

[ADMINISTRATIVE ORDER NO. 251, December 23, 1953]

IMPOSING A FINE ON MAYOR FELIX P. AMANTE OF BACOLOD CITY AND REPRIMANDING ENGINEER SEGUNDO GARDE OF THE DISTRICT ENGINEER'S OFFICE OF NEGROS OCCIDENTAL

In separate complaints filed with the Integrity Board City Mayor Felix P. Amante of Bacolod and Engineer Segundo Garde of the District Engineer's Office of Negros Occidental are charged with misappropriation of public funds and property and arbitrary dismissal of civil service employees, committed as mayor and as acting city engineer of Bacolod, respectively. It is alleged:

(1) That sometime in August 1951, about two weeks after assuming office as city mayor, respondent Felix P. Amante caused a garage to be constructed in his residence with government materials and labor falsely charged to the repair of the City Hall of Bacolod;

(2) That the same respondent, taking advantage of his official position, procured the delivery to his residence of six reinforced concrete pipes belonging to the City Government of Bacolod;

(3) That respondent Segundo Garde (together with several subordinate employees in the city engineer's office) caused to be diverted for the private use of the Hacienda Bayabas, Bago, Negros Occidental, a total of thirteen reinforced concrete pipes valued at P195 belonging to the City Government, which pipes were delivered to the hacienda with the use of government vehicles; and

(4) That both respondents conspired with each other in the dismissal from the service without just cause and in the abolition of the positions of complainants Antonio T. Orceo and Hibernon Salazar, former water-meter inspectors in the office of the city engineer of Bacolod.

Being interrelated, the cases against these two respondents were heard jointly by the Integrity Board which found charges (2) and (3) without merit. As to the other charges, it found the following facts duly established. That although there was a structure or building, more or less permanent in character, within the premises of the City Hall of Bacolod with three compartments big enough to accommodate three automobiles, and despite the fact that there is a balcony at the main door of his house with adequate roofing to protect from the elements at night the official car assigned to him, yet Mayor Amante procured the construction in his residence of a temporary structure with government materials and labor;

That the roofing and sidings of said structure were made of old galvanized iron sheets salvaged from the former city hall which was partly destroyed by fire in 1948 and flattened asphalt barrels, respectively; that the cost of labor was between P40 and P50 and the lumber about P150, all the lumber used therein having been