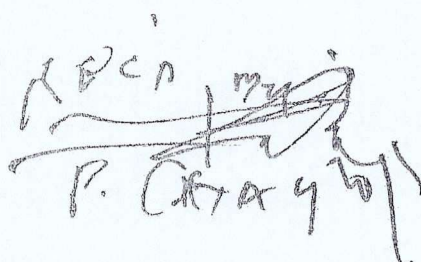

CONRADO S. GUEVARRA
Provincial Agrarian Reform Officer II

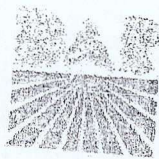
Copy furnished:

ATTY. DAVID D. ERRO
Undersecretary, Field Operation Office
Department of Agrarian Reform
Elliptical Road, Diliman, Quezon City

The Regional Director
DAR, MIMAROPA
Department of Agrarian Reform
Elliptical Road, Diliman, Quezon City

P. A. 1001-20-13-120


P. C. 961



REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

17 June 2020

PACIVENSIDRO A. CATAYLO

VP for Administration

Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia,
Luzviminda, Puerto Princesa City (SMZSLPPC, INC.)
Purok Zigzag, Luzviminda, Puerto Princesa City

Dear Mr. CATAYLO:

Good day!

This has reference to your letter dated 10 June 2020 requesting for reconsideration of the PARO's decision which held in abeyance the conduct of the field validation. In the same letter, you enumerated your organizations' reaction and position on certain issues which we believed has already been acted upon many times in numerous occasions when you and your colleagues visited this office.

We would like to inform you that on 07 February 2020, The DAR Provincial Office (DARPO) in the province of Palawan has received two memos both dated 03 February 2020 from the DAR Regional Office of MIMAROPA where the DARPO received instructions from the Regional Director to provide a direct reply to Mr. Francisco Cabuverde and SMZSLPPC and take appropriate action on the request particularly on the validation/segregation/transfer and distribution of 1,150 hectares of land claimed to be occupied by your group, SMZSLPPC.

On 13 February 2020, PARO Conrado S. Guevarra has directed the Municipal Agrarian Reform Program Officer (MARPO) of Puerto Princesa City to conduct research and gather documents necessary and determinative of the possibility of covering the land subject of your request and at the same time instructed the Land Tenure Improvement Division to immediately coordinate with the Department of Agriculture (DA) and the Department of Environment and Natural Resources (DENR) for the determination of land classification and its suitability to agriculture of the 1,150 hectares of land occupied by your group.

On 17 February 2020, the DARPO sent a letter addressed to Mr. Cabuverde and SMZSLPPC informing them of the schedule of Field Validation which slated on March 2-6, 2020 while notices of Field Validation for DENR-PENRO, DENR-CENRO and the Superintendent of Iwahig Prison and Penal Farm (IPPF) were being prepared.

On 02 March 2020, a meeting was held between DAR, DA, and DENR. The personnel of DENR-CENRO of Puerto Princesa City informed us that the subject land IS **NOT WITHIN THE ALIENABLE AND DISPOSABLE** area but **BELONGS TO AREAS WITHIN THE UNCLASSIFIED FOREST**. In the said meeting, however, DENR personnel did not bring along documents such as maps, technical descriptions and land classifications.

The DARPO personnel on the following day paid a visit to the Office of the CENRO to personally see the land classification map and its corresponding Technical Descriptions which the DENR personnel shown that the Barangay where the land occupied by your group and subject of possible CARP Coverage is within the Unclassified Public Forest. On the same day, the DAR personnel tried to get a copy of a DENR Certification containing the corresponding land classification of the barangays covering IPPF but CENRO Felizardo Cayatoc who has the exclusively authority to sign the document was out of his office for an official business.

DAR
18 JUN 2020
02 Letter/9-378
RELEASED
PALAWAN-20-06-966

On 10 March 2020, the DARPO has received Four (4) Certifications all dated 02 March 2020 and all issued by CENRO Felizardo Cayatoc stating that the Barangays of Mangingisda, Montible, Sta. Lucia, and Inagawan which comprises the IPPF and covers the 1,150 hectares of land occupied by your group and subject of possible CARP coverage has been verified to be **WITHIN THE UNCLASSIFIED PUBLIC FOREST**.

As a matter of prescribed procedure, coverage of a particular land under the CARP and even under Executive Order No. 75, Series of 2019 have its own meticulous process that needs to be complied with before the DAR can place any particular land for coverage under the CARP, it is a prerequisite to secure documents to support its claims and legal basis from covering the subject landholding. One of the voluminous documents that DAR needed to get hold of is the DENR-CENRO Certification stating that the subject land is within the Alienable and Disposable (A & D) area. **Without the DENR A & D Certification issued in favor of subject landholding, the DAR cannot proceed with coverage.**

Alienable and Disposable (A & D) lands refer to lands of the public domain which have been released and proclaimed as such by the President from the mass of unclassified public lands, or reclassified as such from other forms of classification through an Act of Congress. For purposes of their administration and disposition A & D lands are sub-classified as follows: i) agricultural; ii) residential, commercial, industrial or for similar productive purposes; iii) educational, charitable, or other similar purposes; or iv) reservations for town sites and for public and quasi-public uses.

Under Section 4 of Republic Act 6657 or CARP Law of 1988 as amended by RA 9700 provides that, more specifically the following lands are covered by CARP,

- a) All alienable and disposable lands of the public domain devoted to or suitable for agriculture. No reclassification of forest or mineral lands to agricultural lands shall be undertaken after the approval of this Act until Congress, taking into account ecological, developmental and equity considerations, shall have determined by law, the specific limits of the public domain;
- b) All lands of the public domain in excess of the specific limits as determined by Congress in the preceding paragraph.

XXX

XXX

XXX

Section 5 of Joint DAR-DENR-NCIP Administrative Order No. 01, Series of 2012 provides that the Jurisdiction of DAR, pursuant to Section 4 of RA 6657 as clarified by Joint DAR-DENR Memorandum Circular No. 9, Series of 1995 and Joint DAR-DENR MC No. 14 and 19, Series of 1997, the following lands are under the jurisdiction of DAR:

- a) All A & D lands of the public domain devoted to or suitable for agriculture which were:
 - 1) Proclaimed by the President as DAR Resettlement projects and places under the administration of DAR for distribution to qualified beneficiaries under CARP;
 - 2) Placed by law under the jurisdiction of DAR;
 - 3) Previously proclaimed for the use of government departments, agencies and instrumentalities and **SUBSEQUENTLY TURNED OVER TO DAR** pursuant to E.O. 407 Series of 1990, as amended by E.O. 448 and 506, Series of 1992.

Thus, Unclassified Public Forest is not within the Jurisdiction of DAR. Hence the DAR cannot proceed with the validation and cover the subject land under CARP.

The DARPO did not proceed with the supposed validation last March 2-6, 2020 since the land subject of the validation is verified by virtue of a DENR Certification to be within the Unclassified Public Forest. As we had mentioned earlier, Without the DENR A & D Certification issued in favor of subject landholding, the DAR cannot proceed with its coverage.

With the information at hand, On 17 March 2020, we again send Mr. Cabuverde a letter copy furnished our Regional Office informing him that the DARPO will not proceed with the field validation activities because the area subject of possible CARP coverage was found to be within the Unclassified Public Forest. However, our letter has not immediately reached Mr. Cabuverde as all of the government offices and entities, including the Post Office have received order for immediate closure by the government in lieu of Enhanced Community Quarantine (ECQ) being implemented all over the country. On the same date, we also submitted our Field Validation Report to the Regional Director containing the result of the meeting attached with the Certifications issued by the DENR CENRO that the 1,150 hectares occupied by the petitioner SMZSLPPC, Inc. is not within the A & D area but fell within the area of Unclassified Public Forest. Unfortunately, said report was not immediately received by the Regional Office as sending and receiving of our communications, memos and correspondences were all affected by the ECQ.

Further, we would like to inform you that all landholdings placed under the coverage of CARP always starts and emanates from the field level and not the other way around that you keep on insisting. The instructions of the DAR MIMAROPA Region is primarily for the validation to check if it is feasible to cover under CARP.

Under Executive Order No. 75, Series of 2019, though, intended to amplify the authority of DAR towards covering Government-Owned Lands (GOLs) and its distribution to qualified landless farmers in the country, it is not meant to supersede but aimed to harmonize with other existing laws and procedures.

Under Section 5 of Rule III of Joint DAR-DOJ Administrative Order No. 07, Series of 2019 also known as the Implementing Rules and Regulations (IRR) of Executive Order No. 75, Series of 2019, stated that,

"the DAR, in coordination with the DENR and the DA, shall undertake the validation of the lands listed in the inventory, taking into consideration their suitability for agriculture use, **LIMITATIONS ON THEIR USE UNDER EXISTING LAWS AND ISSUANCES**, their respective metes and bounds, and such other relevant criteria provided herein."

Likewise, item No. 4 of the Subsection 5.2.1 of Rule III of the IRR clearly indicated that,

"Inclusion of the Government-Owned Land does not violate any limitations and conditions provided under applicable laws, rules and issuances."


Further, under subsection 5.2.3. of Rule III of the IRR, provided that the role of the DENR was clearly defined as;

- a) Provide maps and other tools and reference materials that shall provide technical data such as location, **LAND CLASSIFICATION**, land use/cover, etc. that are relevant and useful in the validation of coverable GOLs; and,

- b) Provide technical assistance **TO ASCERTAIN THE COVERABILITY OF THE GOLs IN TERMS OF LAND CLASSIFICATION and slope, IN ACCORDANCE WITH EXISTING LAWS AND ISSUANCES,** upon request of DAR.

Hoping this letter addressed your concerns once more. We shall be glad to assist you as always.

Thank you for writing us.


ENGR. RICARDO SA. FRANCISCO, CSEE
OIC-Provincial Agrarian Reform Program Officer II

RDM/RABV/fld

Cc:

- 1) Atty. David D. Erro
Undersecretary, Field Operations Office
DAR Central Office, Elliptical Road, Quezon City
- 2) The Regional Director
DAR-MIMAROPA
Elliptical Road, Quezon City
- 3) DAR Municipal Office
Puerto Princesa City

(R)

SAMAHAN NG MGA MAGSASAKA NG ZIGZAG, STA LUCIA, LUZVIMINDA, PUERTO
PRINCESA CITY (SMZSLLPPC, INC) BAHAY PULONGAN, KM 32, PUROK ZIGZAG,
LUZVIMINDA , PUERTO PRNCESA CITY.

23 JUNE 2020

Engr. Ricarlito SA Francisco, CSEE
OIC – Provincial Agrarian Reform Officer II
City Coliseum, San Pedro
Puerto Princesa City.

Sir:

References:

- a) My letter to Conrado S Guavarra, Provincial Agrarian Reform Officer II
Dated 10 June 2020.
- b) Your reply letter dated 17 June 2020

1. In ref a) above, this Association requested for a RECONSIDERATION of the DECISION of PARO GUEVARRA which held in abeyance the conduct of FIELD VALIDATION of our landholding.

2. In reference b) your Office denied such request for RECONSIDERATION due to the alleged grounds, stating among others:

“Thus, Unclassified Public Forest is not within the Jurisdiction of DAR. Hence the DAR cannot proceed with the validation and cover the subject land under CARP”

The DARPO did not proceed with the supposed validation last march 2-6, 2020 since the land subject of the validation is verified by virtue of a DENR certification to be within the unclassified public forest. As we had mentioned earlier, Without the DENR A & D Certification issued in favor of subject landholding, the DAR cannot proceed with its coverage.”

3. With all due respect, the grounds aforementioned denying such REQUEST FOR RECONSIDERATION is bereft of legal basis. These grounds are merely

views or opinions not anchored on established and subsisting laws, rules and regulations.

4. As these grounds failed to cite the legal reference in order to be admitted or to be believed.
5. Other issues and concerns raised in other paragraphs of your reply letter though accompanied with legal citations involved only peripheral matters not directly related to the main issue.
6. The controversy here involves only one issue and that is: "whether or not a landholding classified as unclassified Public Forest devoted to or suitable for agriculture can be covered for CARP.
7. This question or issue should not have been raised in the first place because the wordings of the law itself under Sec. 4, RA 6657 as amended by RA 9700 (the carper law) are very clear and simple not ambiguous and left no room for another interpretation. It states in part that the scope and coverage of CARP law of 1989 shall cover..." including lands of the public domain suitable for agriculture."

"More specifically, the following lands are covered by the CARP:

XXX

XXX

XXX

"(c) all other lands owned by the Government devoted to or suitable for agriculture: and"

XXX

XXX

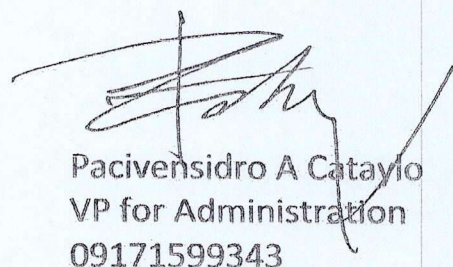
XXX

8. Your main objection that subject landholding cannot be covered for CARP because it is not yet classified as A & D is again wanting of legal basis.
9. As can be gleaned from above, CARP Coverage within the lands of public domain is not limited only to A & D.
10. E.O 75, series of 2019 and its IRR joint DAR-DOJ administrative order No. 7 series of 2020 is the primary law which provide guidelines for CARP Coverage involving coverable GOL. This coverable GOL includes timberland and land classified as "unclassified Public Forest "devoted to or suitable for agriculture.

11. This E.O. does not provide for the exclusive CARP coverage of coverable GOL classified as A & D only. It also includes lands of public domain suitable for agriculture as already mentioned in section 4, RA 6657.
12. To reiterate, we cannot find any provision of law which bars farmland classified as "unclassified Public Forest" devoted to or suitable for agriculture cannot be covered for CARP.
13. We should take note that the said E.O. 75 is the latest law that prescribes CARP coverage for coverable GOL. Thus any law, rules and regulation in consistent with E.O. 75 are deemed repealed or modified.
14. Further, subject farmland has been placed under CARP Coverage declared by a competent authority with instruction to proceed with the acquisition process starting with validation stage to determine for the possible coverage of E.O. 75 and possible distribution of this land to qualified beneficiaries.
15. With all due respect again, PARO has no power and authority to discontinue the conduct of validation process without the authority of the Regional Director DAR MIMAROPA who has the exclusive and/or primary jurisdiction pursuant to the rules for agrarian law implementation (ALI) cases including the authority to determine lands identified as coverable GOL. (ADMINISTRATIVE ORDER NO. 03. SERIES OF 2017), RULES AND PROCEDURES GOVERNING THE ACQUISITION AND DISTRIBUTION OF AGRICULTURAL LANDS UNDER REPUBLIC ACT (R.A) NO. 6657 AS AMENDED BY R.A NO. 9700. (DAR administrative order No. 02, series of 2009, and Executive Order No. 75, Series of 2019) and its IRR.
16. In view of the foregoing we would like to reiterate our request for the continuance of the validation process up to the last stage of the acquisition process wish is the distribution of this farmland to qualified Agrarian reform beneficiaries.

