

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 165

ACCEPTING THE RESIGNATION OF MR. GERONCIO M. PINILI AS REGISTER OF DEEDS OF NEGROS ORIENTAL, WITH PREJUDICE TO REINSTATEMENT IN THE GENERAL LAND REGISTRATION OFFICE OR IN ANY POSITION INVOLVING MONEY OR PROPERTY RESPONSIBILITY.

This is an administrative case against Mr. Geroncio M. Pinili, Register of Deeds of Oriental Negros, for violation of regulations, gross negligence in the performance of official duties and highly improper conduct bordering on dishonesty.

It appears that on July 6, 1950, the City Auditor of Dumaguete sealed respondent's safe and instructed Mr. Zacarias Guiuan, a clerk in the office of the respondent, to inform the latter that he would make a routinary examination of his accounts. On July 14, the City Auditor advised

the respondent by letter to be at his office the following day for the examination of his accounts. When the City Auditor went to respondent's office on July 15, he failed to meet the respondent. From time to time thereafter, the City Auditor went to respondent's office but the respondent failed to appear thereat. Making an examination of respondent's accounts, the City Auditor found that respondent's accountability from May 17, 1949, to July 22, 1950, was ₱16,009.46.

On July 24, 1950, the City Auditor addressed a letter to the respondent, requiring him to produce his accountability of ₱16,009.46 for physical count and informing him that he would go to his office for that purpose during the usual office hours on July 25. The City Auditor stayed in respondent's office on July 25 from 8:00 a.m. to 12:00 noon and from 2:00 to 4:00 p.m., but the respondent did not show up.

At the request of the Auditor General, the Undersecretary of Justice sent a telegram to the respondent on July 31, 1950, directing him to submit to an examination of his accounts by the City Auditor in the presence of the City Attorney, and advised the City Auditor accordingly. Although the respondent received said telegram at 4:00 p. m. on August 2, he still proceeded to his farm at barrio Bagtic, municipality of Bais, allegedly to save his corn crop from destruction due to a recent storm, and while he was there he contracted illness, as a consequence of which he was unable to return to the City until August 11.

On August 3, 1950, the Auditor General sent a telegram to the City Auditor authorizing him to force open respondent's safe in the presence of witnesses. Accordingly, the City Auditor forcibly opened the safe in the presence of the Provincial Treasurer, the Asistant Provincial Treasurer and the City Attorney, but found no cash or anything representing valid cash. In view thereof the City Auditor wrote a letter to the respondent on August 7, declaring him short of, and demanding from him, the amount of ₱14,596.14, the sum of ₱1,413.32 covered by Official Receipt No. 53220, dated July 16, 1949, issued by the Treasurer of the Philippines, having been deducted from his accountability of ₱16,009.36. The respondent received said letter at 4:30 p.m. on August 11, 1950. At 5:30 p.m. on the same day the City Attorney informed the City Auditor that the respondent was ready to produce the amount of ₱14,596.14. In the presence of the Provincial Treasurer, the Assistant Provincial Treasurer and the City Attorney, the respondent opened the lowest shelf of an unlocked wooden book case with glass cover and pulled out an old portfolio containing cash in the amount of ₱14,596.15.

It also appears that respondent's cash book was posted up to October 26, 1949, only; that his abstract of receipts

and account-current was accomplished up to April 17, 1950, only; that he failed to post in his cash book Official Receipt No. 43220 dated July 16, 1949, in the amount of ₱1,413.32 issued by the Treasurer of the Philippines corresponding to a deposit remitted by him; that he failed to deposit his collections as soon as the same reached ₱500.

The record further shows that on August 28, 1950, an information for malversation of public funds was filed against the respondent in the Court of First Instance of Oriental Negros. However, the case was dismissed on March 8, 1951, for insufficiency of evidence.

Upon the foregoing facts I find respondent Geroncio M. Pinili guilty of violation of regulations, gross negligence in the performance of official duties and highly improper conduct bordering on dishonesty. Wherefore, and it appearing that he has tendered his resignation as Register of Deeds of Oriental Negros, the same is hereby accepted effective upon receipt of notice hereof, with prejudice to reinstatement in the General Land Registration Office or in any position involving money or property responsibility.

Done in the City of Manila, this 25th day of August, in the year of Our Lord, nineteen hundred and fifty-one, and of the Independence of the Philippines, the sixth.

ELPIDIO QUIRINO

President of the Philippines

By the President:

MARCIANO ROQUE

Acting Assistant Executive Secretary