



Republic of the Philippines
Supreme Court
Baguio City

SECOND DIVISION

HEIRS OF AIDA PINEDA, G.R. No. 223808
represented by ELLA PINEDA
TORCEDO,
Petitioners,

Present:

LEONEN, *J.*, Chairperson,
LAZARO-JAVIER,
LOPEZ, M.,
LOPEZ, J., and
KHO, JR., *JJ.*

-versus-

OFFICE OF THE PRESIDENT,
DEPARTMENT OF
ENVIRONMENT AND NATURAL
RESOURCES, AND ANY/ALL
THEIR SUBORDINATE,
AGENTS, AND ALL OTHER
PERSONS ACTING ON ITS
BEHALF, AND HEIRS OF
TEOFILO PILANDO, SR.,
Respondents.

Promulgated:

APR 26 2023

X-----X

DECISION

LEONEN, *J.*:

Republic Act No. 8371 or the Indigenous Peoples' Rights Act excluded¹ the City of Baguio from its application and provided that it shall be primarily governed by its own charter. However, prior land rights and titles validly acquired through any judicial, administrative, or other processes before the Act's effectivity are recognized. A Certificate of Ancestral Land Claim, by itself, does not qualify as valid prior land right and title over ancestral land.

¹ Indigenous Peoples' Rights Act (1997), sec. 78.

This Court resolves the Petition for Review on Certiorari² assailing the Decision³ and Resolution⁴ of the Court of Appeals, which affirmed the Decision⁵ of the Office of the President and the Decision⁶ of the Department of Environment and Natural Resources ordering the recall of the Certificates of Ancestral Land Claim issued in favor of Aida Pineda (Pineda).

In 1991, Pineda filed an application for ancestral land claim over a land located in Baguio City with a total area of 49,645 square meters.⁷ This application was pursuant to Department of Environment and Natural Resources Special Order No. 31, series of 1990, which created a Special Task Force on Ancestral Land Claims “to receive identify, evaluate and delineate claims for ancestral lands in the Cordillera Administrative Region, and after processing to issue appropriate land titles.”⁸

From November 12 to 19, 1991, Pineda caused the survey of the land, which was approved by the Regional Surveys Division of the Department of Environment and Natural Resources on March 31, 1992.⁹ The Survey Plan SWO CAR-000065 indicated that the area claimed was a “portion of Lot No. 1, PSU-223647, as surveyed for Teofilo Pilando covered by Civil Res. Case 1, GLRO Rec. No. 211.”¹⁰

On June 24, 1993, the Department of Environment and Natural Resources, upon recommendation of the Special Task Force, issued four Certificates of Ancestral Land Claim, specifically Bg-0032, Bg-0033, Bg-0034 and Bg-0035, covering 61,673 square meters of land, located at Residential Section “J”, Loakan, Baguio City, in favor of Pineda.¹¹

On August 22, 1996, the Heirs of Teofilo Pilando, Sr. (Heirs of Pilando) filed a Petition for Annulment of the Certificates of Ancestral Land Claim¹² before the Department of Environment and Natural Resources. They claimed to have been enjoying a prior right, which they trace from Teofilo Pilando, Sr. (Pilando) a member of the Kankanaey tribe, who

² *Rollo*, pp. 13–32.

³ *Id.* at 34–48. The June 23, 2015 Decision in CA-G.R. SP No. 128152 was penned by Associate Justice Victoria Isabel A. Paredes and concurred in by Associate Justices Isaias P. Dicedican and Elihu A. Ybañez of the Eighth Division, Court of Appeals, Manila.

⁴ *Id.* at 60–62. The March 2, 2016 Resolution in CA-G.R. SP No. 128152 was penned by Associate Justice Victoria Isabel A. Paredes and concurred in by Associate Justices Elihu A. Ybañez and Agnes Reyes Carpio of the Special Former Eighth Division, Court of Appeals, Manila.

⁵ *Id.* at 97–109. The O.P. Case No. 09-C-115 was dated March 30, 2011.

⁶ *Id.* at 166–175. The February 27, 2007 Decision in DENR Case No. 8319 was penned by Department of Environment and Natural Resources Secretary Angelo T. Reyes.

⁷ *Id.* at 98.

⁸ *Id.* at 35.

⁹ *Id.* at 36.

¹⁰ *Id.*

¹¹ *Id.* at 166 and 169.