Thank you very much!

Respectfully yours



Pacivensidro A Cataylo
VP for Administration
09171599343

Cc:

Atty. David D. Erro
Under Secretary, field Operation Office
DAR Central Office, Elliptical Road, Quezon City.

The Regional Director
DAR-MIMAROPA
Elliptical Road, Quezon City

DAR Municipal office
Puerto Princesa city

CENRO
Sta. Monica PPC

PENRO
Sta. Monica PPC

(K)

SAMAHAN NG MGA MAGSASAKA NG ZIGZAG, STA LUCIA, LUZVIMINDA, PUERTO
PRINCESA CITY (SMZSLLPPC, INC) PUROK ZIGZAG, LUZVIMINDA, PUERTO PRINCESA CITY.

Conrado S. Guevarra
Provincial Agrarian Reform Officer II
City, Coliseum, San Pedro,
Puerto Princesa City

DAR
10 JUN 2020
01 10:44/10:11 AM

10 JUNE 2020

RECEIVED

DEAR-CENRO
PUERTO PRINCESA
DOC. NO.

PARO PURO
FARMER RECORDS

RECEIVED

BY: *[Signature]*
DATE: 06-10-2020 CN 20-2612
10:54 AM

DATE: JUN 10 2020
TIME:
NAME:
POSITION:
SIGNATURE: *[Signature]*

Subject: Request for Reconsideration on the **DECISION** of PARO holding in abeyance the conduct of the Field Validation.

Sir:

1. References:

- a) Memo of the Regional Director Zoraida O. Macadindang, AL HADI, JD to PARPO Conrado S. Guevarra, dated 03 February 2020.
- b) Re: Your letter to President, SMZSLLPPC dtd. 13 march 2020.
- c) Certification from CENRO on the land classification of SMZSLLPPC' land holding, issued on 02 march 2020.
- d) Re: Your letter to President, SMZSLLPPC, dtd. 3 march 2020.
- e) Memo from SARPOs Gloria P. Almazan and Emillio G. Iobederio jr. for Director, BLTI, dtd. 03 july 2017.

2. The Regional Director, DAR MIMAROPA issued a Memo in annex "A" above, placing subject landholding of SMZSLLPPC under CARP coverage "to be segregated from BUCOR-IPPF for distribution to landless farmer beneficiaries".

3. This memo further directed your office "to do the inventory/CSW for validation early 1st Quarter of 2020", and "same landholding will be covered under AO 75".

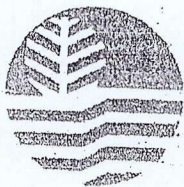
4. And your initial action presumably in compliance with that memo-you held a meeting on 02 March 2020 inviting personnel from CENRO and DA. These personnel will form part of the Field Validation Team.

5. But due to the alleged lack of necessary documents on the part of CENRO to carry out its functions, the sked validation supposed to be undertaken 2-6 March 2020 did not push through (annex "D").
6. On 03 March 2020, CENRO issued a CERTIFICATION, furnishing your office, stating that Barangay Sta. Lucia Puerto Princesa City, where IPPF and subject landholding are located is classified as "UNCLASSIFIED PUBLIC FOREST", and same further states that "the said area of brgy. Sta Lucia is under the jurisdiction of Bureau of Corrections (BUCOR) – Iwahig Prison and Penal Farm (IPPF) of the Department of Justice (DOJ) by virtue of Executive Order No. 67 issued by Governor Newton Gilbert on October 15 1912".
7. And on the basis of this CERTIFICATION in annex "C" you decided to temporary hold the conduct of the planned Field Validation.
8. This is our (SMZSLLPPC) reactions to the DISCONTINUANCE of the Field Validation:
- a) Firstly, your letter in annex "B" is dated 13 March 2020 but we received it only on 04 June 2020 when we came to your office to make a follow up. It took almost three months for us to receive your letter when the distance of your office from ours is just a little miles away.
- b) On the issue of temporary stoppage of the conduct of Field Validation:
- b-1) the CENRO CERTIFICATION showing the classification of subject landholding as "UNCLASSIFIED PUBLIC FOREST" has no conclusive effect on the discontinuance of the sked validation. In the first place, it is DAR not DENR has the primary responsibility to determine whether a certain land holding is to be covered for CARP. Second, to say that lands classified as "UNCLASSIFIED PUBLIC FOREST" cannot be covered for CARP constitutes only half truth. The whole truth is that "UNCLASSIFIED PUBLIC FOREST" devoted to or suitable for agriculture can be covered for CARP. To state that "UNCLASSIFIED PUBLIC FOREST" in any situation cannot be covered for CARP has no legal basis. Nowhere can you find any provisions of law that will support that assertion. Thirdly, under the similar circumstance, you failed to cite the specific legal basis to justify your **DECISION** on the said temporary stoppage of validation. Fourthly, to be more specific, under section 4, RA 6657, as amended, clearly states in part that "all lands of public domain suitable for agriculture" and "all other land owned by the Government devoted to or suitable for agriculture" are within the scope and coverage of CARP. Now, we know very well that "UNCLASSIFIED PUBLIC FOREST" is part of public domain. If the farm land falls under the classification and same is devoted to or suitable for agriculture then, this land can be covered for CARP as in the case of SMZSLLPPC' land holding. Fifth, this is the reason why EO. 75 was promulgated to cover "UNCLASSIFIED PUBLIC FOREST LAND" to be covered for CARP, and this Executive Order prescribed for the Acquisition Process to cover recoverable Government Owned Land (GOL) which process includes the validation stage to determine whether farm land classified as "UNCLASSIFIED PUBLIC FOREST" is suitable for agriculture or not. Thus, the validation as ordered by Director Macadingdang is in order and should be complied by your Office. There is no legal obstruction to proceed with the validation. In the case of

2. The Regional Director
DAR, MIMAROPA
Department of Agrarian Reform
Elliptical Road, Diliman, Quezon City

3. CENRO

4. PENRO



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region

(L)

MR. FRANCISCO P. CABUVERDE

President

Samahan ng mga Magsasaka ng Zigzag,
Sta. Lucia at Luzviminda, Puerto Princesa (SMZSLLP)
Purok Zigzag, Luzviminda, Puerto Princesa City

AUG 08 2017

Dear Mr. Cabuverde:

This pertains to your letter dated May 22, 2017 requesting for an endorsement for the issuance of Proclamation Order to declare some 1,150 hectares from the Sta. Lucia Sub Colony of Iwahig Prison and Penal Farm (IPPF), Puerto Princesa City, as areas suitable for agriculture to be segregated from said prison and penal farm for distribution to qualified agrarian reform beneficiaries under comprehensive agrarian reform.

Please be informed that the aforementioned area being requested for reclassification is covered by the operation of Executive Order No. 67 dated October 15, 1912 which established the Iwahig Penal Colony; hence, the assessment and delineation of this Office was not done in the area. The area must be first segregated from the operation of Executive Order No. 67 similar to the Proclamation No. 718 declaring the same as Resettlement and Agricultural site purposes.

Furthermore, since the Land Reclassification is through an Act of Congress, as stated in Article XII, Section 4 of the Philippine Constitution, be advised to solicit and/or request from your respective Representatives in Congress to file a bill supporting your request and clearance from the Department of Justice since the area is within the supervision of the said Department.

We hope to have clarified you on the matter. Thank you.

Very truly yours,

NATIVIDAD V. BERNARDINO
OIC, Regional Director

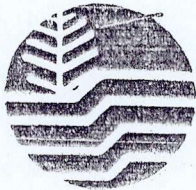
Copy furnished:

The Undersecretary for Administration, Finance and Management
DENR, Visayas Ave., Dilioman, Quezon City



Department of Environment
and Natural Resources
REGION 4B

FR: smd/scg



Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City
Tel Nos. 929-6626 to 29; 929-6633 to 35
929-7041 to 43; 929-6252; 929-1669
Website: <http://www.denr.gov.ph> E-mail: web@denrgov.ph

May 24, 2017

MR. FRANCISCO P. CABUVERDE
President
Samahan ng mga Magsasaka ng Zigzag,
Sta. Lucia at Luzviminda, Puerto Princesa (SMZSLLP)
Purok Zigzag, Luzviminda
Puerto Princesa City


Dear **Mr. Cabuverde**:

This pertains to your letter dated May 22, 2017, requesting for an endorsement for the issuance of a Proclamation Order to declare some 1,150 hectares from the Sta. Lucia Sub Colony of Ihawig Prison and Penal Farm (IPPF), Puerto Princesa City, as areas suitable for agriculture to be segregated from the said Prison and Penal Farm for distribution to qualified agrarian reform beneficiaries under the Comprehensive Agrarian Reform.

Please be informed that we have referred your request to the Regional Director, DENR Region 4B for appropriate action. Said Office will directly inform you of any action taken on the same.

Thank you.

Very truly yours,


DEMETRIO L. IGNACIO, JR.
Undersecretary
Administration, Finance and Management

Cc: Natividad Y. Bernardino
OIC, Regional Director
DENR Region 4B



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Province of Palawan
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY

September 13, 2019

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region
1515 L & S Building, Roxas Boulevard,
Ermita, Manila

THRU : The OIC-Provincial Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City

FROM : The OIC-Community Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City

SUBJECT : **LETTER DATED OCTOBER 8, 2018 OF ATTY. MCJILL
BRYANT T. FERNANDEZ, ACTING DEPUTY EXECUTIVE
SECRETARY FOR GENERAL ADMINISTRATION, OFFICE
OF THE MALACAÑANG, MANILA (ASRMD-2018-0029656)**

This pertains to PENRO Memorandum¹ dated September 03, 2019 which was received by this Office on September 06, 2019 anent to Memorandum² dated June 07, 2019 from ARD for Technical Services Division, Vicente B. Tuddao, Jr., *Ph.D.*, *CESO IV*, along with its attachments³ regarding the letter³ dated May 24, 2018 of Mr. Francisco P. Cabuverde, President of the Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda Puerto Princesa City (SMZSLLP) Inc. which was addressed to then Secretary for Special Concerns, Christopher Lawrence "Bong" Go of the Office of the President, requesting for the issuance of Proclamation declaring a parcel of land of about 1,150 hectares, situated in the Sta. Lucia Sub-colony of Iwahig Prison and Penal Farm (IPPF), Puerto Princesa City, open for distribution under the Comprehensive Agrarian Reform Program (CARP).

Please be informed that per letter⁴ dated May 20, 2019 from Engr. Leandro A. Caymo, Director IV, BLTI, of the Department of Agrarian Reform (DAR), addressed to Mr. Jesulito O. Dalumpines of the Samahan ng Magsasaka ng Zigzag, Sta. Lucia at Luzviminda Puerto Princesa City (SMZSLLP) Inc., it is informed that the Implementing Rules and Regulations (IRR) of Executive Order No. 75, s. 2019 are still under review for finalization, hence, their request for coverage may be dealt with once the said guideline is officially issued. It is further informed that the subject matter was referred to the department's field level units for coordination and provision of technical assistance in relation to the coverage of government-owned lands (GOLs).

South National Highway,
Bgy. Sta. Monica Puerto Princesa City
Email Address: cenro@denr.gov.ph
Tel. Fax No.: (048) 433-0660



VIDEO CUT

VIDEO CLIPS lifted from FB Accounts:

1. Samahan ng Mapasaka ng (Zigzag Sta Lucia Luzonmunda, Puerto Princessa City Palawan Inc Association) SMZSLLPC INC
2. DUZO BONGGO FOR LANDLESS FARMERS
3. BAGO DUZO DISIPUNAT KAGINAWARAN

(H)

Samahan ng Magsasaka ng Zigzag, Sta. Lucia, at Luzviminda
Puerto Princesa City (SMZSLLP, Inc.),
SEC Registration Number CN201710917

11 March 2020

Superintendent, IPPF
BUCOR, Puerto Princesa City
5301

Sir:

At the onset Congratulations Sir!

We, the members of Samahan ng Magsasaka ng Zigzag, Sta. Lucia, at Luzviminda Puerto Princesa City (SMZSLLP, Inc.), likewise greet you and wish you all the graces and blessings from our Almighty Merciful and Compassionate God!

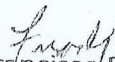
The SMZSLLP, Inc. with its principal office at Purok Zigzag, Brgy Luzviminda, and Puerto Princesa City had been formally organized in 2016. The Association has five hundred (500) members' migrants from different origin of our country. Its' primary purpose is to pursue peacefully the fundamental constitutional rights of poor landless farmers eventual ownership of the property farmland tilled, occupied and developed for more than twenty (20) years. We believed God declared land as common good resources for life sustenance for all God's creation was given to human "to cultivate it and guard it" (Gen. 2:15). Land rights are inextricably linked with the right to food, the right to work and a host of other human rights its livelihood and thus its very survival and dignity to live.

Meanwhile, the association members are hopeful to find golden opportunity during the term of President Rodrigo Roa Duterte to own the farmland tilled as qualified agrarian reform beneficiaries. This is in consonance with achieving social justice, accelerating food production and reducing poverty program of the government.

As the newly installed Superintendent, IPPF BUCOR, Puerto Princesa City, may the undersigned request for a Courtesy Call accommodation of the Board of Trustees and Officers of the Association set by your good Office at your most comfortable time. We will be happy to hear from your kind approval through contact numbers; 09171599343, 09461390693 and 09157000302.

God bless BUCOR-IPPF Management more abundantly!

Respectfully,


Francisco P. Cabuverde
President, SMZSLLP, Inc.

Republic of the Philippines
Province of Palawan
City of Puerto Princesa
SAMAHAN NG MAGSASAKA NG ZIGZAG, LUZVIMINDA, STA. LUCIA PPC INC.
National Highway, Brgy. Luzviminda, Puerto Princesa City 5301 Philippines

December 29, 2018

THE SUPERINTENDENT
Iwahig Prison and Penal Farm (IPPF)
Iwahig Puerto Princesa City

Dear Sir,

Holiday greetings to you! The Board of Trustees/Officers of the above stated association (Samahan ng Magsasaka ng Zigzag, Luzviminda, Sta. Lucia Puerto Princesa City, Inc.) would like to request permission from your good office to make a courtesy call to you at your most convenient time.

