

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 251

IMPOSING A FINE ON MAYOR FELIX P. AMANTE
OF BACOLOD CITY AND REPRIMANDING EN-
GINEER SEGUNDO GARDE OF THE DISTRICT
ENGINEER'S OFFICE OF NEGROS OCCIDEN-
TAL.

In separate complaints filed with the Integrity Board City Mayor Felix P. Amante of Bacolod and Engineer Segundo Garde of the District Engineer's Office of Negros Occidental are charged with misappropriation of public funds and property and arbitrary dismissal of civil service employees, committed as mayor and as acting city engineer of Bacolod, respectively. It is alleged:

(1) That sometime in August 1951, about two weeks after assuming office as city mayor, respondent Felix P. Amante caused a garage to be constructed in his residence with government materials and labor falsely charged to the repair of the City Hall of Bacolod;

(2) That the same respondent, taking advantage of his official position, procured the delivery to his residence of six reinforced concrete pipes belonging to the City Government of Bacolod;

(3) That respondent Segundo Garde (together with several subordinate employees in the city engineer's office) caused to be diverted for the private use of the Hacienda Bayabas, Bago, Negros Occidental, a total of thirteen reinforced concrete pipes valued at P195 belonging to the City Government, which pipes were delivered to the hacienda with the use of government vehicles; and

(4) That both respondents conspired with each other in the dismissal from the service without just cause and in the abolition of the positions of complainants Antonio T. Orceo and Hibernon Salazar, former water-meter inspectors in the office of the city engineer of Bacolod.

Being interrelated, the cases against these two respondents were heard jointly by the Integrity Board which

found charges (2) and (3) without merit. As to the other charges, it found the following facts duly established.

That although there was a structure or building, more or less permanent in character, within the premises of the City Hall of Bacolod with three compartments big enough to accommodate three automobiles, and despite the fact that there is a balcony at the main door of his house with adequate roofing to protect from the elements at night the official car assigned to him, yet Mayor Amante procured the construction in his residence of a temporary structure with government materials and labor;

That the roofing and sidings of said structure were made of old galvanized iron sheets salvaged from the former city hall which was partly destroyed by fire in 1948 and flattened asphalt barrels, respectively; that the cost of labor was between ₱40 and ₱50 and the lumber about ₱150, all the lumber used therein having been included in an official requisition prepared by Acting City Engineer Garde ostensibly for use in the repair of the City Hall;

That respondent Garde did not prepare any special requisition expressly mentioning that the building materials were needed in constructing a temporary garage for the city mayor because he knew that such a requisition would not have been passed in audit; and

That respondent Amante arbitrarily dismissed complainants Orceo and Salazar, who were civil service eligibles, without benefit of an investigation or an opportunity to be heard.

The Board observed that the procedure followed in the construction of the temporary garage within the premises of the respondent mayor was irregular and objectionable. The inclusion of the supplies purchased for, and used in, such construction in a regular requisition, ostensibly for the repair of the City Hall, technically amounted to falsification, despite the fact that neither respondent was personally benefited thereby. In the light of the foregoing, the Board recommended that, in addition to both being warned, Mayor Amante be fined for the irregular and reprehensible procedure employed in the construction of the garage in his residence and for the arbitrary dismissal of two civil service employees without benefit of an investigation or an opportunity to be heard, and Engineer Garde be reprimanded for irregularity in the performance of his duties as former Acting City Engineer of Bacolod in connection with the construction of the garage in question.

After going over the record, I concur in the above findings, observations and recommendation of the Integrity Board.

Wherefore, and in accordance with the recommendation of the Integrity Board, City Mayor Felix P. Amante is hereby fined in an amount equivalent to his salary for fifteen days and Engineer Segundo Garde is hereby reprimanded. Both are also warned that repetition of similar acts in the future will be dealt with more drastically.

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