¹² *Id.* at 147–154.

purchased a 90,904-square-meter parcel from Talin Simsim of the Ibaloi tribe in 1956 or 1957, and thereafter introduced improvements on it.¹³ They added that Pilando, in anticipation of securing a Torrens title, caused the survey of the land, which was approved by the Bureau of Lands in SWO-129547 on October 13, 1966, and he had declared the land for tax purposes since 1967.¹⁴ Thus, the Heirs of Pilando claim that their predecessor-in-interest acquired *ipso jure* title and possession of the land, and their more than 30 years of possession converted the land to private property.¹⁵

In their Answer, the Heirs of Pineda asserted that Pilando's claim is fraudulent.¹⁶

In its February 27, 2007 Decision,¹⁷ the Department of Environment and Natural Resources ordered the recall of the Certificates of Ancestral Land Claim issued in favor of Pineda and the segregation of the claim of the Heirs of Pilando.¹⁸ It explained that the recommendations of the Special Task Force could not be held as binding, considering that the actions of the Special Task Force were merely in anticipation of the Indigenous Peoples' Rights Act, the same Act which expressly excluded Baguio City from its operation. It added that the Heirs of Pilando clearly established a prior right as "long-time occupants of a public land."¹⁹

The dispositive portion of the Decision reads:

WHEREFORE, premises considered, CALC No. [B]g-0032, Bg-0033, Bg-0034[,] and Bg-0035 in the name of Aida Pineda and the Heirs of Sulfo (sic) Kessel be recalled and the claim of the late Teofilo Pilando, Sr. covered by Psu-223647 be segregated therefrom.

The Heirs of Teofilo Pilando, Sr. shall file the appropriate public land application within sixty (60) days from the finality of this Decision, failing which they are deemed to have waived their rights over the same.

SO ORDERED.²⁰ (Emphasis in the original)

On October 29, 1997, the Indigenous Peoples' Rights Act was signed into law.²¹

¹³ *Id.* at 36-37.

¹⁴ *Id.* at 37.

¹⁵ *Id.* at 150.

¹⁶ *Id.* at 39.

¹⁷ *Id.* at 166-175.

¹⁸ *Id.* at 174.

¹⁹ *Id.* 169-174.

²⁰ *Id.* at 174-175.

²¹ *Id.* at 98.

In its March 30, 2011 Decision,²² the Office of the President affirmed the ruling of the Department of Environment and Natural Resources and held that the issuance of the Certificates of Ancestral Land Claim in 1993 has no legal basis before the passage of Indigenous Peoples' Rights Act, and even after its enactment, in Baguio City's case.²³ It found that the Heirs of Pilando and their predecessors-in-interests are deemed to have acquired, by operation of law, a right to government grant over the land given their open, continuous, exclusive, and notorious possession and occupation of land. It also held that the Certificates of Ancestral Land Claim issued to the Heirs of Pineda were void since the Special Task Force has no authority to issue them.²⁴

The dispositive portion of the Office of the President's Decision reads:

WHEREFORE, the Decision of the Secretary of Environment and Natural Resources dated February 27, 2007, is hereby **AFFIRMED** and the instant appeal **DISMISSED**.

SO ORDERED.²⁵ (Emphasis in the original)

The Heirs of Pineda then filed a petition for review²⁶ before the Court of Appeals, which affirmed the rulings of the Office of the President and the Department of Environment and Natural Resources.²⁷ It held that the Certificates of Ancestral Land Claim issued were provisional and did not attain permanency as the Indigenous Peoples' Rights Act expressly excluded Baguio City from its scope.²⁸

The Court of Appeals also ruled that the Department of Environment and Natural Resources had primary administrative jurisdiction over the petition for cancellation at the time of its filing, since the petition was filed prior to the enactment of the Indigenous Peoples' Rights Act and subsequently, it was the agency that issued the Certificates of Ancestral Land Claim.²⁹ Moreover, the Court of Appeals held that since the Heirs of Pineda failed to prove grave abuse of discretion on the part of the Office of the President in issuing its Decision, the factual findings of the Department of Environment and Natural Resources, which it affirmed, are accorded great respect.³⁰

The dispositive portion of the Court of Appeals' Decision reads:

²² *Id.* at 97–109. Through Executive Secretary Paquito N. Ochoa, Jr.

²³ *Id.* at 100.

²⁴ *Id.* at 105.