Should this humble request find merit, would be a great honor and privilege for us to do so. Wishing all the best and more power to you sir.

Respectfully yours,


FRANCISCO CABOVERDE
President

**SAMAHAN NG MGA MAGSASAKA NG ZIGZAG, STA LUCIA,
LUZVIMINDA, PUERTO PRINCESA CITY (SMZSLLP, INC)
COMPANY REGISTRATION NO. CN2017 20917 PUROK
ZIGZAG, LUZVIMINDA, PUERTO PRINCESA CITY.**

13 April 2020

CSSUPT RAUL LEVITA

Superintendent

Iwahig Prison & Penal Farm

Iwahig Puerto Princesa City

Sir:

Greetings!

As a backgrounder, this Association has earlier petitioned President Rodrigo Roa Duterte to place some 1.150 hectares of land (sketch map annex "A") under the coverage of Comprehensive Agrarian Reform Program (CARP) for eventual distribution to qualified beneficiaries, in its letter thru the president of this ASSN dtd 22 may 2017, which copy your Office had been furnished with earlier.

Consequently, the following day, 23 may 2017, the Office of the President thru the Presidential Complaint Center indorsed the said petition to the Secretary of Department of Agrarian Reform, for appropriate action (annex "B").

And finally, the President through DAR has granted our petition "placing under the coverage of Comprehensive Agrarian Reform Program of some 1.150 hectares farm land to be segregated from the BUCOR IPPF for distribution to landless farmer beneficiaries" and the said land holding will be covered under Executive Order 75, series of 2019. (annex "C")

RECEIVED BY:
CS2 VILLAR, RG
GCCU
4/10/2020

The acquisition process prescribed in IRR of E.O 75 (annex "D") has already started and the validation stage is already sked (annex "E")


To our mind, the reason why our petition was granted by the government is because, that aside from the land is being already suitable for agriculture, the petitioned area has been completely left vacant, abandoned and idled by IPPF, with no development whatsoever being introduced by the said government agency since the Penal Colony was established. And this given the fact, the area is no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved, for which reasons, the actual occupants gained access into the area and have occupied same continuously for the past 20 years.

With these circumstances the actual occupants could no longer be removed from the land but rather they are already vested by law with legal rights to own the lands they till, especially so now that the area has been officially declared by competent authority under CARP coverage (sec. 2, RA 6657, as amended, and EO. 75 and other related laws, rules & regulations)

In this regard, these landless actual occupants who are members of this association who occupied the area under the concept of an owner will now put up, as soon as possible, a housing area where homelots maybe located, as allowed under the provisions of the Comprehensive Agrarian Reform law.

May this letter serves as our coordination with your good Office.

Thank you very much!
Very truly yours


Francisco P. Cabuverde
President, SMZSLLP
09171599343/09157000302

Copy Furnished

1. PARO Palawan
2. PENRO
3. CENRO

Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia,
Luzviminda, Puerto Princesa City (SMZZLLP), Incorporated
Company Registration No. CN201710917
Purok Zigzag, Luzviminda, Puerto Princesa City Palawan

Resolution No. 04-2019

A Resolution urging the Superintendent of Iwahig Prison and Penal farm (IPPF), the Director of Bureau of Corrections, the Provincial Agrarian Reform Officer (PARO) of Palawan and the Secretary of Department of Agrarian Reform, to place subject area of our petition, approximately 1,150 hectares, situated at Purok Zigzag I, Luzviminda, Puerto Princesa City, Palawan, under the coverage of the Comprehensive Agrarian Reform Program (sketch attached marked as annex "A")

Whereas, there is about 1,150 hectares of land inside the IPPF fully occupied by more or less 500 landless farmers who are bona fide members of this Association

Whereas, these actual occupants and/or their predecessors-in-interest have been continuously cultivating and farming this land for the last 20 years now;

Whereas, this area has become one of the food baskets in Puerto Princesa City;

Whereas, these actual occupants have formed an Association called The Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia, Luzviminda, Puerto Princesa City (SMZSLLP, INC), and it is registered with the Securities and Exchange Commission on March 2017 and was issued a Certificate of Incorporation (please see attached Certificate and the Association's Constitutions and By Laws marked as annexes "B" and "C," respectively);


Whereas, this Association has a pending petition with the Office of the President and with the Office of the Secretary of the Department of Agrarian Reform, for the issuance of a Proclamation Order to exclude from the Operation of Executive Order 67 dated 15 October 1912, which established the Iwahig Penal Colony, situated in the City of Puerto Princesa, Palawan, a portion of the land consisting of approximately 1,150 hectares, to be covered by CARP for distribution to qualified beneficiaries, particularly the actual occupants (petition attached herewith and marked as annex "D")


Whereas, as a result of this Petition, the DAR Central Office sent two personnel to conduct the ocular field inspection with assistance from the

IPPF	RECEIVED	
	BY: <u>COL MELVIN N. NORTON</u>	
	OFFICE OF THE SUPERINTENDENT	DATE: <u>5/18/19</u> TIME: <u>9:30 AM</u>

Adopted: March 09, 2019

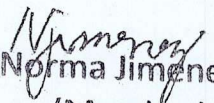
IN WITNESS WHEREOF, the undersigned members of Board of Trustees of this Association hereby certify that the above Resolution was duly adopted by the Association Board of Trustees


Eugenio De Guzman
(member)


Joreleson A Rodriguez
(member)


Angelito Flores
(Member)



Jerry Gardonez
(Member)


Norma Jimenez
(Member)


Enrique Mahilum
(Member)

Jose Halog
(Member)

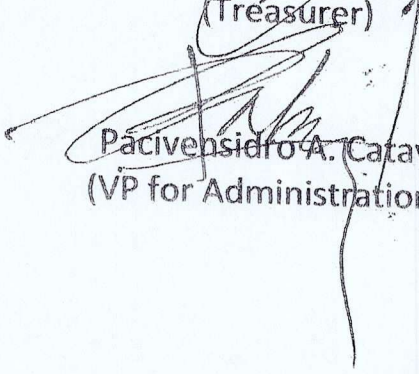

Ricardo Pocot
(Member)

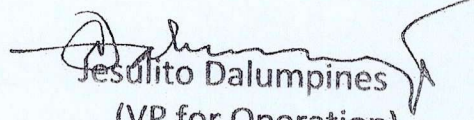

Beverly Yan
(Auditor)


Melinda Maluba
(Member)


Imelda Marquez
(Treasurer)


Carlito Masayon
(Secretary)


Pacivensidro A. Cataylo
(VP for Administration)


Jesulito Dalumpines
(VP for Operation)


Francisco P. Cabuverde
(President)

necessary for the purpose for which they have been reserved or acquired, for the purpose of eventual distribution to qualified beneficiaries."

Whereas, all reservations and lands of public domain can be placed under the CARP even if same is not yet classified as alienable and disposable provided that the land is suitable for agriculture and the former is "no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired," pursuant to Sec 4, RA 6657; E.O. 407, E.O. 448 and E.O 75)

Whereas, the area which is subject of our petition has been completely left vacant, abandoned and idled by IPPF, with no development whatsoever introduced by the said government agency, since the Penal Colony was established, and thus given this fact, the area is no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved, for which reason the actual occupants gained access into the area and have occupied same area and conducted legitimate farming activities continuously for the past 20 years;

Whereas, the area subject of our petition is not exempted from the coverage of CARP under section 10 of RA 6657

Whereas, the issuance of the E.O. 75 recently signed by President Rodrigo Roa Duterte (PRRD) giving a definite period of 30 days for all concerned Government agencies to comply with his instruction to immediately implement the second phase of CARP implementation, and given his repeated announcements in several public engagements to distribute lands to qualified beneficiaries under CARP, show that the President is really serious about this issue;

NOW, THEREFORE BE IT RESOLVED, by the Board of Trustees of this Association to request the authorities of the Iwahig Prison and Penal Farm, Bureau of Corrections, The Provincial Agrarian Reform Officer of Palawan and the Department of Agrarian Reform, to place the area subject of our petition to be covered by CARP, for distribution to qualified actual occupants who are landless farmers, in compliance with the recent order of PRRD

IT IS FURTHER RESOLVED, it is most respectfully requested that IPPF/Bucor to consider the same area to be identified as lands devoted to or suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired and thereafter submit a list thereof to DAR indicating the location and area of the said lands, pursuant to sec 2, of E.O. 75. And to execute a deed of transfer in favor of the Republic of the Philippines as represented by DAR and surrender to the later all landholdings suitable for agriculture including a pertinent ownership documents, pursuant to sec. 1, E.O. 407, in line with the recent order of President Rodrigo Roa Duterte;

Whereas, the above-mentioned Executive Order further mandates all concerned government agency for the acceleration, acquisition and distribution of agricultural lands and other lands of the public domain suitable for agriculture, for CARP coverage;

Whereas, pursuant to Sec I-A of E.O. 407 and/or Section I of E.O. 448, the DAR is specifically and expressly empowered, for purposes of CARP coverage, to determine the suitability of the land for agriculture inside the reservation, and DAR is further empowered to determine the use of the land as whether it is actual or profess, directly or indirectly, exclusive or non-exclusive, by the government agency in whose favor the reservation was established;

Whereas, Section 4 of the Philippine Constitution of 1987 provides, among others:

"The state shall, by law, undertake an Agrarian Reform Program founded on the right of farmers and regular farmworkers, who are landless, TO OWN DIRECTLY OR COLLECTIVELY THE LANDS THEY TILL or in the case of other farmworkers, to receive a just share of the fruits thereof"...

Whereas, President Rodrigo Roa Duterte (PRRD) showing his deep and real concern for the poor and the landless farmers, has recently signed on 15 February 2019, only a less than a month ago, a no-non-sense Executive Order 75, which would pave the way for the realization of our dreams, and the dreams probably of several thousand farmers nationwide- to own the land they till, an unprecedented move by the President towards the attainment of a true and genuine Comprehensive Agrarian Reform Program.

Whereas, Section 2 of that E.O. 75 provides:

"Identification of government owned agricultural lands. Within thirty (30) days from the affectivity of this order, all departments, bureaus, offices and instrumentalities of the government shall identify their lands devoted to or suitable for agriculture and no longer actually, directly and exclusively used for necessary for the purpose for which they have been reserved or acquired, and thereafter submit a list thereof to the DAR, indicating the location and area of the said lands, actual use and legal basis of ownership.

Whereas, Section 1 of that E.O. 75 also provides:

"Acquisition of government owned agricultural lands. Subject to the limitations and conditions provided under applicable laws, rules, and issuances, the DAR shall acquire all lands devoted to or suitable for agriculture, which are owned by the department, bureaus, offices and instrumentalities of the government, and which are no longer actually, directly and exclusively used or

Municipal Agrarian Reform Office of Puerto Princesa City and the team reported (annex "E") the following, among others:

1. "There are more or less 300 potential farmer beneficiaries/households who are occupants/actual tillers of the estimated 50 to 70 hectares, portion of the Iwahig Prison and Penal Farm, in Puerto Princesa City and presently residing in the said area.
2. "The area is presently planted with root crops, such as cassava, corn, vegetables, and fruit trees (banana, mango, jackfruit, guava, etc.) and various big trees. The subject landholdings are proven to be suitable for agriculture because they produced organic crops.
3. The said potential farmer beneficiaries were in actual cultivation in the area for the past twenty (20) years, hence, their petition that the same be awarded."

"Whereas, pursuant to sections 4 and 7 of RA No. 6657, as amended, lands owned by the government devoted to or suitable for agriculture are covered under the CARP and are to be planned and programming for acquisition and distribution by the Department of Agrarian (DAR), in coordination with the Presidential Agrarian Reform Council (PARC), to the qualified beneficiaries thereunder;"

"Whereas, section 1 of E.O 407 was amended by adding a new section to read as follows:

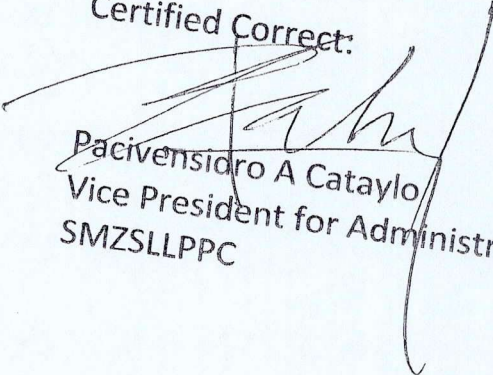
"Section 1-A. All lands or portions thereof reserved by virtue of Presidential Proclamation for specific public uses by the government, its agencies and instrumentalities, including government owned or controlled corporations suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purposes for which they have been reserved, as determined by the Department of Agrarian Reform, in coordination with the government agency or instrumentality concerned in whose favor the reservation was established, shall be segregated from the reservation and transferred to the Department of Agrarian Reform for distribution to qualified beneficiaries under the Comprehensive Agrarian Reform Program.";

Whereas, Executive Order No. 407 series of 1990, directs, among others, all concerned government agencies and instrumentalities, including government-owned or controlled Corporations to transfer ownership of all lands suitable for agriculture to the Department of Agrarian Reform for distribution under the Comprehensive Agrarian Reform Program."

List of Annexes:

1. "A" Sketch Map.
2. "B" Memorandum from SARPOs Gloria Almazan and Emilio G Lobederio for Director, BLTI dated July 3 2017.
3. "C" Certificate of Incorporation.
4. "D" Certificate of Accreditation.
5. "E" Referrals/Endorsements from the Office of the President to Secretaries of DAR and DENR.
6. "F" CARP Coverage Memo.
7. "G" Memo of DARPO Guevarra for Regional Director, DAR MIMAROPA dated September 11 2017.
8. "H" Memo of DARPO Guevarra to for Atty. Enciso dated Nov 14 2017.
9. "I" 1st Endorsement of DARPO Guevarra to CSSUPT ARO, SUPT of IPPF dated April 25 2019.
10. "J" Letter of DARPO Guevarra to Francisco Cabuverde Dated march 13 2020.
11. "K" Letter of Engr. Francisco CSEE to Pacivensidro A Cataylo, VP for Administration, SMSZLLPPC dated June 17 2020.
12. "L" DENR Letters (CENRO/PENRO/RD, DENR Region IVB) to President, SMZSLLPPC.
13. "M" Video clip.
14. "N" Letters of Francisco Cabuverde President, SMZSLLPPC to SUPT, IPPF requesting for a courtesy calls.
15. "O" Resolution, letters of President, SMZSLLPPC to SUPT IPPF.

