

**[ADMINISTRATIVE ORDER NO. 250, December
23, 1953]**

**DISMISSING THE CHARGE AGAINST PROVINCIAL GOVERNOR
FELIXBERTO C. DAGANI OF AGUSAN**

This is an administrative case filed by Congressman Marcos M. Calo of Agusan against Provincial Governor Felixberto C. Dagani of the same province for having been supposedly involved in an irregular transaction concerning the barter of the provincial government car assigned to the respondent for his official use.

It is claimed that the government car in question was given a lower appraisal because many parts thereof were found missing by the appraiser-inspector of the General Auditing Office; that although respondent knew that those parts were not missing but were just lying around the car or somewhere in the repair shop, he did not inform the representative of the General Auditing Office accordingly; and that such omission on the part of the respondent resulted in the loss to the province of the amount of ₱850, the value of the parts listed as missing, for which he should be made answerable. Respondent contends, however, that although he was present at the inspection it was not incumbent upon him to check the report of the appraiser-inspector of the General Auditing Office and that he should not be held responsible for said official's failure to discharge his duties properly.

The case was investigated by the Integrity Board which found the following facts duly established:

On March 10, 1952, the 1949 Chevrolet car owned by the Province of Agusan, which had been damaged in an accident, was shipped to Manila, complete in every respect, for repairs. It was also complete when it reached Manila and was delivered to the Mercado Automobile Repair Shop on P. Paredes Street on March 13, 1952. The car was immediately dismantled and its wheel rims, tires, generator, carburetor, and other parts were removed and sent to the respective departments of the shop for examination and repair. On March 18, 1952, when the car was inspected and appraised by a technical property inspector of the General Auditing Office in the presence of the respondent, it was really incomplete because, as already stated, the parts and accessories mentioned above had been removed and sent to the respective departments of the shop. However, the inspector of the General Auditing Office did not inquire as to the whereabouts of those parts and accessories but simply came to the conclusion that they were missing and listed them so.

The Board also found that the General Auditing Office was about to recommend the approval of the barter transaction with Mr. Nicolas Tria Enciso on the basis of the resolution of the Provincial Board of Agusan and the report of the provincial appraisal committee (composed of the provincial treasurer, the Provincial Auditor, and the District Engineer) but upon learning that the government car was here in Manila for repairs, said office deferred action on the matter and instead sent its