²⁵ *Id.* at 108.

²⁶ *Id.* at 39.

²⁷ *Id.* at 34–48.

²⁸ *Id.* at 42.

²⁹ *Id.* at 43–44.

³⁰ *Id.* at 47.

WHEREFORE, premises considered, the instant petition for review is **DISMISSED**. Accordingly, the March 30, 2011 Decision of the Office of the President in O.P. Case No. 09-C-115 is **AFFIRMED**.

SO ORDERED.³¹ (Emphasis in the original)

In a March 2, 2016 Resolution, the Court of Appeals denied the Motion for Reconsideration filed by the Heirs of Pineda.³²

On April 29, 2016, the Heirs of Pineda, represented by Ella Pineda Torcedo, filed the present Petition³³ claiming that the Court of Appeals ruled contrary to *City Government of Baguio v. Atty. Masweng*³⁴ which held that Baguio City's exemption from the provisions of the Indigenous Peoples' Rights Act cannot be deduced from the Act itself.³⁵ Petitioners claim that the Court of Appeals violated the Constitution as it disregarded their native title over the ancestral land despite sufficient evidence of full possession and ownership of the land as far back as memory reaches.³⁶ Petitioners insist that they have a vested right over the ancestral land, reinforced by the Indigenous Peoples' Rights Act and the Baguio City Charter, and not respondents, who have no title or pending land title application.³⁷

In their Comment,³⁸ private respondents claim that the Court of Appeals did not err in affirming the Office of the President's Decision because the Decision was already final and executory, and it merely affirmed the Department of Environment and Natural Resources' Decision issued in the exercise of its jurisdiction.³⁹

Private respondents further claim that the Department of Environment and Natural Resources' Decision is supported by substantial evidence, and in accord with law and jurisprudence.⁴⁰ They argue that they were not afforded due process in the issuance of the Certificates of Ancestral Land Claim, and that these certificates are void for being issued without authority of law.⁴¹ They also claim that the *City Government of Baguio* case rejected the ancestral land claims over parcels of land in Baguio City for lack of prior land rights and titles recognized through any judicial, administrative, or other processes before the effectivity of the Indigenous Peoples' Rights Act.

³¹ *Id.*

³² *Id.* at 60-62.

³³ *Id.* at 13-32.

³⁴ 597 Phil. 668 (2009) [Per J. Tinga, Second Division].

³⁵ *Rollo*, pp. 23-25.

³⁶ *Id.* at 27.

³⁷ *Id.* at 29.

³⁸ *Id.* at 463-480.

³⁹ *Id.* at 470-471.

⁴⁰ *Id.* at 473-474.

⁴¹ *Id.* at 474.

Private respondents also claim that petitioners' alleged ancestral land claim under the Indigenous Peoples' Rights Act cannot prevail over their open, continuous, and exclusive possession and occupation in the concept of an owner.⁴² Finally, petitioners allegedly failed to show where the Office of the President and the Department of Environment and Natural Resources gravely abused their discretion in ruling against petitioners.⁴³

In their Reply, petitioners insist that Baguio City is not exempt from the coverage of the Indigenous Peoples' Rights Act, and that they proved their ownership and title over the land.⁴⁴

The sole issue for this Court's resolution is whether or not the Court of Appeals erred in affirming the decisions of the Department of Environment and Natural Resources and the Office of the President recalling the Certificates of Ancestral Land Claim issued in favor of petitioners.

We deny the Petition.

Section 78 of the Indigenous Peoples' Rights Act of 1997 expressly excludes the City of Baguio from the application of its provisions, thus:

SECTION 78. *Special Provision.* — The City of Baguio shall remain to be governed by its Charter and all lands proclaimed as part of its townsite reservation shall remain as such until otherwise reclassified by appropriate legislation: *Provided,* That prior land rights and titles recognized and/or acquired through any judicial, administrative or other processes before the effectivity of this Act shall remain valid: *Provided, further,* That this provision shall not apply to any territory which becomes part of the City of Baguio after the effectivity of this Act.

In *Republic v. National Commission on Indigenous Peoples*,⁴⁵ the Court interprets Section 78 in this wise:

Section 78 is a special provision in the IPRA which clearly mandates that (1) the City of Baguio shall not be subject to provisions of the IPRA but shall still be governed by its own charter; (2) all lands previously proclaimed as part of the City of Baguio's Townsite Reservation shall remain as such; (3) the re-classification of properties within the Townsite Reservation of the City of Baguio can only be made through a law passed by Congress; (4) prior land rights and titles recognized and acquired through any judicial, administrative or other process before the effectivity of the IPRA shall remain valid; and (5)

⁴² *Id.* at 475.