Certified Correct:


Pacivensidro A Cataylo
Vice President for Administration
SMZSLLPPC

REC'D COPY OF PARO
(11-29-19)
CC SENT 02 11-29-19

**Samahan ng mga Magsasaka ng Zigzag, Sta Lucia at
Luzviminda, Puerto Princesa City (SMZSLLP), Incorporated
Company Registration No.CN201710917
Purok Zigzag, Luzviminda, Puerto Princesa City**

16 November 2019

ENGR. LEANDRO A. CAYMO

Director, Bureau of land Tenure Improvement, DAR
DAR Bldg. Diliman, Quezon City

Sir:

- References: 1) SMZSLLP Resolution No. 04-2019
2) Letters of Engr. L.A. Caymo to Mr. Pacivensidro A. Cataylo
and Mr. Jesulito O. Dalumpines, both dtd. 20 May 2019

First of all the general membership of this association would like to thank you and extend its deepest gratitude for your personal concern and understanding the plight of small and landless farmers in Palawan particularly the farmers in Purok Zigzag I, Brgy Luzviminda, Puerto Princesa City, Palawan.

We acknowledged receipt of your letters to the officers of this Associations, attached as Annex "A", as the Department of Agrarian Reform (DAR) response to SMZSLLP Inc. Resolution No. 04-2019/ pending Petition for CARP Coverage of our landholding.

As we know the President has issued on 15 February 2019 Executive Order No.75 "Directing all Department, Bureaus, Offices and Instrumentalities of the Government to identify lands owned by Government, devoted to or suitable for agriculture for distribution to qualified beneficiaries".

Its Implementing Rules and Regulation (IRR) Joint DAR- DOJ Administrative Order No.07 has already been Issued on 31 May 2019. It is now subsisting and in effect.

For this we are very glad to know that your office has "already identified and included the IPPF in DAR's Inventory of Government Owned Lands (GOL) for Possible coverage under E.O. no. 75, series of 2019", and giving us the assurance also

"that once the IRR is completed, all the lands identified in the inventory shall be subjected to validation by DAR to determine if the same is a coverable GOL".

Thus, we now earnestly request your good Office to proceed with the acquisition process of subject landholding and finish the Identification, Validation, Segregation, Transfer and Distribution processes as prescribed in the aforementioned IRR and other applicable laws, rules and regulations.

But we see a problem here in palawan since the Provincial Agrarian Reform Officer (Mr. Condrado S. Guevarra) and the Municipal Agrarian Reform Officer of Puerto Princesa City (Jesusela L. Magdayao), have adopted an adverse position on our petition. Both claimed that subject landholding is not a coverable GOL and therefore can not be the subject for CARP Coverage because they reasoned out that its present classification is timberland, and therefore they further argued that subject landholding should be first reclassified as Alienable and Disposable (A&D) in order to be covered for CARP.

Such adverse comments of above-mentioned officials are officially and formally manifested in their letters in Annexes "B", "C", "E", "G" & "K".

We see that this official position of such officers of DAR in Palawan is erroneous interpretation of the law bereft of legal basis. Nowhere in CARP law can you find that "only lands classified as A&D can be covered by CARP". **CARPABLE LANDS ARE NOT LIMITED TO LANDS CLASSIFIED AS A&D ONLY.**

The scope or coverage of CARP is clearly spelled-out in sec. 4, RA 6657, as amended.

And it reads: "the Comprehensive agrarian reform law of 1989 shall cover regardless of tenurial arrangement and commodity produced, all public and private agricultural lands provided in proclamation No. 131 and Executive Order No. 229, including other lands of the public domain suitable for agriculture...".

Therefore timberland which is part of public domain can be covered for CARP provided same is suitable for agriculture. IPPF is a reservation. It is a coverable GOL. Coverable GOL "refers to GOL devoted to or suitable for agriculture purposes and no longer actually, directly and exclusively used on necessary for the purpose for which they have been reserved or acquired as indicated in the DAR inventory and/or list submitted by the different Department Bureaus, offices and Instrumentalities of the government and subject to validation

by DAR, in coordination of the department of the Agriculture (DA) and Department of Environment and Natural Resources (DENR)”

Clearly these officials are misleading the general public. They misled us, the petitioners, their superior officers of the Department of Agrarian Reform, and even the office of President. They even defied and ignored the President's order and instruction in E.O.75, series of 2019.

In his letter to Director, IPPF dated 25 April 2019 (annex “K”), Mr. Condrado S. Guevara declared that his office has no jurisdiction and competence over the issue of implementing CARP law over our subject land holding. He wanted that Director, IPPF resolve our petition and the former does not want to lend a hand on it. He acted like Pontius Pilate in this case. Mr. Guevara could not get away with his responsibility as the Provincial Agrarian Reform Officer of Palawan. As such he is the chief implementor of CARP in Palawan.

All these overt acts of PARO Guevara we can conclude as his intentional blocking the implementation of CARP over our Subject land holding. We tried to listen and understand him and tried to persuade him against his misplaced official views on the matter but to no avail (annexes “D” & “F”)

The officer of this association have made their follow-up with the different concerned government agencies or stakeholders of subject landholding, and the result are as follows:

1. The City Council of P.P.C. After conducting several sessions with representatives of this association, has assured us to favorably indorse our Petition. ✕
2. Certificate of Accreditation of our association has been issued by the City Council of Puerto Princesa City (Annex "J"). ✓
3. DPWH Palawan has favorably indorsed our petition (Annex "I") ✕
4. IPPF/BUCOR- we received no communications whatsoever from these offices concerning our petition.
5. DAR Palawan-

4. IPPF/BUCOR- we received no communications whatsoever from these offices concerning our petition.

5. DAR Palawan-

- 5.1. Blocked our petition claiming that subject landholding should be re classified first as A&D before it could be covered for CARP.
- 5.2. This office failed to directly inform us on its action taken on SMZSLLP, INC Resolution No.04-2019 and other communications as received by their office.
- 5.3. This office failed to directly inform us on its action taken in compliance with E.O No.75, in relation to our application for CARP coverage of our landholding.
- 5.4. This office failed to register that subject land holding is exempted from CARP coverage and is not a coverable GOL pursuant to the criteria provided for in E.O. No. 75.

6. DENR/PENRO/CENRO Palawan-

- 6.1. CENRO Puerto Princesa City claimed that it has no jurisdiction and competence over our petition/application for CARP coverage (annex "L").
- 6.2. CENRO Puerto Princesa City failed to directly inform us on its action taken in compliance with E.O No.75, in relation to our application for CARP coverage of our landholding.
- 6.3. DENR Region MIMAROPA- opposed our petition on the ground that subject landholding is classified as timberland and within the reservation of IPPF and therefor it could not be subject for CARP coverage unless it is classified first as A&D. Further, she advised that we seek assistance from congressman/representative in our District to sponsor a bill in congress for a reclassification from timberland to agricultural land. With due respect to this advice, there is no need for land reclassification before our landholding could be covered for CARP. We have earlier explained the reasons. As to her advice that we need a law to be enacted by congress as a remedy to our petition, to our mind this is not legally possible. We should take note that as of the moment there no law yet

which had established the specific limits of our public domain and the constitution requires that no reclassification of forest/timberland or mineral land to agricultural land shall be undertaken unless the said law had already been enacted (Sec.4, art. XII, Constitution and Sec.4 (a), R.A. 6657, as amended).

6.4. These offices failed to register that subject land holding is exempted from CARP coverage and is not a coverable GOL pursuant to the criteria provided for in E.O. No. 75.


7. Office of the President- has issued several endorsements/letters of referrals to the Secretaries of DAR and DENR (annex "M").


8. Department of Justice- Indorsed subject petition to Director General, BUCOR, for appropriate action (annex "N").

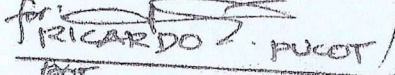
In view of the foregoing, we would like to request that inasmuch as this Association has a pending application for CARP coverage of our landholding, may we be given the opportunity to present our position during the conduct of these processes (identification, validation, segregation, transfer and distribution) so that our rights as actual occupants may be properly ventilated or explained when it is necessary or as circumstances may require.

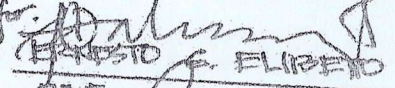
Marami pong Salamat at mabuhay po kayo!

Respectfully,
(Officers and members of
SMZSLLP, Inc.)

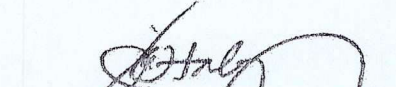
for: 
NOEL G. JIMENEZ
BOT


BEVERLY B. YAN
BOT


for: 
RICARDO PUCOT
BOT


for: 
ERNESTO G. ELIZONDO
BOT


MELINDA F. MALUBAY


JOSE E. HALDOS
BOT

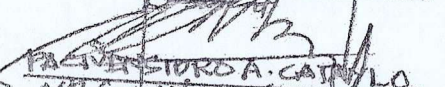

JERRY A. GARDONES
BOT

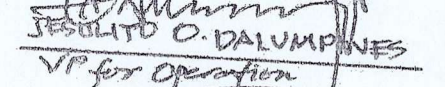

MELINDA F. MALUBAY
BOT



ENRIQUE D. MAHILUM
BOT


for: 
NORMA A. JIMENEZ


FRANCISCO B. BUMBURDE


PASCENSIO A. CATILLO
VP for Administration


JESULITO O. DALUMPINES
VP for Operation


CARLITO B. MACAYON
Secretary


WELDA V. MARQUEZ

JORELSON RODRIGUEZ
BOT
for: *[Signature]*
EUGENIO DE GUZMAN
BOT
DELIA S. COLONIA

AREAN M CAGANDE
CAIUMPAG RUDYKAT

FREDERICK S. RESURRECCION
Ben *[Signature]*
WILLIAM TUS CARO

EVANGELINE B. PORQUEZ
MARLYN T. RIMOS
WIDMARK BRIONES

Jocelyn H. Fortulgo
Norma B. Fortulgo

ELENA U. PADUL
MARILYN P. GAVICA

PATRICK PRADO
RECARDO CABRERA

JIMSON B. PORQUEZ
ROSALINA JAVAREZ

MERLINDA TABINGA
MA. LUZ TABINGA

JOCELYN B. TABINGA
FERNANDO E. PALCES
Fernando E. Barandina

ABRINA ALEXANDER
RUDYKAT LETER DE GUZMAN
Mario Pachos Jr

ADRIANO ARAGELI
ZALDY A. QUEBAR
JUPITER LANDERA

Isim A. Belen
RODRIGO R. SERUJAN
HENRY PORQUEZ

Tranquilina Alondra
Lurdes Caparida
Nicanor Imper

LEONILA ROMERO
ALBERTO ROMERO
EMILIE MAHILUM

ELENO BANTO
HENRIQUE MAHILUM
Christopher MAHILUM

LORNA OLIVA
MARDEAN JESSELE MART.

LORDAN R OLIVA
LORDALITS OLIVA
ENEMELO H. SALTAN

Hainalinda Trax
GEMINA M. SURPIDO

GILMAY M. CAGANDE

~~ISAGANI LOBITANVA~~ ~~DAISY LUCANOR~~

^{Pablo}
Roberto Delos Reyes

^{P.d}
Rene Delacruz

^{R. F}
Rhea Fuente

^{R. Cabalun}
Rita F. Cabalun

~~Rene~~
~~Rafael~~ AGUILAR

~~PRINCE~~ ~~JIM~~ GARDONES

^{PN}
Nilo G. Pelong

^{Myra}
Myra T. Malubay

^{Dexter}
Dexter G. Calumpang

^{Elizalde}
Elizalde Lassalia

^{Tommas}
Tommas ~~del~~ Rosario

^{VICENTE}
VICENTE LUGISTO

^{Rafael}
Rafael

^{Victorio}
Victorio

^{MARIA G.}
Maria A. Guinta

^{Yabisto}
Yabisto

^{Bubaro}
Bubaro

Enclosure: List of Annexes

Cc : OSEC DCN 19-04-0109
Undersecretary Karlo S. Bello
Asst. Secretary Elmer N. Distor
Regional Director Eugene P. Follante
PARPO Conrado S. Guevarra

- Juan
11.29.19

LIST OF ANNEXES:

- "A" Your letters to Mr. Pacivensidro A. Catalyo and Mr. Jesulito O. Dalumpines, both dated 20 May 2019.
- "B" Letter of PARO Palawan, MR. Condrado S. Guevarra to Director Arnel S. Dizon, CESO V, dated 11 September 2017
- "C" Highlights of Inter Agency meeting/dialog between the DAR, DENR, IPPF, and the representatives of SMZSLLP on 29 August 2017.
- "D" Letter of Mr. Francisco P. Cabuverde, President of SMZSLLP to PARO Palawan dated 16 Oct. 2017
- "E" Letter of PARO Palawan to Atty. Sheila B. Enciso (Head Executive Assistant, OSEC, DAR).
- "F" Letter of Mr. Francisco P. Cabuverde (President of SMZSLLP) to Atty. Sheila B. Enciso (Head Executive Assistant, OSEC, DAR) dated 9 Dec. 2017.
- "G" Letter of PARO Palawan Mr. Condrado S. Guevarra to Atty. Karlo S. Bello, dated 18 Oct. 2018.
- "H" Letter of SARPOs Gloria Almazan and Emilio G. Lobederio Jr. To Director, Blt, dated 3 July 2017.
- "I" DPWH Palawan letter of endorsement.
- "J" Certificate of Accreditation by the City Government of Puerto Princesa.
- "K" PARO Palawan Indorsement to Superintendent, IPPF, dated 25 April 2019
- "L" Memo from OIC-CENRO, P.P.C. to Regional Executive Director, DENR MIMAROPA Region, dated 13 Sep. 2019
- "M" – Endorsement/letters of referral from the office of the President.
- "N" DOJ Indorsement to Director General BUCOR.
- "O" Letters of referral from DAR officials in central offices



REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF AGRARIAN REFORM

Tungkang na Paghabago sa Reperang Agraryo

20 May 2019

MR. PACIVENSIDRO A. CATAYLO

Vice President for Administration
SMZSLP, INC.

