

[ADMINISTRATIVE ORDER NO. 186, April 18, 1995]

IMPOSING THE PENALTY OF DISMISSAL ON DIRECTOR MONICO M. CHAVEZ OF FINANCE AND MANAGEMENT SERVICES, OFFICE FOR NORTHERN CULTURAL COMMUNITIES (ONCC), FOR DISHONESTY AND GROSS MISCONDUCT.

This refers to the administrative case of Mr. Monico M. Chavez, Director for Finance and Management Services, Office for Northern Cultural Communities (ONCC), for Dishonesty and Gross Misconduct.

Records show that, on September 23, 1991, a check numbered LP-129261-0 in the amount of ONE HUNDRED SEVENTY FIVE THOUSAND PESOS (P175,000.00) was issued for the Office for Northern Cultural Communities (ONCC), Region 03, in the name of Monico M. Chavez, who was then the Acting Regional Director. On September 24, 1991, Dir. Chavez authorized Ms. Johanna Ignacio (now Johanna Mambuay), an employee of the ONCC's Central Office, to encash the check at the Philippine National Bank, West Avenue, Quezon City Branch. Again on December 23, 1991, another check numbered LP-148688-D, in the amount of SEVENTY FIVE THOUSAND PESOS (P75,000.00) was similarly issued. In the same manner, Chavez authorized a certain Carmen P. Chavez to encash the check at the same bank.

The said amounts, which to this date remain unaccounted for, were intended for development projects, maintenance and operating expenses of the Office for Northern Cultural Communities, Region 03. For failure to submit an explanation or to account for the said funds, despite verbal and written notice to him, Dir. Chavez was administratively charged for Dishonesty and Gross Misconduct.

After having been notified of the charges against him, Dir. Chavez was directed to submit a detailed answer thereto, together with whatever evidence he may present in support of his side. He was also advised to avail of the services of a counsel and opt, if he so desires, for a formal investigation. Unable to comply therewith, Dir. Chavez, was nevertheless, afforded a formal investigation to determine whether or not he is administratively liable of the charges.

At the pre-trial conference, Dir. Chavez, acting as counsel for himself, admitted the charges against him and the evidence adduced by the ONCC Prosecutor and offered to return the funds on installment basis. Thus, with nothing else to determine other than Dir. Chavez's explanation for committing such omission or misconduct, the parties were ordered to submit their respective memoranda. Despite due notice, Dir. Chavez again failed to submit his memorandum.

Incidentally, Dir. Chavez claimed during the conference that he spent the said amounts for the Aetas displaced by the Mt. Pinatubo eruption; that, as a member of Task Force Mt. Pinatubo, he had requested the Department of Budget and Management (DBM) for the release of P632,000 for the expenses incurred; and,