

[ADMINISTRATIVE ORDER NO. 183, April 10, 1995]

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

"Elisa Lim, the Secretary of the 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