Bahay Pulungan, Purok Zigzag I,
Brgy. Luzviminda, Puerto Princesa City,
Palawan

Dear Mr. Cataylo:

This pertains to the Resolution No. 04-2019, urging the Director of Bureau of Corrections and the Secretary of the Department of Agrarian Reform to place the Iwahig Prison and Penal Farm (IFFP) under the Comprehensive Agrarian Reform Program (CARP).

Please be informed that we have already identified and included the IFFP in DAR's Inventory of Government Owned Lands (GOLs) for possible coverage under Executive Order (EO) No. 75, series of 2019. However, DAR cannot commence with the acquisition of the subject landholding as the Implementing Rules and Regulations (IRR) for the said EO has yet to be finalized.

Rest assured that once the IRR is completed, all the lands identified in the inventory shall be subjected to validation by DAR to determine if the same is a coverable GOL.

For your information and guidance.


ENGR. LEANDRO A. CAYMO

cc : OSEC DCN 19-04-0109

Undersecretary Karlo S. Bello

Asst. Secretary Elmer N. Distar

Regional Director Eugene P. Follante

PARPO Conrado S. Guevarra

REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF AGRARIAN REFORM

Tinay na Pagsabag sa Reformatang Agrario

20 MAY 2019

Mr. Jesulito O. Dalumpines

San Marcos Magistrate's Office, No. 10101
Luisiana, Puerto Princesa City (SARSLP) Inc.

San Marcos Magistrate's Office

Dear Mr. Dalumpines:


This has reference to your letter dated 8 March 2019 addressed to His Excellency Rodrigo R. Duterte regarding your letter for segregation of Block 10 of the Prison Penal Farm (PPF) reservation involving 1150 hectares classified as timberland that can be placed under Comprehensive Agrarian Reform Program (CARP) coverage for reclassification of land use and eventual distribution to qualified farmer-beneficiaries.

Please be informed that the implementing Rules and Regulations (IRR) of Executive Order No. 75, s. 2019 are still under review for finalization as such, your request for coverage may be dealt with once the said guideline is officially issued.

Meanwhile, we are referring your request at our field level units for them to conduct coordination and the provision of technical assistance in relation to the coverage of government-owned lands (GOLs).

Thank you.

Very truly yours,


ENGR. LEANDRO A. CAYMO

Director IV, BII

Attachments: Attached

Enclosures:

- Resolution of the Department
- Letter of the Department
- Order of the Secretary
- Letter of the Department
- Letter of the Department
- Letter of the Department

MEMORANDUM

FOR

: Director Arnel S. Dizon, CESO V
DAR Region IV-B, MIMAROPA
#17 Rudgen Building
Shaw Boulevard, Pasig City

DAR
13 SEP 2017
02 MDP mt/4:45
RELEASED

FROM

: The Provincial Agrarian Reform Program Officer II
• DAR Provincial Agrarian Reform Office
2/F City Coliseum, San Pedro, Puerto Princesa City

SUBJECT

: MINUTES OF INTER-AGENCY MEETING/DIALOGUE AMONG
DAR- DENR-IPPF AND SMZSLLP ON AUGUST 29, 2017

DATE

: September 11, 2017


This has reference to your directive relative to the conduct of inter-Agency meeting/dialogue with the Officers/representatives of DAR-DENR-IPPF regarding the petition of the Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda (SMZSLLP), Puerto Princesa City, represented by Mr. Francisco P. Cabuverde, President of SMZSLLP regarding the issuance of a Proclamation Order to declare some 1,150 hectares from Sta. Lucia Sub-Colony of Iwahig Prison and Penal Farm (IPPF) as areas suitable for Agriculture to be segregated from IPPF and for distribution to qualified Agrarian Reform Beneficiaries (ARBs) under the CARP.

Please be informed that an invitation letter dated August 2, 2017 addressed to the Hon. Mayor Lucilo R. Bayron, City of Puerto Princesa was also issued and received on August 8, 2017 but unfortunately no representative from the Office of the City Mayor attended the said inter-agency meeting.

Relative to this, please find the attached final Minutes of the Meeting prepared by Mrs. Jesusela L. Magdayao, Municipal Agrarian Reform Officer of DARMO- Puerto Princesa City, relative to the positions taken by the concerned offices on the matter.

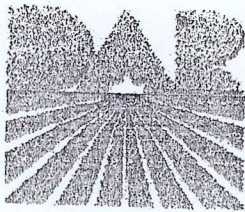
Considering the present classification of the land, it is recommended that the SMZSLLP association secures a copy of the requirements from the Office of DENR for the issuance of a Proclamation. It is similarly recommended that a law be passed by the Congress re-classifying the area into Alienable and Disposable (A & D).

For your information and evaluation.


CONRADO S. GUEVARRA
CSG/amvd

Cc.

Director Leandro A. Caymo - DARCO, BLTI
SARPO Gloria P. Almazan



Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
Municipal Agrarian Reform Office
Puerto Princesa City

HIGHLIGHTS OF THE INTER-AGENCY MEETING/DIALOGUE BETWEEN THE DAR, DENR, IPPF AND REPRESENTATIVES OF SMZSLLP

Held on August 29, 2017 at DAR Provincial Office, 2F, City Coliseum Bldg, San Pedro, Puerto Princesa City,

Present :

1. Lynn I. Pacana - OIC-Chief, Legal Division- DAR- Provincial Office
2. Conrado S. Guevarra- Provl. Agrarian Reform Officer II – DAR Provincial Office
3. Supt. Resurreccion B. Puno – Deputy Superintendent- Iwahig Prison and Penal Farm
4. Johnny P. Lilang - Chief, FSD –DENR-PENRO
5. Ricardo S.A. Francisco – Provl. Agrarian Reform Officer I – DAR-Provl. Office
6. Jesusela L. Magdayao - Municipal Agrarian Reform Officer- DAR –Puerto Princesa City
7. Francisco P. Cabuverde – President, SMZSLLP, Luzviminda, Puerto Princesa City
8. Pacivensidro H. Catalyo – Board of Trustee- SMZSLLP, Luzviminda, Puerto Princesa City
9. Marian Tuscano – Member- SMZSLLP-Luzviminda, Puerto Princesa City
10. Ricardo Pucoy – Board of Trustee- SMZSLLP, Luzviminda, Puerto Princesa City

Agenda :

1. Petition of the Samahan ng Mga Magsasaka ng Zigzag, Sta. Lucia, at Luzviminda, Puerto Princesa City (SMZSLLP) to the President of the Philippines for the issuance of Proclamation Order to declare some 1,150 hectares from Sta. Lucia Sub-Colony of Iwahig Prison and Iwahig Penal Farm (IPPF) for distribution to qualified agrarian reform beneficiaries under the Comprehensive Agrarian Reform Program.

Highlights of the meeting:

The meeting was presided by PARO II Conrado S. Guevarra

Comments/Issues from the Representatives

Iwahig Prison and Penal Farm (IPPF)-Bureau of Corrections (Bucor)

1. IPPF-BUCOR is just a caretaker of the subject property, the Department of Justice (DOJ) had already submitted documents to Muntinlupa and that the Muntinlupa will be the one to answer the request. The IPPF-Bucor could not give its position to the SMZSLLP.
2. The IPPF-Bucor submitted a position paper to the Office of the PARO on that date of the meeting.
3. The representative of IPPF-Bucor also lamented that the Public Estate Law...

Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda, Puerto Princesa City

According to Mr. Ricardo Pucoy, who was at the area since 1986, the IPPF-Bucor had no development in the subject petition area, from kilometer 32 to kilometer 39.

More or less there are 100 families involved in the development of the area, planting agricultural crops.

Department of Environment and Natural Resources (DENR)- PENRO

The representative stated that the subject area is within timberland and is situated inside the Iwahig Prison and Penal Farm Reservation. He further stated that the association must submit to the rules and regulations of the DENR and the members should protect the area. If there is a violator, the association may endorse the concern party to the DENRO.

He also informed the group that tenurial instrument is not applicable, for the reason that the subject area is within the IPPF.

Samahan ng mga Magsasaka ng Zigzag, Sta. Lourdes at Luzviminda, Puerto Princesa City

Mr. Cataylo and Mr. Pucoy informed the group that they are guarding the area for possible intruders that may act illegal activities, such as cutting trees, and constructing residential houses, and some activity that will negatively affect environment.

DEPARTMENT OF AGRARIAN REFORM (DAR)- PARO

The DAR can only cover a certain property if there is a proper documentation for coverage of the specific area. As of this date there is no new guidelines for new coverage. The DAR shall only perform the Land Acquisition and Distribution if there is already a proclamation and ordering the DAR to cover the subject property.

Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda, Puerto Princesa City

The representatives of the SMZLLP express their appreciation to the concern agencies for the meeting/dialogue undertaken. Mr. Cataylo also gave thanks for the negative issues of every agency, which will serve as a challenge for the SMZLLP officers and members to pursue their petition.

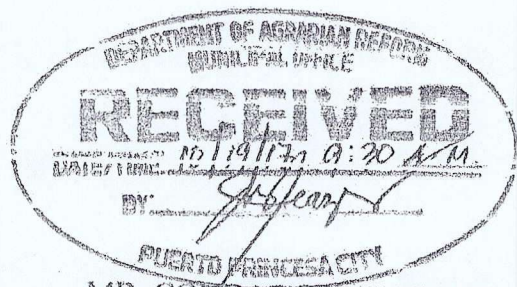
Prepared by:


JESUSELA L. MAGDAYAO

Municipal Agrarian Reform Officer



Company Registration No. CN201710917 Dated 27 March 2017
 Bureau of Agrarian Reform, Luzon Mindana, Puerto Princesa City



16 October 2017

MR. CONRADO S. GUEVARA
 The Provincial Agrarian Reform Officer II
 DAR Provincial Agrarian Reform Office
 2/F City Coliseum, San Pedro
 Puerto Princesa City

Sir:

Reference:

Your memo to Director Arnel S. Dizon, CESO V, DAR Region IV-B (MIMAROPA) dated 11 Sept 2017, Subj: Minutes of Inter-Agency Meeting (Dialogue among DAR-DENR-IPPF and SMZSLLP on August 29, 2017.

With due respect to your recommendation as stated in the above reference which reads:
 "Considering the present classification of the land, it is recommended that SMZSLLP Association secures a copy of the requirements from the office of DENR for the issuance of a proclamation. It is similarly recommended that a law be passed by the Congress Re-Classifying the area into alienable and disposable (A&D)"

We would like to respectfully offer our explanation.

Land reclassification is an executive function. Thus, the power to reclassify lands of public domain belongs to the President (CA141)

But Congress has the sole authority to set the specific limits of forest, lands and national parks and determine the size of lands of the public domain which may be acquired, developed, held or leased and the conditions therefor. (sections 3 & 4 of art XII of 1987 Constitution) But Congress to date has yet to pass and implement this particular provision of the constitution.

A forest land or portion thereof once declared by DAR as areas suitable for agriculture becomes an agricultural land to become further as alienable for the purpose of CARP coverage. This does not require legislative enactment. (sec 4, RA 6657, E.O. 407 & E.O. 448)

But reclassification of forest lands to agricultural lands under the purview of sec 4, RA 6657 is different from a declaration by the President of portions of a forest land suitable for agriculture for the purpose of placing the same under CARP

Agricultural lands or lands classified as A & D may have different purposes and uses and may be further sub classified into the following: "Agricultural, residential, commercial, industrial or similar productive purposes, educational, charitable, or other similar purposes, reservation for town sites and for other public and quasi-public uses" (joint DAR-DENR-LRA-NCIP Administrative Order No. 01-12)

While a portion of forest land declared by DAR as such mentioned above shall have an exclusive purpose - CARP coverage *ONLY*

Act of Congress is required to reclassify forest lands to agricultural lands pursuant to sec. 4, RA 6657 as amended by RA 9700 (comprehensive agrarian reform law) but same is not required to declare, through a Presidential proclamation, a portion of forest land and a reservation to be covered by the comprehensive agrarian reform program (CARP) if both are suitable for agriculture, and if the latter is left idled or abandoned and it is not actually, directly or exclusively used or necessary for the purpose for which they have been reserved as determined by DAR. The power and authority of the President, he having control of executive department, bureaus and offices, will suffice to issue such as declaration pursuant also to the provisions of section 1, E.O. No. 448 series of 1991, E.O. No. 407 series of 1900, E.O. No. 292 (administrative code of 1987), PD705, CA 141, section 4, RA 6657, etc.

In general, all agricultural lands or lands suitable for agriculture regardless of their classification as to whether they are classified as A & D, forest land and even private agricultural lands maybe placed under the coverage of CARP. (section 4, RA 6657)

Before the passage of the comprehensive agrarian reform law only lands classified as A & D maybe declared open for concession or disposition for agricultural activity, but now forest lands or portion thereof maybe awarded and distributed to qualified agrarian reform beneficiaries (ARB), for as long as these lands have become suitable for agriculture.

The following will help elucidate the issues:

Section I, E.O. 448 provides: "Section I. Executive order no. 407 is hereby amended by adding a new section to read as follows: sec. I-A. All lands or portions thereof reserved by virtue of Presidential proclamations for specific public uses by the government, its agencies, and instrumentalities, including government owned or controlled corporations suitable for agriculture and no longer actually directly and exclusively used or necessary for the purpose for which they have been reserved as determined by DAR in coordination with the government agency or instrumentality concerned in whose favor the reservation was established, shall be segregated from the reservation and transferred to DAR for distribution to qualified beneficiaries under CARP."

And Section 4, RA 6657 as amended by RA 9700 enumerates what are those lands to be covered by CARP, and it reads:

"Section 4. Scope - the comprehensive agrarian reform law of 1988 shall cover, regardless of tenurial arrangement and commodity produced, all public and private agricultural lands as provided in proclamation no. 131 and executive order no. 229, including other lands of the public domain suitable for agriculture: provided that landholdings of landowners with a total area of five (5) hectares and below shall not be covered for acquisition and distribution to qualified beneficiaries.