⁴³ *Id.* at 476–477.

⁴⁴ *Id.* at 616–621.

⁴⁵ G.R. No. 208480, September 25, 2019, <<https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65663>> [Acting C.J. Carpio, Second Division].

territories which became part of the City of Baguio after effectivity of the IPRA are exempted. Thus, RA 8371 is clear that, for properties part of the townsite reservation of Baguio City before the passage of the IPRA, no new CALT or CADT can be issued by the NCIP. Under RA 8371, the NCIP is devoid of any power to re-classify lands previously included as part of the Townsite Reservation of Baguio City before RA 8371 was enacted. The said power to re-classify these properties is solely vested in Congress and can only be exercised by Congress through the enactment of a new law.

....

While the IPRA does not generally authorize the NCIP to issue ancestral land titles within Baguio City, there are also recognized exceptions under Section 78. These refer to (1) prior land rights and titles recognized and acquired through any judicial, administrative or other process before the effectivity of the IPRA; and (2) territories which became part of Baguio after the effectivity of the IPRA.⁴⁶

This Court emphasized that Section 78 clearly and conclusively provides that the charter of Baguio City shall govern the determination of land rights within Baguio City and not the Indigenous Peoples' Rights Act, despite its enactment.⁴⁷ This is also the ruling in *City Government of Baguio v. Atty. Masweng*⁴⁸ when it stated that Baguio City is governed by its own charter:

*The foregoing provision indeed states that Baguio City is governed by its own charter. Its exemption from the IPRA, however, cannot ipso facto be deduced because the law concedes the validity of prior land rights recognized or acquired through any process before its effectivity. The IPRA demands that the city's charter respect the validity of these recognized land rights and titles.*⁴⁹ (Emphasis supplied)

However, despite giving primacy to the charter of Baguio City, Section 78 of the Indigenous Peoples' Rights Act expressly recognizes as valid prior land rights and titles recognized or acquired through any judicial, administrative or other processes before the Act's effectivity. Section 56 of the same Act emphasize recognition and respect of property rights within the ancestral domains already existing or vested upon effectivity of the Act.

Here, petitioners anchor their right based on the Certificates of Ancestral Land Claim issued by the Department of Environment and Natural Resources pursuant to Special Order No. 31, series of 1990.

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ 597 Phil. 668 (2009) [Per J. Tinga, Second Division].

⁴⁹ *Id.* at 678.

In *Philippine Economic Zone Authority v. Borreta*,⁵⁰ where private respondent invoked the Certificate of Ancestral Land Claim as basis for his claim over the land, the Court held that he was a “mere applicant for the issuance of a certificate of ownership of ancestral land . . . [who] has not acquired a vested right as an owner thereof so as to exclude the same from the areas under the [Philippine Economic Zone Authority].”⁵¹

In *Philippines Economic Zone Authority v. Carantes*,⁵² this Court reiterated the earlier *Borreta* case and enumerated respondents’ right as holders of Certificate of Ancestral Land Claim:

As holders of a CALC, respondents possess no greater rights than those enumerated in Par. 1, Section 2, Article VII of DENR Department Administrative Order (DAO) No. 02, Series of 1993:

SEC. 2. Rights and Responsibilities of Ancestral Land Claimants —

1. Rights

1. The right to peacefully occupy and cultivate the land, and utilize the natural resources therein, subject to existing laws, rules and regulations applicable thereto;
2. The right of the heirs to succeed to the claims subject to existing rules and regulations;
3. The right to exclude from the claim any other person who does not belong to the family or clan; and
4. The right to utilize trees and other forest products inside the ancestral land subject to these rules as well as customary laws.

*Respondents being holders of a mere CALC, their right to possess the subject land is limited to occupation in relation to cultivation. Unlike No. 1, Par. 1, Section 1, Article VII of the same DENR DAO, which expressly allows ancestral domain claimants to reside peacefully within the domain, nothing in Section 2 grants ancestral land claimants a similar right, much less the right to build permanent structures on ancestral lands — an act of ownership that pertains to one (1) who has a recognized right by virtue of a Certificate of Ancestral Land Title.*⁵³ (Emphasis supplied, citation omitted)

Similarly, the records here indicate the same right of a Certificate of Ancestral Land Claim holder as in the previous *Philippines Economic Zone Authority* cases. Thus, the Certificates of Ancestral Land Claim did not give petitioners rights pertaining to ownership over the property.

