

BY THE PRESIDENT OF THE PHILIPPINES

MEMORANDUM ORDER NO. 72

DIRECTING THE DEPARTMENT OF JUSTICE (DOJ) TO INVESTIGATE THE REPORTED IRREGULARITIES IN THE TITLING OF LANDS ON PORTIONS OF THE LUNGSOD SILANGAN TOWNSITE RESERVATION, LOCATED IN THE PROVINCE OF RIZAL, AND DIRECTING THE HUDCC TO EXPLORE AND RECOMMEND POSSIBLE TENURIAL ARRANGEMENTS FOR THEIR LEGITIMATE OCCUPANTS AND FOR OTHER PURPOSES

WHEREAS, Proclamation No. 1637 was issued on April 18, 1977, amending Proclamation No. 1283 dated June 21, 1974 which established the Lungsod Silangan Townsite Reservation, comprising a total area of 20,312 hectares, more or less, in the municipalities of Antipolo (now City of Antipolo), San Mateo and Montalban (now Rodriguez), province of Rizal;

WHEREAS, it is estimated that an area comprising approximately 5,700 hectares and forming part of the said townsite reservation is presently being occupied by around 500,000 informal settler-families;

WHEREAS, the said area falls within the bounds of the Lungsod Silangan Townsite Reservation and the same was verified and certified by the then Ministry of Natural Resources to be within alienable and disposable land and declared as such as early as 11 March 1927;

WHEREAS, the aforesaid informal settler-families have been petitioning the government for the awarding and titling of the lots they are occupying in their respective names, in accordance with the pertinent provisions of existing laws;

WHEREAS, it appears that several parcels of land within the reservation area are currently being claimed by the aforesaid occupants, while a number of them were found to have been embraced by Certificates of Title, and the rest apparently have no registration records;



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WHEREAS, the informal settler-families occupying these parcels of land have claimed that the above titles are spurious and that they have the rightful claim over the land by virtue of their "open, continuous, public and peaceful" possession and occupancy of the same for the last fifty (50) years or so;

WHEREAS, there is a need to look into the veracity of the claims of the affected settler-families who are under constant threat of eviction and to explore ways by which the overlapping claims over the said parcels of land can be settled accordingly;

WHEREAS, it is also necessary that the existing problems in the entire reservation are attended to at once and that all development efforts therein are geared towards achieving complementation of land uses for the area as well as tenurial arrangements for its occupants.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby direct the Department of Justice (DOJ) to investigate the reported irregularities in the titling of lands within the Lungsod Silangan Townsite Reservation located in the province of Rizal and the HUDCC to explore and recommend possible tenurial arrangements for their legitimate occupants.

SECTION 1. The Department of Justice (DOJ) shall be primarily responsible for the investigation of the reported irregularities in the titling of lands on portions of the Lungsod Silangan Townsite Reservation located in the City of Antipolo and the Municipalities of San Mateo and Rodriguez, Province of Rizal, comprising a total area of 20,312 hectares, more or less.

SEC 2. The Housing and Urban Development Coordinating Council (HUDCC) shall be principally in charge of formulating the Master Development Plan for the area, for approval by the President, which shall incorporate an Integrated Housing and Urban Development Plan as well as provide for the implementing guidelines that will make some portions thereof as a new town housing project.

In pursuance of such responsibility, the HUDCC shall undertake the following activities:



1. Make use of existing studies and recommendations of government and non-government agencies which have been involved in the planning and development of the area in the preparation of the Master Development Plan and in the formulation of its implementing guidelines.
2. Consult with the other concerned national government agencies, local government units, and all interest groups in the area and in the entire Lungsod Silangan Townsite Reservation to ensure that their needs and concerns are taken into account in the formulation of policies and execution of plans and programs.
3. Explore and adopt possible tenurial arrangements for the legitimate occupants of the subject area and which can be replicated in the adjoining areas not covered by this Order.
4. Facilitate the disposition of the occupied lands of the public domain not otherwise prohibited by law from being disposed to their actual occupants in order that the intended beneficiaries are finally granted titles to the land they are occupying.
5. Identify sources of fund which may be tapped for the implementation of housing and urban development programs and projects for the area.
6. Recommend to the local Sanggunian such ordinances and measures as may be necessary to attain the objectives of the Master Development Plan.
7. Perform such other functions and responsibilities as it may deem necessary and proper to carry out its mandate.

SEC 3. Except when ordered by the courts, there shall be effected in the subject area a provisional moratorium on the demolition of structures and eviction of bona fide occupants pending the determination by the HUDCC of possible tenurial arrangements for the said occupants. Likewise, the DOJ and the other agencies concerned with land registration are hereby directed to hold in abeyance, where practicable, the issuance or conveyance of land titles in the areas within



the Townsite Reservation, where possible titling irregularities appear to be present, during the pendency of the conduct of investigation by the DOJ.

SEC 4. To assist them in their activities, the HUDCC and the DOJ shall coordinate with and seek the assistance of the concerned departments and other government bodies, including committees and task forces responsible for the Manila-Rizal-Laguna-Quezon growth areas, as well as the NGOs, POs, and private sector groups based or operating in the areas comprised by the townsite reservation.

SEC 5. The HUDCC and the DOJ shall submit quarterly reports to the Office of the President, through the Office of the Executive Secretary, on the status of its activities in pursuance of their respective mandates, such as those dwelling on the resolution of land issues and tenurial arrangements and those concerning the implementation of the Master Development Plan.

SEC 6. All relevant Executive issuances and other Presidential directives covering Metro Manila and the provinces of Rizal, Laguna and Quezon shall remain in effect, except for portions thereof which are inconsistent with this Order and thus deemed repealed or modified accordingly.

SEC 7. This Memorandum Order shall take effect immediately.

Done in the City of Manila, this 9th day of *September*, in the year of Our Lord, two thousand and two.

Marrigo



By the President:

Alberto G. Romulo
ALBERTO G. ROMULO
 Executive Secretary



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