"More specifically, the following lands are covered by the CARP:

"(a) all alienable and disposable lands of the public domain devoted to or suitable for agriculture. No reclassification of forest or mineral lands to agricultural lands shall be undertaken after the approval of this act until Congress, taking into account ecological, development and equity considerations, shall have determined by law, the specific limits of the public domain;

"(b) all lands of the public domain in excess of the specific limits as determined by Congress in the preceding paragraph;

"(c) all other lands owned by the government devoted to or suitable for agriculture; and

"(d) all private lands devoted to or suitable for agriculture regardless of the agriculture products raised or that can be raised thereon

"A comprehensive inventory system in consonance with the national land use plan shall be instituted by the department of agrarian reform (DAR), in accordance with the local govt. code, for the purpose of properly identifying and classifying farm lands within one (1) year from effectivity of this act, without prejudice to the implementation of the land acquisition and distribution."

It may be worthwhile to note some Presidential Proclamations concerning segregations of portions of lands from Iwahig Penal Colony, a reservation that is still classified as forest land, for the purpose of establishing industrial-commercial site, environmental estate and civil reservations for resettlement and agricultural:

The then President Fidel V. Ramos issued a Presidential Proclamation in March 25, 1994 "segregating 1,072 hectares from the Sta. Lucia Sub-Colony of Iwahig Penal Colony to be used as an industrial-commercial site, and vesting the government of Puerto Princessa City with full authority and responsibility to manage, develop and dispose of the same."

The same President Fidel V. Ramos issued in 23 January 1996, a Proclamation No. 718 "amending proclamation No. 350 declaring 1,072 hectares of the Sta. Lucia Sub-Colony if the Iwahig Penal Colony as an Industrial Commercial Estate and reclassifying the same as an environmental estate."

And finally, the then President Gloria M. Arroyo issued proclamation No. 718 in 2004, "amending E.O. 67 dated October 15, 1912 which established the Iwahig Penal Colony in Palawan by segregating portions of the land embraced therein and declaring the same as civil reservations for resettlement and agricultural purposes."

A careful reading of the above provisions of laws will reveal very clearly the following:

That the coverage of CARP is not just limited only to land classified as A & D. It includes as well forest lands and reservations suitable for agriculture.

That DAR is mandated by law to determine that the reservation is not left idled or abandoned and to determine further that same is suitable for agriculture before it can be placed under CARP.

That DAR and other government agencies concerned are mandated to accelerate the acquisition and distribution of lands of public domain covered by CARP to qualified agrarian beneficiaries.

That the forest land or reservation need not be reclassified to A & D or agriculture lands first before same can be covered under CARP.

That in order for a forest land or portions thereof to be covered by CARP, same must first be declared by DAR as areas suitable for agriculture, and once this is achieved, same portions of land becomes now alienable, and be distributed to qualified agrarian beneficiaries without need of Act of Congress.

That the issuance of a Presidential proclamation will be legally in order with no legal impediment whatsoever under the circumstances.

Question: If the previous Presidents then could validly issue proclamations concerning segregations of portions of lands from reservations and forest land for specific use, such as resettlement and agricultural purposes, why can't the President, with similar circumstances, now issue similar or appropriate proclamation sought for in our petition?

The issues of land reform, classification and reclassification of lands in public domain, alienable lands of public domain, among others, are clearly spelled-out in the constitution – the fundamental law of the land. Therefore, all laws, rules and regulations must conform to it.

The constitution of 1987 was promulgated in 1987, but RA 6657, RA 9700, E.O. 407 and E.O. 448 were enacted and issued thereafter. These were all passed after the approval of the constitution.

Presumably, Congress and the President do not intend to pass laws and issue proclamations, respectively, which would violate the provisions of the constitution.

The rationale behind why lands in public domain which are not yet classified as A & D but have become suitable for agriculture will have to be covered by CARP. The reason is obvious – to develop these lands into maximum utilization for food production.

Why should we allow these lands to become idled and abandoned for all the years when these can be developed for enterprising and productive endeavors?

I think this is the main essence and objective of CARP, a landmark legislation which addresses among others, social justice, the object of our petition.

We should take note that RA 6657 and RA 9700 are Acts of Congress and E.O. 407 and E.O. 448 are Executive issuances which are all valid, subsisting, and in effect; these laws, rules and regulations are intended to interpret, clarify and implement the issues of

land reform, classification and reclassification of lands in public domain, alienable lands of public domain, laid down in the said constitution.

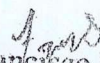
If a Presidential Proclamation is not the correct mode or process to declare legally a land or portion thereof suitable for agriculture for purposes of CARP coverage, then the provisions of E.O. 292, CA 141, PD705, sec 4, RA 6657, E.O. 407 and E.O.448 will become inutile. This will have a chilling effect for the President to be divested of his power and authority as head of the Executive Department.

In view of the above, may we request the following courses of action to be taken by your office:

1. To conduct a thorough ocular or field inspection of the area to determine the validity of the basis of our petition that the area has become suitable for agriculture and that the IPPF has left idled or abandoned the area and actually it did not use the area for the purpose for which they have been reserved, in compliance with the provisions of E.O. 407 and E.O. 448.
2. To send to IPPF an equivalent notice of coverage for lands owned by the government to be covered by CARP in order to afford the IPPF the opportunity to interpose objection or no objection or make its official stand on our petition.
3. To negotiate with the IPPF, DENR, LGU, other government agencies, in collaboration with this association, within its level of jurisdiction, the necessary processes for the purpose of accelerating the acquisition, transfer of jurisdiction of subject/reservation from IPPF to DAR and for distribution to qualified ARB, PORTION OF

Marami pong salamat at mabuhay po kayo!

Very respectfully yours,


Francisco P. Cabuverde
09068717609

Copy furnished:

1. Director, DAR Region IV-B
2. MARO PPC
3. Director, Bureau of Land Tenure, DAR
4. Office of the Assistant Secretary for Field Operation, DAR
5. Head Executive Assistant, Office of DAR Secretary
6. Presidential Action Center

MEMORANDUM

FOR

: **ATTY. SHEILA B. ENCISO**
Head Executive Assistant
Office of the Secretary
DARCO, Dilliman, Quezon City

FROM

: **The Provincial Agrarian Reform Officer II**
2nd Floor, DAR, City Coliseum
San Pedro, Puerto Princesa City

SUBJECT

: **LETTER OF FRANCISCO CABUVERDE DATED OCTOBER 16, 2017 OF SMZSLLP, PUERTO PRINCESA CITY**

DATE

: **November 14, 2017**

This refers to the attached copy of letter of Francisco Cabuverde, dated October 16, 2017, on his comment involving our recommendation contained in our memorandum dated September 11, 2017, submitted to the Office of the Regional Director, DAR, Region IV-B, Pasig City, concerning the coverage and distribution of the 1,700 hectares, located at Barangay Iwahig, Puerto Princesa City, under CARP (Annex "A").

It is our position even before with previous farmers' groups and during the dialogue between the SMZSLLP, DENR, LGU and BUCOR held in DARPO-Palawan on August 29, 2017, that, as timberland, this office cannot do anything to distribute the land under CARP unless sooner re-classified into Alienable and Disposable by Congress and a law is thereafter passed extending the implementation of the program.

For consideration.


CONRADO S. GUEVARRA

Copy furnished:

MR. FRANCISCO P. CABUVERDE
President, SMZSLLP, Inc.
Barangay Luzviminda, Puerto Princesa City
09068717609

The Regional Director
DAR, Region IV-B
Rudgen I Bldg.
No. 17 Shaw Boulevard corner
Meralco Avenue, Pasig City


CSG/LIP
mem hen SMZSLLP-1,700

DAR

28 Nov 2017

02 MPC/10:25

RELEASED



Saminan ng mga Magulangin sa Zigzag Sta Lucia at
Luzviminda, Puerto Princessa City (SMLLP), Incorporated
Company Registration No. CN701710917 Dated 27 March 2017
Purok Zigzag, Luzviminda, Puerto Princessa City

09 December 2017

ATTY. SHEILA B. ENCISO
HEAD EXECUTIVE ASSISTANT
OFFICE OF THE SECRETARY

Madam:

Reference: Osec Doc. No. C17050490

May the undersigned respectfully comment on the attached memo of PARO IL DAR
Provincial Puerto Princessa City dated 14, Nov. 2017.

First, the subject area of our petition to the President is not the 1,700 has., allegedly located
at Brgy. Iwahig Puerto Princessa City, as stated in the attached memo. The correct one is the
approximately 1,150 has. situated within the reservation of Sta. Lucia sub colony, IPTT at Brgy.
Sta. Lucia, Puerto Princessa City.

Second, the said PARO has presented one side of the coin only when he stated in the
attached memo "that as timberland, this office cannot do anything to distribute the land under
CARP unless sooner re-classified into Alienable and Disposable by Congress..." The other side
is that forestlands or portions thereof suitable for agriculture, as determined by DAR maybe
placed under CARP, and a reservation or portions thereof is CARPABLE when same or portions
thereof is suitable for agriculture and is not actually, directly and exclusively used or necessary
for the purposes for which they have been reserved, as determined by DAR (Sec. 4, R.A. 6657,
as amended, E.O. 407 series of 1990 and E.O. 448 series of 1991.)

He should have presented the whole truth but he stuck only to one side of the coin and
completely rejected or ignored the other side thus casting doubts on his competence, integrity
and his over-all worth to manage and execute the functions and mandate of his office.

Third, as regards the issue on whether or not the implementation of the program has
expired and it therefore needs a law to extend same?

This is our position on the matter:

1. "No. CARPER law did not expire last June 30, 2014. R.A. 6657 as amended by
R.A. 9700 remains effective even beyond the said date."

2. "The CARP as amended by the CARPER, has a continuing mandate to cover and distribute all agricultural lands to landless farmers and farmworkers. This is stated in Section 4, Article XIII of the Philippine Constitution.[1] This is also in accordance with the State policy to 'promote comprehensive rural development and agrarian reform.'[2]"

3. "It must be noted that the agrarian reform program as embodied in the CARP/CARPER law has three (3) components: Land Acquisition and Distribution, Agrarian Justice Delivery and Support Service. The agrarian reform program will reach completion only when all components have been achieved. Only then can it be said that the CARP has fulfilled its mandate."

4. "With the unfinished business in the implementation of agrarian reform, it cannot be said that the CARPER law has already fulfilled its mandate and thus no longer applicable and should no longer be enforced.

Furthermore, R.A. 6657 as amended by R.A. 9700 remains in force as there are no law or issuance repealing the same."

5. "Although June 30, 2014 has been cited in the different provisions of the law, it does not mean that the Land Acquisition and Distribution component of the CARPER will be implemented only up to this date."

6. "June 30, 2014 is the target date set by the law to complete the land acquisition and distribution. This is NOT the expiration date of the law."

We should take note that it is incumbent upon DAR officials to implement the true spirit and intent of the Comprehensive Agrarian Reform Program. Their primordial duty is to promote the welfare of landless farmers and not to advance the vested interest of other persons.

In view of these conflicting claims, may we therefore request a clarification or legal opinion from your office based on the above mention laws, existing rules and regulations, and applicable jurisprudence.

1. Whether or not Sec.4, RA6657, as amended and further amended by R.A. 9700 and E.O. 407 as amended by E.O. 448 are still subsisting and in effect?
2. Whether or not the implementation of the Comprehensive Agrarian Reform Program pursuant to the provisions of R.A. 6657, as amended, has expired?
3. Whether or not forestlands or portions thereof suitable for agriculture, as determined by DAR, can be placed under CARP without the necessity of reclassifying same to alienable and disposable land first?
4. Whether or not a reservation or portions thereof suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purposes for which they have been reserved as determined by DAR, in coordination with the government

agency concerned, can be covered by CARP without the necessity of reclassifying same to alienable and disposable land first?

5. Whether or not the office of any Provincial agrarian reform has the jurisdiction and mandate to implement the provisions of R.A. 6657 and E.O. 407 (series of 1990) as amended by E.O. 448 (series of 1991).

We submit to the wisdom, impartiality and dispassionate objective of your office in resolving the issues, in line with the "Kilusang Pagbabago Program" of PRRD.

Marami Pong Salamat, Mabuhay Po Kayo!

Very respectfully yours,


FRANCISCO P. CABUVERDE
President, SMZSLLP, INC
09068717609

Copy Furnished:

1. PARO II, DAR Palawan/PPC
2. Director, DAR Region IV-B
3. Presidential Action Center
(PCC CODE NO. GL-CYR-05-22-2017-115)

MEMORANDUM

DAR
16-DC/4-1-18
RELEASE

FOR : Atty. KARLO S. BELLO
Undersecretary, Field Operations Office
DARCO, Dillman, Quezon City

FROM : The Provincial Agrarian Reform Officer II
DAR Provincial Office
2nd Floor, City Coliseum, San Pedro, Puerto Princesa City

SUBJECT : REQUEST FOR DISTRIBUTION OF LANDS UNDER CARP BY MR.
FRANCISCO CABUVERDE

DATE : October 18, 2018

This has reference to your memorandum dated October 3, 2018 which we received last October 11, 2018 relative to the request of Mr. Francisco Cabuverde, President, Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda, Puerto Princesa City (SMZSLLP) directing us to conduct investigation and evaluate the merits of his request in accordance with existing laws, rules and regulations.

In this regard, please be informed that this matter was also the subject of our Inter-Agency Meeting between and among the Department of Agrarian Reform (DAR), Department of Environment and Natural Resources (DENR), Iwahig Prison and Penal Farm (IPPF) and representative of Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda, Puerto Princesa City (SMZSLLP) held last August 29, 2018 at the DAR, Provincial Office, 2nd Floor, San Pedro, Puerto Princesa City.

It was revealed in the said meeting the following facts/information.

1. The land subject of request for distribution is under the administration of the Department of Justice and is at present under the supervision of the Iwahig Prison and Penal Farm (IPPF)- Bureau of Corrections (Bucor).
2. The existing land classification of the said vast track of land is presently "TIMBERLAND".
3. MARPO Jesusela Magdayao of Puerto Princesa reported that as per their ocular inspection conducted in the area, an estimated fifty (50) hectares more or less is planted with vegetables, banana, papaya, guava and other agricultural crops, there are several houses made up of light materials and a semi concrete house and is located along the National Highway from kilometer 33 to 35. The remaining area of 1,100 hectares is found to be forested.
4. The Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda, Puerto Princesa City (SMZSLLP) representatives namely Mr. Francisco Cabuverde, Pacinversidro H. Cataylo and Ricardo Pucoy were informed during the meeting by the Department of Agrarian Reform that the area subject of their request cannot be covered by Comprehensive Agrarian Reform Program (CARP) at the moment since its classification falls within "TIMBERLAND".

Attached is the copy of the Highlight of the Inter-Agency Meeting/Dialogue between and among DAR, DENR, IPPF and SMZLLP and report of MARPO Jesusela Magdayao of Puerto Princesa City.
For your information.