⁵⁰ 519 Phil. 637 (2006) [Per J. Sandoval-Gutierrez, Second Division].

⁵¹ *Id.* at 642.

⁵² 635 Phil. 541 (2010) [Per J. Villarama, Jr., Third Division].

⁵³ *Id.* at 549--550.

As explained by the Department of Environment and Natural Resources, the Special Task Force, pursuant to Special Order No. 31, series of 1990, was organized “to start receiving and processing ancestral land claims including claims within the Baguio Townsite . . . to complete the paperwork beforehand so that the corresponding titles could be issued as soon as the enabling law would be enacted.”⁵⁴ The Certificates of Ancestral Land Claim are not conclusive title over the land and merely issued in anticipation of the passage of the Indigenous Peoples’ Rights Act. Petitioners still need to convert these Certificates of Ancestral Land Claim to Certificates of Ancestral Land Title pursuant to the guidelines under the National Commission on Indigenous Peoples Administrative Order No. 2-02,⁵⁵ providing for its application for lands covered by Special Order No. 31, series of 1990:

SECTION 3. *Declaration of Policy.* — The IPRA recognizes all ancestral domains/lands delineated according to the DENR Administrative Order No. 2, Series of 1993, and earlier directives implementing community/ancestral domain program. Acknowledging, therefore, the initiative of the DENR in the identification and delineation of the ancestral domains/lands of the ICC/IPs to ensure their socio-economic and cultural well-being, and in order to afford full protection to ICC/IPs of their right to their ancestral domain/lands covered by CADC/CALC, it is the policy of the NCIP that the same shall be converted to CADT/CALT, if such claims are proven meritorious, without going through the process provided in the law but shall be reviewed and evaluated in accordance with the appropriate DENR directive and validated through the guidelines promulgated hereunder.

....

SECTION 5. *Coverage.* — These Guidelines for Conversion of CADCs/CALCs to CADTs/CALTs will cover:

a. All Ancestral Land Claims officially delineated under DENR Special Order No. 31 and No. 31-A, as amended, both series of 1990, with coverage in the Cordilleras[.]

However, petitioners were unable to convert their Certificates of Ancestral Land Claim to Certificates of Ancestral Land Title.

Still, petitioners insist that they have prior land rights which must be protected under Section 78 of the Indigenous Peoples’ Rights Act, and which prevail over the alleged right of respondents. They claim to have native title over the lots, which they only belatedly raised in the Petition before us.

In their Petition, petitioners are inviting this Court to engage in its

⁵⁴ *Rollo*, p. 169.

⁵⁵ Revised Guidelines for the Conversion of Certificate of Ancestral Domain/Land Claims to Certificate of Ancestral Domain/Land Titles Delineated Prior to [Republic Act No.] 8371.

own evaluation of the evidence and in making its own factual conclusions. Under Rule 45, Section 1 of the Rules of Court, only questions of law may be raised in a petition for review on certiorari, and factual findings of the appellate courts are generally binding upon this Court, especially when supported with substantial evidence.⁵⁶ Parties should allege, prove, and substantiate that their case clearly falls under the exception to the rule when questions of facts may be reviewed by this Court.⁵⁷ Here, petitioners failed to convince us of the need to review the factual findings of the Court of Appeals, especially when it conforms with the findings of both the Department of Environment and Natural Resources and the Office of the President. The matter of who between petitioners and respondents enjoy a prior more preeminent right over the lots involved is a factual matter which is not a proper issue in the present Rule 45 petition. Moreover, respondents failed to provide evidence of their land claim in the present case. Thus, they may prove if their claim is meritorious in a separate proceeding.

Nevertheless, we rule upon petitioners' claim over the lots involved.

