

[ADMINISTRATIVE ORDER NO. 106, March 05, 1955]

CONSIDERING MR. GAUDIOSO VILLEGAS, CHIEF OF THE QUEZON CITY FIRE DEPARTMENT, AS RESIGNED FROM THE SERVICE.

This is an administrative case against Mr. Gaudioso Villegas, Chief of the Quezon City Fire Department, who is charged in a complaint filed by Mr. Day Lamaca with misconduct in office on five counts, to wit: (1) Selling and refilling fire extinguishers; (2) Using a government jeep for personal purposes; (3) Getting gasoline by siphoning it from fire tankers; (4) Taking lumber posts under the custody of the Fire Department; and (5) Electioneering.

Charge (1).

The evidence shows that sometime in 1953 respondent Villegas, accompanied by his driver, Jose Cruz, took from the La Loma cockpit, Quezon City, two fire extinguishers which were recharged in his house with chemicals known as foamite solution and were thereafter returned to the said cockpit. Respondent also bought fire extinguishers at a store along Gandara Street, Manila, delivered one to the La Loma Lumber and another to the La Loma Cabaret.

It also appears that Marcelino de Castro, owner of the nickel plating shop located at 128 Baco, La Loma, was required by the respondent to buy one extinguisher; that he bought one from the respondent for the amount of P45.00, paying the same thru the latter's chauffeur; and that his fire extinguisher was recharged twice, for which he paid P10.00 each time to the driver of a PI jeep.

There is no direct evidence that the respondent personally received monetary consideration for the refilling or recharging of the fire extinguishers. Nevertheless, the fact that said extinguishers were recharged in the premises of his residence and not in the Central Fire Station or sub-stations, in accordance with existing regulations, leads inescapably to the conclusion that he was motivated by personal pecuniary interest.

Charge (2).

From the testimony of Jose Cruz, driver of PI Jeep 507 assigned for official use only to the Quezon City Fire Department, it appears that in 1953 the respondent used during nighttime PI Jeep 507 from his residence to the La Loma Cabaret. At past midnight, he called Cruz by phone, directing him to bring PI Jeep 507 to the police outpost where the call came from. When Cruz arrived at the police outpost, he saw the respondent with four girls who were taxi dancers. They all boarded the jeep and Cruz was instructed by the respondent to proceed to Malabon where they ate at a certain restaurant. After the repast, they returned to Quezon City and alighted at the corner of Bulusan and Tacio Streets, La Loma. Cruz returned to the fire station