CONRADO S. GUEVARRA
CSG/USAF/ehf/

Copy Furnished:

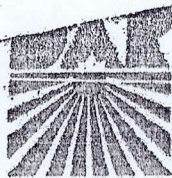
Mr. Francisco Cabuverde
Luzviminda, Puerto Princesa City

The Regional Director
DAR-MIMAROPA Region
Rudgen Bldg. 1, Shaw Boulevard
Corner Meralco Avenue, Pasig City

Joaquin R. S. Santiago
Acting Director, Public Concerns Office
Office of the President of the Philippines

PAMRS-CRD
DARCO, Diliman, Quezon City
(PAMRS Doc. No. KO61418-91/C1808018)

Office of DAR Secretary
DARCO, Diliman, Quezon City



MEMORANDUM

FOR : THE DIRECTOR
Bureau of Land Tenure Improvement

FROM : GLORIA P. ALMAZAN and EMILIO G. LOBEDERIO, JR.
SARPOs, LTIDCD-BITI

SUBJECT : Feedback Report on the ocular inspection conducted Re: Petition by the Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda, Puerto Princesa City (SMZSLLP) for the Issuance of a Proclamation Order to declare some 1,150 hectares from the Sta. Lucia sub-colony of Iwahig Prison and Penal Farm (PPPF), as areas suitable for Agriculture to be segregated from the said Prison and Penal Farm for distribution to qualified agrarian reform beneficiaries under the CARP.

DATE : 3 July 2017

I. Background Information

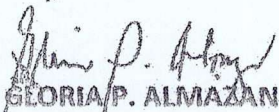
1. This pertains to the petition addressed to Secretary Rafael V. Mariano dated 22 May 2017 of Mr. Francisco P. Cabuverde, President of SMZSLLP relative to the aforementioned subject.
2. SMZSLLP is a duly registered organization with the Securities and Exchange Commission. Please refer to the attached Certificate of Incorporation.
3. SARPOs Gloria P. Almazan and Emilio G. Lobedero, Jr. conducted the ocular inspection on June 28, 2017 in coordination with MARPO Susie Magdayao of DARMO Puerto Princesa City and some staff of DARPO Palawan. The following are the results of the ocular inspection conducted:
 - There are more than 300 potential farmer beneficiaries/households who are occupants/actual tillers of the estimated 50 to 70 hectares, portion of the Iwahig Prison and Penal Farm in Puerto Princesa City and presently residing in the said area.
 - The area is currently planted with root crops, such as, cassava, corn, vegetables and fruit trees (banana, mango, jackfruit, guava, etc.) and various big trees. The subject landholdings are proven to be suitable for agriculture because they produced crops.
 - The said potential farmer beneficiaries were in actual cultivation in the area for the past twenty (20) years, hence, their petition that the same be awarded to them.
4. At present, the whole area is covered by Proclamation Order No. 718, Re: Amending Proclamation No. 350 declaring 1,072 hectares of the Sta. Lucia sub-colony of the Iwahig Penal Colony as an industrial commercial estate and reclassifying the same as an

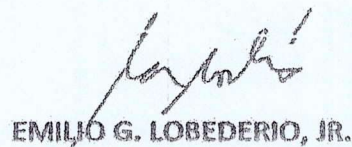
5. The current issue as stated in the petition of the actual occupants/tillers of the said properties is the request for issuance of new proclamation by the President of the Philippines to segregate from the Iwahig Prison and Penal Farm the areas suitable for agriculture and that DAR be given the authority to cover and the subject area.

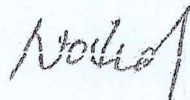
II. Recommendation

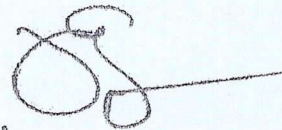
It is recommended that an Inter-Agency Meeting/Dialogue among DAR, DENR, Head of the Iwahig Penal Colony and the City Government of Palawan will be conducted. This meeting must be initiated by DAR Regional Director Arnel Dizon of DARRO IV-B in coordination with PARPO Conrado Guevarra of DARPO Palawan.

Furthermore, a feedback report containing the possible solution and recommendation of the Regional Director addressed to the Undersecretary, FOO and Office of the Secretary, copy furnished Office of the President and Mr. Francisco P. Cabuverde, President of SMZSLLP.


GLORIA P. ALMAZAN


EMILIO G. LOBEDERIO, JR.


Noted





Republic of the Philippines
OFFICE OF THE SANGGUNIANG PANUNGSOD
Puerto Princesa City

CERTIFICATE OF ACCREDITATION
CMSPD 1847

THIS IS TO CERTIFY THAT, having satisfactorily complied with the requirements for accreditation pursuant to the Local Government Code and as promulgated in the LRA Memorandum Circular No. 2016-97 dated July 12, 2016 and City Ordinance No. 564, the

BAHAHAN NG MGA MAGSASAKA NG ZIGZAG, STA. LUCIA AND LUEVININDA, PUERTO PRINCESA INCORPORATED (BMSLLFO) PUERTO PRINCESA CITY

an organization duly registered with the Department of Labor and Employment and established in accordance with law, and pursuant to Resolution No. 1807-2019 adopted by the 15th Sangguniang Panlungsod during its 136th Regular Session held in April 8, 2019 is hereby awarded this Certificate of Accreditation.

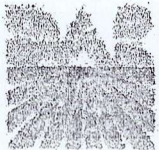
IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Sangguniang Panlungsod to be affixed herein this 22nd day of April 2019, at Puerto Princesa City, Philippines.

LUIS EL MARCAIDA III
City Vice Mayor
Presiding Officer

ATTESTED:

ROBERTO G. BARRERA II
City Councillor
Chairman, Committee on People's Organization and NGO Affairs

JOSEPHINE S. BARRERA
Secretary to the Sangguniang Panlungsod



REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

DAR

1st Indorsement

April 25, 2019

02 MAY 2019
03 PM 12:05X
RELEASE

Respectfully indorsed to CSSUPT GERALDO J. ARO, Superintendent, Iwahig Prison and Penal Farm, Barangay Iwahig, Puerto Princesa City the herein attached copy of letter of Samahan ng Magkakata ng Zigzag, Sta Lucia at Luzviminda, Puerto Princesa City (SMZSLLP, Inc.) represented by Mr. Jesulito O. Delumpines, addressed to the President of the Republic of the Philippines.

Please be informed that SMZSLLP officers and representatives have been visiting the DAR Provincial Office asking for assistance but their concerns are found within your competence and jurisdiction, thus this referral.

CONRADO S. GUEVARRA

Provincial Agrarian Reform Program Officer II

Copy furnished:

Mr. Jesulito O. Delumpines
SMZSLLP, Inc
Purok Zigzag
Barangay Luzviminda
Puerto Princesa City

The Regional Director
DAR Region IV-B, MIMAROPA
DAR, Diliman, Quezon City

Dir. Cleon Lester E. Chavez
Director
Public Assistance and Media Relation Service
DAR Central Office, Elliptical Road
Diliman, Quezon City

Director Jaime Laguna Mablin
Office of the President
Presidential Complaint Center (PCC Code Number GE CAM 03-21-2019-074)
Malacanang, Manila

Secretary John R. Castrodano
Department of Agrarian Reform



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Province of Palawan
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY

September 13, 2019

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region
1515 L & S Building, Roxas Boulevard,
Ermita, Manila

THRU : The OIC-Provincial Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City

FROM : The OIC-Community Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City

SUBJECT : **LETTER DATED OCTOBER 8, 2018 OF ATTY. MCJILL
BRYANT T. FERNANDEZ, ACTING DEPUTY EXECUTIVE
SECRETARY FOR GENERAL ADMINISTRATION, OFFICE
OF THE MALACAÑANG, MANILA (ASRMD-2018-0029656)**

This pertains to PENRO Memorandum¹ dated September 03, 2019 which was received by this Office on September 06, 2019 anent to Memorandum² dated June 07, 2019 from ARD for Technical Services Division, Vicente B. Tuddao, Jr., *Ph.D.*, *CESO IV*, along with its attachments³ regarding the letter⁴ dated May 24, 2018 of Mr. Francisco P. Cabuverde, President of the Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda Puerto Princesa City (SMZSLLP) Inc. which was addressed to then Secretary for Special Concerns, Christopher Lawrence "Bong" Go of the Office of the President, requesting for the issuance of Proclamation declaring a parcel of land of about 1,150 hectares, situated in the Sta. Lucia Sub-colony of Iwahig Prison and Penal Farm (IPPF), Puerto Princesa City, open for distribution under the Comprehensive Agrarian Reform Program (CARP).

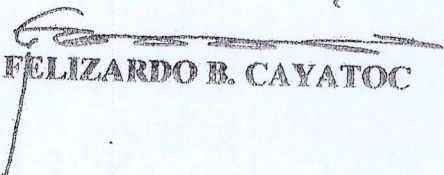
Please be informed that per letter⁵ dated May 20, 2019 from Engr. Leandro A. Caymo, Director IV, BLTI, of the Department of Agrarian Reform (DAR), addressed to Mr. Jesulito O. Dalumpines of the Samahan ng Magsasaka ng Zigzag, Sta. Lucia at Luzviminda Puerto Princesa City (SMZSLLP) Inc., it is informed that the Implementing Rules and Regulations (IRR) of Executive Order No. 75, s. 2019 are still under review for finalization, hence, their request for coverage may be dealt with once the said guideline is officially issued. It is further informed that the subject matter was referred to the department's field level units for coordination and provision of technical assistance in relation to the coverage of government-owned lands (GOLs).

South National Highway,
Bgy. Sta. Monica Puerto Princesa City
Email Address: cenroprc@ yahoo.com
Tel. Fax No.: (048) 433-0660

Moreover, the subject parcel of land of about 1,150 hectares, situated in the Sta. Lucia Sub-colony of Iwahig Prison and Penal Farm (IPPF), Puerto Princesa City is within the jurisdiction of Bureau of Corrections (BuCor) – Iwahig Penal and Prison Farm (IPPF) of the Department of Justice by virtue of Executive Order No. 67 issued by Governor Newton Gilbert on October 15, 1912.

In this regard, it is hereby recommended that Mr. Francisco P. Cabuverde may directly coordinate to the Department of Agrarian Reform (DAR) and Bureau of Corrections (BuCor) – Iwahig Prison and Penal Farm (IPPF) as to the status of their request having jurisdiction thereof.

For your evaluation and further instruction.


FELIZARDO B. CAYATOC

Enclosures:

- ¹ PENRO Memorandum dated September 03, 2019
- ² Memorandum dated June 07, 2019 from ARD for Technical Services Division with enclosures*
- *Memorandum dated October 22, 2018 from Undersecretary and Chief of Staff Rodolfo C. Garcia
- *Letter dated October 22, 2018 from Undersecretary and Chief of Staff Rodolfo C. Garcia
- *Letter dated October 08, 2018 from Acting Deputy Executive Secretary for General Admin. McJill Bryant T. Fernandez
- ³ Letter dated May 08, 2018 of Mr. Francisco P. Cabuverde
- ⁴ Letter dated May 20, 2019 from Engr. Leandro A. Cayano of DAR

Copy furnished:

Mr. Francisco P. Cabuverde
President, Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda (SMZSLLP) Inc.
Purok Zigzag, Brgy. Luzviminda, Puerto Princesa City

Atty. McJill Bryant T. Fernandez
Acting Deputy Executive Secretary for General Administration
Office of the President of the Philippines
Malacañang, Manila (ASRMD-2018-0029656)

Mr. Rodolfo C. Garcia
DENR Undersecretary and Chief of Staff
Visayas Avenue, Diliman, Quezon City
ASRMD-2018-0029656

Mr. Conrado S. Guevarra
Provincial Agrarian Reform Officer II
Department of Agrarian Reform
City Coliseum, Puerto Princesa City

The Superintendent
Iwahig Prison and Penal Farm (IPPF)
Bgy. Iwahig, Puerto Princesa City

CENRO/File
DRN-2019-4291/RPS

3670
10-279
/

South National Highway,
Bgy. Sta. Monica Puerto Princesa City
Email Address: cenroppchuc@yahoo.com
Tel. Fax No.: (048) 433-0660



Office of the President
PRESIDENTIAL COMPLAINT CENTER
Malacañang, Manila

23 May 2017

HEA LUZ J. PEREZ
Office of the Secretary
Department of Agrarian Reform
Elliptical Road, Diliman, Quezon City


M a d a m :

Respectfully forwarding the attached undated petition letter, with enclosures, addressed to **President RODRIGO ROA DUTERTE**, for appropriate action, subject to existing laws, rules and regulations on the matter, from the **Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda, Puerto Princesa City, Incorporated**, Purok Zigzag, Luzviminda, Puerto Princesa City, seeking Presidential intercession, relative to their request stated therein.

A reply direct to the party/ies concerned, copy furnished the Center, citing **PCC Code No. GL-CYR-05-22-2017-115** will be highly appreciated.

Our cordial regards.

Very truly yours,


JAIME LLAGUNO MABILIN
Director IV

Encl.: a/s
CC: PARTY/IES CONCERNED
/cyr

BAHAY UGNAYAN, JOSE P. LAUREL STREET, MALACAÑANG, MANILA
Telephone Numbers: 736-8645 (Governance and Local Affairs Division);
736-8603 (Social Services Division); Fax Number: 736-8621
Email Address: pcc@malacanang.gov.ph



Office of the President of the Philippines
PRESIDENTIAL MANAGEMENT STAFF
Malacañang

26 June 2018

Secretary **JOHN R. CASTRICIONES**
Department of Agrarian Reform (DAR)
Elliptical Road, Diliman
Quezon City

Dear Sir,

This is to respectfully forward, for appropriate action, the attached letter of Mr. Francisco Cabuverde, a farmer requesting the distribution of the lands under the Comprehensive Agrarian Reform Program in Luzviminda, Puerto Princesa City to the expecting farmer beneficiaries in the area.

Kindly evaluate the merits of his request, *in accordance with your existing guidelines and applicable laws, rules and regulations*. Further, please note that this letter should not, in any way, be misconstrued as interfering with the processes and procedures of your Office.

Please inform the proponent of the action taken on the matter, copy furnished this Office.

Thank you.