In the 1909 case of *Cariño v. Insular Government*,⁵⁸ the United States Supreme Court ruled in favor of Cariño, who applied for ownership over the land in Benguet he claimed to have occupied and tilled since time immemorial. There, the Court affirmed validity of native title, thus:

Whatever the law upon these points may be, and we mean to go no further than the necessities of decision demand, every presumption is and ought to be against the government in a case like the present. *It might, perhaps, be proper and sufficient to say that when, as far back as testimony or memory goes, the land has been held by individuals under a claim of private ownership, it will be presumed to have been held in the same way from before the Spanish conquest, and never to have been public land.* Certainly in a case like this, if there is doubt or ambiguity in the Spanish law, we ought to give the applicant the benefit of the doubt. Whether justice to the natives and the import of the Organic Act ought not to carry us beyond a subtle examination of ancient texts, or perhaps even beyond the attitudes of Spanish law, humane though it was, it is unnecessary to decide. If, in a tacit way, it was assumed that the wild tribes of the Philippines were to be dealt with as the power and inclination of the conqueror might dictate, Congress has not yet sanctioned the same course as the proper one "for the benefit of the inhabitants thereof."⁵⁹ (Emphasis supplied)

*Republic v. National Commission on Indigenous Peoples*⁶⁰ explained

⁵⁶ *Pascual v. Burgos*, 776 Phil. 167, 182 (2016) [Per J. Leonen, Second Division].

⁵⁷ *Delu Cruz v. National Police Commission*, G.R. No. 215545, January 7, 2019, <<http://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/64845>> [Per J. Leonen, Third Division]; *Pascual v. Burgos*, 776 Phil. 167, 184 (2016). [Per J. Leonen, Second Division].

⁵⁸ 41 Phil. 935 (1909) [J. Holmes, United States Supreme Court].

⁵⁹ *Id.* at 941.

⁶⁰ G.R. No. 208480, September 25, 2019, <<https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65663>> [Acting C.J. Carpio, Second

the governing law giving validity to prior land rights and titles over lots claimed since time immemorial in Baguio City:

For prior land rights, the remedy afforded to indigenous cultural communities is Act No. 926. Section 32 of Act No. 926 provides:

CHAPTER IV
FREE PATENTS TO NATIVE SETTLERS

Sec. 32. Any native of the Philippine Islands now as occupant and cultivator of unreserved, unappropriated agricultural public land, as defined by the Act of Congress of July first, nineteen hundred and two, who has continuously occupied and cultivated such land, either by himself or through his ancestors, since August first, eighteen hundred and ninety; or who prior to August first, eighteen hundred and ninety eight continuously occupied and cultivated such land for three years immediately prior to said date, and who has been continuously since July fourth, nineteen hundred and two, until the date of the taking effect of this Act, an occupier and cultivator of such land, shall be entitled to have a patent issued to him without compensation for such tract of land, not exceeding sixteen hectares, as hereinafter in this chapter provided.

On 1 September 1909, Baguio City was incorporated by the Philippine Assembly. On 12 April 1912, the Baguio Townsite Reservation was established. Upon the establishment of the Baguio Townsite Reservation, there remained a question as to what portions of the reservation were public and private. If declared private, such lands were registrable under Act No. 496 or the Land Registration Act, as provided for by Act No. 926 or the Public Land Act. In 1912, Civil Reservation Case No. 1, General Land Registration Office (GLRO) Reservation Record No. 211 was filed with the Court of Land Registration to resolve which lands were declared public and private. Section 62 of Act No. 926 provides:

Sec. 62. Whenever any lands in the Philippine Islands are set apart as town sites, under the provisions of chapter five of this Act, it shall be lawful for the Chief of the Bureau of Public Lands, with the approval of the Secretary of the Interior, to notify the judge of the Court of Land Registration that such lands have been reserved as a town site and that all private lands or interests therein within the limits described forthwith to be brought within the operation of the Land Registration Act, and to become registered land within the meaning of said Registration Act. It shall be the duty of the judge of said court to issue a notice thereof, stating that claims for all private lands or interests therein within the limits described must be presented for registration under the Land Registration Act in the manner provided in Act Numbered six hundred and twenty seven entitled "An Act to bring immediately under the operation of the land Registration Act all lands lying within the boundaries lawfully set apart for military reservations, and all land[s] desired to be purchased by the Government of the United [S]tates for military purposes."

The procedure for the purpose of this section and the legal effects thereof shall thereupon be in all respect as provided in sections three, four, five, and six of said Act numbered six hundred and twenty seven.

