



Republic of the Philippines

**DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY**

Bonifacio Drive, Port Area
Manila

097.13 DPWH
04-03-2017

31 MAR 2017

DEPARTMENT ORDER)

NO. 48)
Series of 2017)
04.03.17

SUBJECT: Delegating to the Division Chief of the Right-of-Way Acquisition and Enforcement Division, Legal Service, the Approval and Signing of Comments on Right-of-Way (ROW) Cases in Response to Routine Requests of the Office of the Solicitor General

In line with the government's intensive infrastructure program, the DPWH has initiated a large number of projects, with many more in the pipeline. A significant number of these projects are big-ticket items, particularly expressways. Inevitably, the acquisition of rights-of-way (ROW) for government projects continue to affect many properties and interests, requiring the filing of numerous expropriation and other related cases in court.

As the statutory counsel of the Department, almost all ROW-related cases are being handled by the Office of the Solicitor General (OSG), whose attorneys, accordingly, coordinate with the Department for guidance on actions to be taken in relation to all ROW cases being handled by them. At present, the function of directing the OSG and OSG attorneys concerning actions to be taken regarding ROW-related cases is lodged with the Secretary.

However, as the Department continues to perform its mandate of implementing government projects, the number of ROW-related cases accumulate, requiring increasingly frequent and real-time coordination with the OSG. This represents a substantial drain on the Secretary's resources, which could otherwise be utilized on core Departmental matters. Moreover, the tasks of reviewing court decisions and resolutions, including advising the OSG on appropriate courses of action, are essentially legal in nature and which can be better performed by an official of the Legal Service in closest proximity to ROW case management.

In view of the foregoing, by virtue of pertinent provisions of the Administrative Code of 1987, namely, § 7(8), Bk. IV, Title V, Ch. 2; § 17, Bk. IV, Title V, Ch. 3; § 39(1)(a), Bk. IV, Title V, Ch. 8, and §§ 12(5) and 12(6), Title V, Public Works and Highways, Ch. 3, and for the purpose of increasing efficiency and effectiveness in the operations of the Department, the function and authority to approve and sign comments, memoranda, letters, instructions, and other correspondence, in response to routine requests of the OSG or of any of its attorneys concerning the management and disposition of ROW-related cases, is hereby delegated to the Division Chief of the Right-of-Way Acquisition and Enforcement Division, Legal Service.

This Order shall take effect immediately.

MARK A. VILLAR
Secretary

Department of Public Works and Highways
Office of the Secretary