Very truly yours,

JOAQUIN ROMEO S. SANTIAGO
Acting Director, Public Concerns Office
2018-PMS/OSAP-02279

cc: Mr. Francisco Cabuverde
Purok Zigzag P, Luzviminda
Puerto Princesa City

PMS-QMS-PCO-SOP02-F01-02

Office of the President
of the Philippines
Malacanan

APR 08 2019

SECRETARY ROY A. CIMATU
Department of Environment and Natural Resources
Visayas Avenue, Diliman
Quezon City

Dear Secretary Cimat:

This refers to the letter dated 23 August 2018 received by our Office last 15 March 2019 from Mr. Francisco P. Cabuverde, President of Samahan ng mga Magsasaka ng Zigzag, St. Lucia at Luzviminda, Puerto Princesa, Inc. (SMZSLPP), requesting assistance for the issuance of a Proclamation declaring some 1,150 hectares of land to be segregated from Iwahig Prison and Penal Farm (IPPF) and placed under the Comprehensive Agrarian Reform Program (CARP).

According to Mr. Cabuverde, the mentioned 1,150 hectares of land out of the 42,000 hectares reserved for IPPF are left idled and abandoned. However, through the efforts of more than 300 farmers from SMZSLPP, the lands were cultivated, tilled, and developed for more than 20 years now.

Mr. Cabuverde further disclosed that they already lodged a petition before the Office of the Director of Department of Agrarian Reform Region IV-B (MIMAROPA) and the Provincial Agrarian Reform Officer of Palawan sometime in October 2017. However, until now, they are still waiting for the said office's reply to their request.

Acknowledging that the delineation and classification of the lands reserved for the IPPF is within the administrative and technical jurisdiction of the Department of Environment and Natural Resources, kindly evaluate the merits of the request in accordance with your existing guidelines and other applicable laws, rules, and regulations. Please inform the proponent of the action taken on the matter, copy furnished this Office.

Thank you and God Bless.

Very truly yours,

WENDEL E. AVISADO

President's Assistant for Special Concerns

cc: MR. FRANCISCO P. CABUVERDE
Samahan ng mga Magsasaka ng Zigzag, St. Lucia at Luzviminda Puerto Princesa City, Inc.
Purok Zigzag, Luzviminda, Puerto Princesa City
Palawan



Office of the President of the Philippines
PRESIDENTIAL MANAGEMENT STAFF
Malacañang

Ika-26 ng Hunyo 2018

Ginoong FRANCISCO CABUVERDE
Purok Zigzag F, Luzviminda
Puerto Princesa City

PMST	BY	Lps	
	DATE	01-07-19	
OFFICE OF THE		2:49 p.m.	
SUPERINTENDENT			

G. Cabuverde,

Ito po ay patungkol sa inyong hiling na maipamahagi na sa inyo ang mga sinasaka ninyong lupa sa Puerto Princesa, sa ilalim ng Comprehensive Agrarian Reform Program.

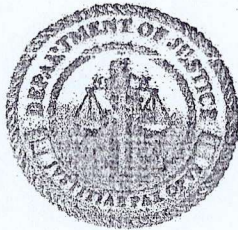
Nais po naming ipabatid na ang inyong liham ay amin pong ipinadala sa Department of Agrarian Reform (DAR) upang ito ay magawaran ng karampatang aksyon na naaayon sa umiiral na batas, alituntunin at regulasyon patungkol dito.

Maaari kayong direktang makipag-ugnayan sa opisina ng DAR para sa anumang impormasyon kaugnay sa inyong kahilingan sa telepono bilang (02) 929-3460.

Maraming salamat po.

Lubos na sumasainyo,

JOAQUIN ROMEO S. SANTIAGO
Acting Director, Public Concerns Office
2018-PMS/OSAP-02275



Republika ng Pilipinas
KAGAWARAN NG KATARUNGAN
Department of Justice
Manila

1st Indorsement
1 June 2017

Referred to **Director General BENJAMIN C. DE LOS SANTOS**, Bureau of Corrections, Muntinlupa City, for appropriate action, the attached letter dated 22 May 2017 and its enclosures, from Mr. Francisco P. Cabuverde, President of Samahan ng mga Magsasaka ng Zigzag, Sta Lucia at Luzviminda, Puerto Princesa City (SMZSLLP), requesting for the issuance of a proclamation order declaring One Thousand One Hundred Fifty (1,150) hectares from Sta. Lucia Subcolony of Iwahig Prison and Penal Farm (IPPF), Puerto Princesa City, as areas suitable for agriculture to be segregated from said Prison and Penal Farm, details of which are stated therein.

Advice of the action taken on the matter direct to Mr. Cabuverde will be appreciated.

FOR THE SECRETARY OF JUSTICE:

ATTY. MARIA CHARINA BUENA-DY PO, CESO III
Director IV, Technical Staff

Encl.:As stated.

Copy furnished:

Mr. Francisco P. Cabuverde
Samahan ng mga Magsasaka ng Zigzag
Sta Lucia at Luzviminda, Puerto Princesa City



INDORSEMENT

20 June 2017

For:

THE OFFICE OF THE ASSISTANT SECRETARY
Field Operations Office

Subject/Concern:

Petition for the issuance of a Proclamation Order to declare some 1,150 hectares from the Sta. Lucia sub colony of Iwahig Prison and Penal Farm (IPPF), Puerto Princesa City, as areas suitable for agriculture to be segregated from the said Prison and Penal Farm for distribution to qualified agrarian reform beneficiaries under the CARP.

OSEC Doc. No.: C17050490

For purposes of monitoring or following up, please cite the abovementioned OSEC document number.

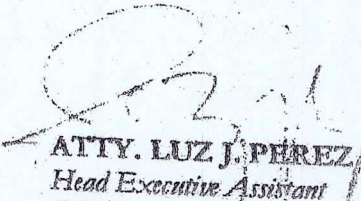
This Office is referring to you the following document(s):

- Letter dated 23 May 2017, PCC Code No. GL-CYR-05-22-2017-115 of Director Jaime Laguno Mabilin of the Presidential Action Center, Office of the President, forwarding another copy of letter with enclosures from the Samahan ng mga Magsasaka ng Zigzag, Sta. Lucia at Luzviminda, Puerto Princesa City (SMZSLLP), Inc., relative to the above-cited subject matter.

This Office requests the following action(s) from your end:

- For your review and recommendation

Please be guided accordingly.


ATTY. LUZ J. PEREZ
Head Executive Assistant
Office of the Secretary

Copies furnished:

SAMAHAN NG MGA MAGSASAKA NG ZIGZAG, STA. LUCIA AT
LUZVIMINDA, PUERTO PRINCESA CITY (SMZSLLP), INC.
Purok Zigzag, Luzviminda
Puerto Princesa City

DAR Central Office
Phone: 02-455-3095
Address: Elliptical Road, Dillman,
Quezon City, Philippines 1101
Website: www.dar.gov.ph



Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
Defend and Assert the Rights of Farmers

INDORSEMENT

25 October 2017

For: THE PROVINCIAL AGRARIAN REFORM PROGRAM OFFICER
DAR Provincial Office Puerto Princesa

Subject/Concern: REQUEST OF THE SAMAHAN NG MGA MAGSASAKA NG ZIGSAG,
STA. LUCIA AT LUZVIMINDA (SMZSLP) RELATIVE TO THEIR
PETITION FOR THE ISSUANCE OF A PROCLAMATION ORDER

OSEC Doc. No.: C17050490

For purposes of monitoring or following up, please cite the above-mentioned OSEC document number.


This Office is referring to you the following document(s):

- Letter dated 16 October 2017 of Mr. Francisco P. Cabuverde, relative to the above-cited subject matter.

Pursuant to the Anti-Red Tape Act of 2007 (R.A. 9485) and subject to existing laws, rules and regulations on the matter, this Office requests the following action(s) for compliance:

- | | |
|--|---|
| <input checked="" type="checkbox"/> For Appropriate Action | <input type="checkbox"/> For Complete Staff Work |
| <input type="checkbox"/> For Information | <input type="checkbox"/> For Indorsement to Appropriate Parties |
| <input type="checkbox"/> As Requested | <input type="checkbox"/> Priority |
| <input type="checkbox"/> Others | <input type="checkbox"/> For Monitoring |

Kindly address all issues involving the matter for its objective resolution and disposition. Please directly communicate with the concerned party(ies) and furnish this Office of action(s) taken regarding the same, citing the above-indicated OSEC Doc. No.


ATTY. SHEILA B. ENCISO
Head Executive Assistant
Office of the Secretary

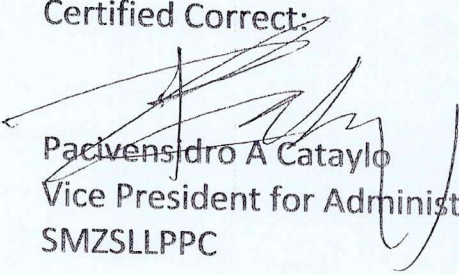
Copy(ies) furnished:

MR. FRANCISCO P. CABUVERDE
SMZSLP, INC.
Purok Zigzag, Luzviminda
Puerto Princesa City

List of Annexes:

1. "A" Sketch Map.
2. "B" Memorandum from SARPOs Gloria Almazan and Emilio G Lobederio for Director, BLTI dated July 3 2017.
3. "C" Certificate of Incorporation.
4. "D" Certificate of Accreditation.
5. "E" Referrals/Endorsements from the Office of the President to Secretaries of DAR and DENR.
6. "F" CARP Coverage Memo.
7. "G" Memo of DARPO Guevarra for Regional Director, DAR MIMAROPA dated September 11 2017.
8. "H" Memo of DARPO Guevarra to for Atty. Enciso dated Nov 14 2017.
9. "I" 1st Endorsement of DARPO Guevarra to CSSUPT ARO, SUPT of IPPF dated April 25 2019.
10. "J" Letter of DARPO Guevarra to Francisco Cabuverde Dated march 13 2020.
11. "K" Letter of Engr. Francisco CSEE to Pacivensidro A Cataylo, VP for Administration, SMSZLLPPC dated June 17 2020.
12. "L" DENR Letters (CENRO/PENRO/RD, DENR Region IVB) to President, SMZSLLPPC.
13. "M" Video clip.
14. "N" Letters of Francisco Cabuverde President, SMZSLLPPC to SUPT, IPPF requesting for a courtesy calls.
15. "O" Resolution, letters of President, SMZSLLPPC to SUPT IPPF.
16. "P" Letter of Pacivensidro A. Cataylo to Engr. Leandro A. Caymo dated novemcer 16 2019.
17. "Q" Verification of and certification of Non-Forum Shopping.

Certified Correct:


Pacivensidro A Cataylo
Vice President for Administration
SMZSLLPPC

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
MALCAÑANG, MANILA

Francisco Cabuverde, Et al
(Officers and BOT of SMZSLPPC, Inc.)

Complainants,

—Versus—

Key DAR Officials of Palawan:
Conrado S. Guevara- DARPO
Ricardo S.A Francisco CSEE- OIC PARO II
ATTY. Reychele Anne B. Villarta-
Chief Legal Officer
Fideleo Deguzman- PIO

From DENR Palawan:
Felizardo B. Cayatoc-CENRO,
Puerto, Princeca City.
Eriberto B Sanos SESE- PENRO Palawan

From IPPF-BUCOR:
CSSUP Raul Levita Superintendent,
Iwahig Prison and Penal Farm

Respondents

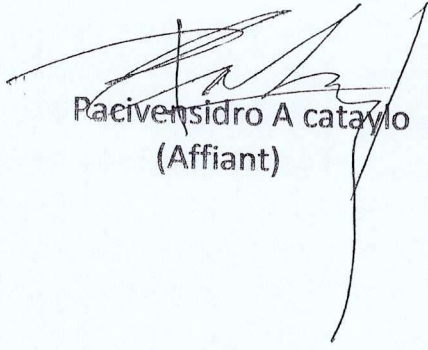
X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-

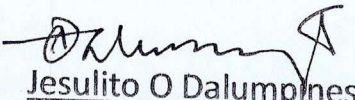
- O.P Case No. _____
For:
1. Viol Of sec. 73(d), RA 6657
as amended
 2. Viol of RA 3019
 3. Viol of RA 6713
 4. Viol of 9485
 5. Grave Misconduct
 6. Grave Neglect of Duty
 7. Gross Incompetence
 8. Gross Ignorance of the Law

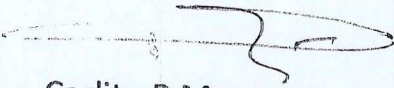
VERIFICATION AND CERTIFICATION OF NON-FORUM SHOPPING

We, Pacivensidro A Cataylo, Jesulito O Dalumpines and Carlito B Masayon, Officers and members of Board and Trustees of Samahan ng mga Magsasaka ng Zigzag Sta, Lucia, Luzviminda, Puerto Princesa City (SMZSLLPPC) Inc, of legal ages, after having been duly sworn to with accordance with law, depose and state that:

1. We are the complainants, among others, in the above-stated case;
2. We caused the preparation of the foregoing complaint;
3. We have read the contents thereof and the facts stated therein are true and correct of our personal knowledge and/or on the basis of copies of documents and records in our possession;
4. We have not commenced any other action or proceeding involving the same issues in any court, tribunal or agency;
5. To the best of our knowledge and belief, no such action or proceeding is pending in any court tribunal or agency;
6. If we should thereafter learn that a similar action or proceeding has been filed or is pending before the Court, tribunal or agency, we undertake to report that fact within five (5) days therefrom to this honorable Office of the President.


Pacivensidro A cataylo
(Affiant)


Jesulito O Dalumpines
(Affiant)


Carlito B Masayon
(Affiant)

SUBSCRIBED AND SWORN to before me this 18th day of July 2020,

At Puerto Princesa City.

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PAGE NO. 101
BOOK NO. 129
SERIES OF 2520


ATTY. JOSEPH ALLEN P. QUINON
NOTARY PUBLIC
COMMISSIONED UNTIL DECEMBER 31, 2021
ROLL NO. 47519/TIN NO. 223-829-182
IDP NO. 001817/PTR NO. 1425234
MCLE NO. VI-0027766

Samahan ng mga Magsasaka ng Zigzag, Sta Lucia, Luzviminda, Puerto Princesa City
(SMZSLPPC) Inc, Bahay Pulungan Km 32 Purol Zigzag Baranggay Luzviminda,
Puerto Princesa City.

18 July 2020

CERTIFICATION

THIS IS TO CERTIFY that the rest of the complainant in the above entitled case have not commenced any other action or proceeding involving the same issues in court, tribunal agency.



Carlito B Masayon
Secretary, SMZSLPPC, Inc