Under Act No. 627, any landowner affected by the declaration of military reservations must register their titles within the period stated in the Land Registration Act. Otherwise, such land rights would be considered barred. Pursuant to Section 62, the Court of First Instance (CFI) of Benguet issued a notice on 22 July 1915 requiring all persons claiming lots inside the Baguio Townsite Reservation to file within six months from the date of the notice petitions for the registration of their titles under Act No. 496. On 14 June 1922, the General Land Registration Office submitted to the CFI a report on the applications for registration and the case was duly heard. On 13 November 1922, the CFI of Benguet, in resolving Civil Reservation Case No. 1, held that all claims for private lands by all persons not presented for registration within the period in Act No. 627 are barred forever. Notwithstanding the CFI decision, several native residents of Baguio City sought the exclusion of lands occupied by them from the Baguio Townsite Reservation. Thus, on 16 August 1954, President Ramon Magsaysay issued Administrative Order No. 55, series of 1954. The said Order authorized the formation of a committee to study the claims of the inhabitants, with a view of determining whether it was in public interest that the said landholdings be segregated from the Baguio Townsite Reservation and opened to disposition under the Public Land Act. Forty-eight (48) Igorot claimants originally filed claims under the said administrative order. Two hundred eighty-five (285) others later filed additional claims. Respondents were not among the original and additional claimants.

....

Since respondents in the present case claim possession since time immemorial, their predecessors were necessarily given notice of the reservation and, hence, should have filed their claims within the stated period. However, no such claim was filed. In fact, the said lots in the present case were not shown to be part of any ancestral land prior to the effectivity of the IPRA. To stress, private respondents' rights over the subject properties located in the Townsite Reservation in Baguio City were never recognized in any administrative or judicial proceedings prior to the effectivity of the IPRA law. The CALTs and CADTs issued by the NCIP to respondents are thus void.⁶¹ (Citations omitted)

In *Republic*, the Court held that respondents' rights over the properties located in the Townsite Reservation in Baguio City were never recognized in any administrative or judicial proceedings prior to the effectivity of the Indigenous Peoples' Rights Act. The Court found that despite respondents' claim that their predecessors possessed the land since time immemorial and that they were given notice of reservation, respondents' predecessors did not file claims within the stated period, and the lots involved were not even shown to be part of any ancestral land.

⁶¹ *Id.*

Here, petitioners failed to establish that their rights over the properties were validly recognized in any administrative or judicial proceedings prior to the effectivity of the Indigenous Peoples' Rights Act. Aside from their Certificates of Ancestral Land Claim, petitioners were unable to establish the basis of their rights of possession and ownership over the lots involved, as they failed to establish how their predecessors-in-interest acquired the lots and how long they and their predecessors-in-interest have been in possession of the same. Moreover, aside from failing to prove that the lots were ancestral land, the lots they applied for in 1991 was only for total area 49,645 and yet the Certificates of Ancestral Land Claim issued were inexplicably expanded to 61,673 square meters.

In *Presidential Decree No. 1271 Committee v. De Guzman*,⁶² this Court invalidated Transfer Certificates of Title with expanded areas of the lots, which were only included with the titles as a result of the subdivision of the lots covered by the original titles, or a resurvey of property. This Court compelled the courts to be "more aware of the machinations used by unscrupulous parties to acquire and title lands in Baguio City."⁶³

ACCORDINGLY, this Court **AFFIRMS** the June 23, 2015 Decision and March 2, 2016 Resolution of the Court of Appeals in CA-G.R. SP No. 128152.

SO ORDERED.



MARVIC M.V.F. LEONEN
Senior Associate Justice

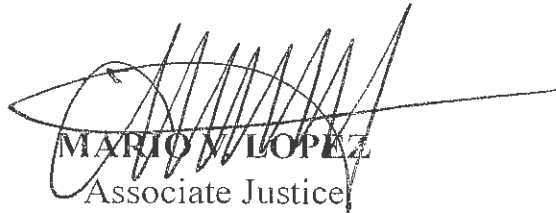
⁶² 801 Phil. 731 (2016) [Per J. Leonen, Second Division].

⁶³ *Id.* at 773.

WE CONCUR:



AMY C. LAZARO-JAVIER
Associate Justice



MARIO N. LOPEZ
Associate Justice




JHOSEP Y. LOPEZ
Associate Justice



ANTONIO T. KHO, JR.
Associate Justice

ATTESTATION

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



MARVIC M. V. LEONEN
Senior Associate Justice
Chairperson

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



ALEXANDER G. GESMUNDO
Chief Justice