

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES
ADMINISTRATIVE ORDER NO. 183

DISMISSING FROM THE SERVICE ASSISTANT REGIONAL DIRECTOR
JAIME VEGA QUITAIN, NATIONAL POLICE COMMISSION, REGIONAL
OFFICE NO. 11

This refers to the administrative complaint against Jaime Vega Quitain, Assistant Regional Director, National Police Commission (NAPOLCOM), Regional Office No. 11, Davao City, for Grave Misconduct, (Violation of Art. 48, in relation to Arts. 171 and 217 of the Revised Penal Code and Art. IX of the Civil Service Law) filed by the NAPOLCOM.

The antecedent facts, as found by the NAPOLCOM in its decision of February 17, 1994, are as follows:

"That sometime on April 18, 1991, respondent in his capacity as the Acting Regional Director, Napolcom Regional Office No. 11, caused the preparation and processing of Disbursement Voucher No. 91-0400252 for the purpose of liquidating the cash advance for miscellaneous expenses incurred in preparation for the visit to the Region of the then DILG Secretary and Chairman, Napolcom Luis Santos and his party in the total amount of P1,500.00. In support of the said voucher, respondent submitted a Report of Disbursement covering the expenses incurred from April 1 to 31, 1991. Included in the said report and the voucher is an original receipt of payment No. 36027 dated April 14, 1991 for meals taken from Barrio Gaisano, a local eatery located at Davao City purportedly in the amount of P1,365.72. The said Report of

IN REPLYING, PLEASE CITE:

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2

Disbursement was certified to be true and correct by respondent. After the preparation and processing of the aforesaid voucher, the same was approved for payment by respondent in his capacity as the Acting Regional Director. Accordingly, respondent was issued Land Bank Check No. 066674 dated April 12, 1991 in the amount of P1,500.00 which he himself encashed.

“Similarly, on June 17, 1991, respondent again caused the preparation and processing of another Disbursement Voucher No. 91-0600471 for reimbursement of miscellaneous expenses incurred in line with information dissemination on PLEB's organization in the amount of P3,087.41. In support of the said voucher, respondent submitted a Summary of Expenses incurred covering the period of June 16, 1991 to September 8, 1991. This Summary of Expenses was likewise certified to by respondent. Included in the said summary and that of the voucher is an original receipt of payment No. 36363 dated June 19, 1991 issued by Barrio Gaisano eatery purportedly in the amount of P869.36. After the preparation and processing of the aforesaid voucher, the same was approved for payment by respondent and was accordingly issued Land Bank Check No. 084128 dated June 17, 1991 in the amount of P3,087.41 which he himself encashed.

“When both transactions were submitted to the COA Resident Auditor for post-audit, the latter after due verification from the Barrio Gaisano eatery discovered that the amounts paid for by respondent under Receipts No. 36027 and No. 36363 were not P1,356.72 and P869.36 but 356.72 and P269.36, respectively, as evidenced by the duplicate originals of the same receipts and confirmed by cash registry tapes, both in the possession of the said eatery. As a

3

result thereof, the COA Resident Auditor was constrained to disallow the difference between the purported amounts paid to respondent and the true amounts as evidenced by the duplicate original receipts of payment, hence, the complaint.

“In his answer, respondent vehemently denied that he tampered or falsified Official Receipts No. 36363 and 36027 in the amounts of P269.30 and P365.72, respectively. He alleged that it has been his practice that receipts for all reimburseable amounts are given by him to the Accounting Division who prepares the necessary documents as the basis for reimbursement; that it is probable that certain persons in his office who had been the subject of administrative investigation conspired to alter certain receipts which had been submitted to the Accounting Division to make it appear that he falsified said receipts although in truth and in fact, he had not made any alterations on any receipts submitted for reimbursement; that when the documents for reimbursement were submitted to him, he did not check the attached receipts nor the figures appearing thereon nor his attention was called to the amendment or alterations appearing in the receipts mentioned in the complaint.

“After the issues were joined with the filing of respondent's answer, the Ad Hoc Committee created pursuant to Letter-Memorandum dated January 7, 1993 of the Office of the President conducted the formal investigation of the administrative case. The prosecution presented testimonial as well as documentary evidences. Julie Catalan, Communication/Equipment Operator II, Napolcom Regional Office No. 11 testified that she was instructed by respondent to prepare reimbursement voucher in the amount of P1,500.00, an amount written on a piece of paper given to her by

4

receipt or document was attached to the said voucher; that after the preparation, she gave the voucher to respondent.

“Elisa Lim, the Secretary of respondent testified that she too was instructed by respondent to prepare reimbursement voucher in the amount of P3,087.41, an amount written on a piece of paper; that no document is attached to the voucher; that after affixing her signature above the words ‘Prepared By’, she gave the voucher to respondent.

