

EN BANC

[A.M. No. P-14-3278 [Formerly A.M. OCA IPI No. 09-3222-P], October 21, 2014]

**CONCERNED CITIZENS OF NAVAL, BILIRAN, COMPLAINANTS,
VS. FLORANTE F. RALAR, COURT STENOGRAPHER III, REGIONAL
TRIAL COURT, BRANCH 37, CAIBIRAN, BILIRAN, RESPONDENT.**

DECISION

PER CURIAM:

The falsification of an official document like the personal data sheet required for employment in the Judiciary is gross dishonesty, and constitutes a serious administrative offense that warrants the dismissal of the employee.

Antecedents

By an anonymous letter dated June 17, 2008,^[1] the writers, self-styling themselves as the Concerned Citizens of Naval, Biliran, formally charged Florante F. Ralar, Court Stenographer III of Branch 37 of the Regional Trial Court in Caibiran, Biliran with dishonesty through falsification of public documents.

The letter alleged that Ralar, who had been appointed as Court Stenographer III in 1998, did not state in his application for the position his having been previously employed in the Bureau of Post, later known as the Philippine Postal Corporation; that in his Civil Service Form No. 212 (*Personal Data Sheet*),^[2] he had filled out and attached his application without stating therein that he had then been employed in that office; that all papers relative to his employment had shown his deliberate omission of his previous employment in the Bureau of Post; that a verification at Regional Office No. 08 of the Philippine Postal Corporation in Tacloban City disclosed that he had been actually employed as a Letter Carrier prior to his employment in the Judiciary, and that at that time he had been indefinitely suspended for committing mail pilferage, and had eventually been dismissed from the service for such offense;^[3] that his co-employees were wondering why he had been employed in the Judiciary despite his disqualification to work in the Government; that he had also been previously employed as a Revenue Collection Clerk in Naval, Biliran, in which position he had also committed misappropriation of his collections, but the matter had been settled without him being formally charged;^[4] that he had frequently indulged in gambling and drinking during office hours to the prejudice of the public service; that his notoriety had been of common knowledge in the community; that despite knowing nothing about stenography, he had obtained a falsified certification of his knowledge of stenography to secure an appointment to his present position; and that he had even asked court litigants for money in consideration of assistance extended to them in cases pending in court.

In his comment dated September 2, 2009,^[5] Ralar denied the accusation of dishonesty. He insisted that the allegations made against him were general statements that did not state causes of action and should be outrightly dismissed; that giving due course to the complaint against him despite the absence of any named complainant would violate his fundamental right to face and to confront the witnesses against him; that he admitted having been previously employed by the Philippine Postal Corporation (formerly, the Bureau of Post), and later on by the local government of Naval, Biliran; that in his pursuit and determination to earn more, particularly to ensure the education of his children, he had applied in the Judiciary, where he presently holds the position of court stenographer; that he had no knowledge of having violated any law, rules and regulations that would disqualify or render him ineligible to hold any government position; that all the allegations about his suspension and dismissal from the service for mail pilferage, use of government funds collected as Revenue Collection Clerk in the local government for his personal benefit, being recently seen in gambling and drinking places during office hours, and soliciting money from litigants, being unsubstantiated, should not be given credence.

The Office of the Court Administrator (OCA) submitted its report and recommendation dated January 19, 2010,^[6] as follows:

EVALUATION: After a careful perusal of the records on hand, this Office finds that there is sufficient basis to hold respondent Ralar guilty of the offense attributed to him.

A scrutiny of respondent Ralar's Personal Data Sheet (PDS) showed that the latter deliberately concealed the fact that he was previously charged administratively and was eventually penalized for acts of dishonesty while he was still an employee of then Bureau of Post, now Philippine Postal Corporation. To show proof that respondent Ralar was previously dismissed from government service, the Department of Transportation and Communication rendered a Decision on 20 March 1990, the dispositive portion of which reads, to wit:

PREMISES CONSIDERED, Respondent Florante F. Ralar is found guilty as charged. Taking into account the mitigating circumstance of length of service against the aggravating circumstance of being found guilty of other offenses in this case, he is ordered dismissed from the service, as recommended.

In the interest of the service, it is hereby directed that this decision be implemented immediately.

In determining the authenticity or veracity of the foregoing decision, then Deputy Court Administrator (DCA) Antonio H. Dujua, *now retired*, requested for a certified copy of the said decision. In response to such request, the National Archives of the Philippines in a Letter, addressed to DCA Dujua, provided this Office, certified copies of the said decision.

Furthermore, a close scrutiny of respondent Ralar's Personal Data Sheet