

MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 250

DISMISSING THE CHARGE AGAINST PROVINCIAL  
GOVERNOR FELIXBERTO C. DAGANI OF AGU-  
SAN

This is an administrative case filed by Congressman Mar-  
cos M. Calo of Agusan against Provincial Governor Felix-

berto C. Dagani of the same province for having been supposedly involved in an irregular transaction concerning the barter of the provincial government car assigned to the respondent for his official use.

It is claimed that the government car in question was given a lower appraisal because many parts thereof were found missing by the appraiser-inspector of the General Auditing Office; that although respondent knew that those parts were not missing but were just lying around the car or somewhere in the repair shop, he did not inform the representative of the General Auditing Office accordingly; and that such omission on the part of the respondent resulted in the loss to the province of the amount of ₱850, the value of the parts listed as missing, for which he should be made answerable. Respondent contends, however, that although he was present at the inspection it was not incumbent upon him to check the report of the appraiser-inspector of the General Auditing Office and that he should not be held responsible for said official's failure to discharge his duties properly.

The case was investigated by the Integrity Board which found the following facts duly established:

On March 10, 1952, the 1949 Chevrolet car owned by the Province of Agusan, which had been damaged in an accident, was shipped to Manila, complete in every respect, for repairs. It was also complete when it reached Manila and was delivered to the Mercado Automible Repair Shop on P. Paredes Street on March 13, 1952. The car was immediately dismantled and its wheel rims, tires, generator, carburetor, and other parts were removed and sent to the respective departments of the shop for examination and repair. On March 18, 1952, when the car was inspected and appraised by a technical property inspector of the General Auditing Office in the presence of the respondent, it was really incomplete because, as already stated, the parts and accessories mentioned above had been removed and sent to the respective departments of the shop. However, the inspector of the General Auditing Office did not inquire as to the whereabouts of those parts and accessories but simply came to the conclusion that they were missing and listed them so.

The Board also found that the General Auditing Office was about to recommend the approval of the barter transaction with Mr. Nicolas Tria Enciso on the basis of the resolution of the Provincial Board of Agusan and the report of the provincial appraisal committee (composed of the provincial treasurer, the Provincial Auditor, and the District Engineer) but upon learning that the government car was here in Manila for repairs, said office deferred action on the matter and instead sent its representative to inspect

and appraised the car; so that had the car remained in Butuan, the inspection made there would have been valid for the purpose of the transaction. The report of the technical property inspector did not affect the arrangement approved in Butuan because, as finally carried out, the province acquired Mr. Enciso's car in exchange for its car plus P4,500 in cash. As the government car was badly damaged and needed extensive repairs, the province did not lose in the transaction.

In view of the foregoing, the Integrity Board recommends the dismissal of the charge against the respondent for lack of merit. After going over the record of the case, I concur in the Board's findings and recommendation.

Wherefore, the charge against Provincial Governor Felixberto C. Dagani of Agusan is hereby dismissed.

Done in the City of Manila, this 23rd day of December, in the year of Our Lord, nineteen hundred and fifty-three, and of the Independence of the Philippines, the eighth.

ELPIDIO QUIRINO

*President of the Philippines*

By the President:

MARCIANO ROQUE

*Acting Executive Secretary*

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