“Aurora G. Lara, COA Unit Auditor at the Napolcom Regional Office No. 11 testified that while post-auditing the two (2) transactions (Vouchers No. 91-0400252 and No. 91-0600471), she noticed a tail on the number 8 on the original receipt No. 36363 in the amount of P869.30; that she immediately issued a confirmation letter to Barrio Gaisano eatery to confirm her suspicion that there was tampering on the amount indicated in receipt No. 36363; that said eatery issued a confirmation by sending the duplicate original of the same receipt showing the amount of P269.30; that said amount was likewise confirmed by the cash register tape from the said establishment; that the original receipt of payment No. 36027 in the amount of P1,365.72 was likewise confirmed by Barrio Gaisano eatery per duplicate original receipt No. 3607 in the amount of P365.72, which amount was further confirmed by the cash register tape; that because of the tampering of the two (2) original receipts of payment, she disallowed the difference therefrom; that she included the said incident in her Annual Audit Report which she submitted to the Napolcom Central Office which became the basis of the complaint.

"Upon the other hand, respondent waived his right to present evidence in support of his defense."

In the same decision, the NAPOLCOM, reiterating the report of the Ad Hoc Committee, made the following evaluation and recommendation:

"In its Report of Investigation, the AD Hoc Committee ruled as follows:"

'From all the foregoing, we find the charges leveled against herein respondent fully substantiated by the evidence on record. His defense that the receipts could have been altered/falsified by certain persons in his office who may be facing administrative charges at respondent's own initiative is not impressed with merit. It cannot be denied that it was respondent himself who requested for reimbursement of O.R. No. 36027 dated April 14, 1991 (Exhibit "D") and it was also upon his direction and approval that Disbursement Voucher No. 0400252 dated April 18, 1991 (Exhibit "F") which reflected the falsified amount from P365.72 to P1,365.72 was prepared and encashed by the respondent.

'It is also undisputed that it was respondent himself who submitted thru the usual channels O.R. No. 36363 dated May 19, 1991 (Exhibit "C") and included the

same in his Summary of Expenses (Exhibit "J") which reflected the falsified amount from P269.39 to P869.39. Disbursement Voucher No. 91-060047 dated June 17, 1991 (Exhibit "H") was thereafter prepared and approved by the respondent and included in LBP Check No. 084128 dated June 17, 1991 (Exhibit "I") which was encashed by respondent.

'All the foregoing indubitably prove that it was respondent and he alone who was responsible for the alteration of the receipts clearly with intent gain, respondent's pretense of innocence notwithstanding. Besides, respondent's own failure to adduce controverting evidence in support of his defense, if any, must necessarily militate the truth of his allegations as reflected in his answer.'

"After a judicious examination of the evidentiary records, and respondent's failure to adduce evidence in support of his defense, we find substantial evidence to hold respondent administratively culpable. Being a public officer and having altered or falsified the amounts reflected in the two (2) original receipts of payment, thus, making intercalation which changed the meaning of the genuine documents, respondent is clearly guilty of falsification as defined under Article 171 of the Revised Penal Code.

“WHEREFORE, premises considered, Director Jaime V. Quitain is hereby found guilty as charged. However, considering that he is a presidential appointee and, therefore, falls within the jurisdiction of the President, this Commission hereby recommends that said respondent be held administratively accountable for ‘Grave Misconduct’ and, correspondingly, be penalized by dismissal from the service, with forfeiture of all benefits due him under the law.”

After circumspect study, I am in complete accord with the above findings and recommendation of the NAPOLCOM.

It was established that the falsification could not have been consummated without respondent’s direct participation, as it was upon his direction and approval that disbursement vouchers were prepared showing the falsified amount. The subsequent endorsement and encashment of the check by respondent only shows his complete disregard for the truth which per se constitutes misconduct and dishonesty of the highest order. By any standard, respondent had manifestly shown that he is unfit to discharge the functions of his office. Needless to stress, a public office is a position of trust and public service demands of every government official or employee, no matter how lowly his position may be, the highest degree of responsibility and integrity and he must remain accountable to the people. Moreover, his failure to adduce evidence in support of his defense is a tacit admission of his guilt. Let this be a final reminder to him that the government is serious enough to weedout misfits in the government service, and it will not be irresolute to impose the severest sanction regardless of personalities involved. Accordingly, respondent’s continuance in Office becomes untenable.


8

WHEREFORE, and as recommended by the NAPOLCOM, Assistant Regional Director Jaime Vega Quitain is hereby **DISMISSED** from the service, with forfeiture of pay and benefits, effective upon receipt of a copy hereof.

Done in the City of Manila, this 10th day of April in the year of Our Lord, nineteen hundred and ninety-five.



By the President:



TEOFISTO T. GUNGONA, JR.
Executive Secretary
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