



MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 169

FINDING LIEUTENANT COLONEL VICTOR H. DIZON GUILTY OF NEGLIGENCE IN PERMITTING THE UNAUTHORIZED LOAN OF RADIO TOWER PARTS TO THE BOLINA0 BROADCASTING CORPORATION AND IMPOSING UPON HIM A FINE OF ONE MONTH'S SALARY AS CIVIL AERONAUTICS ADMINISTRATOR

The Committee appointed by me to determine the liability of Lieutenant Colonel Victor H. Dizon in connection with the loan of parts of a dismantled radio tower to the Bolinao Broadcasting Corporation, found that the dismantling of said radio tower in Palawan and the shipment of the dismantled parts to Manila upon the direction of Colonel Dizon, and the lending of the same parts to the Bolinao Broadcasting Corporation about a year later, were entirely unrelated events; that Colonel Dizon approved the loan of the said radio tower parts in good faith and in the belief that they could be parts of the radio beacon (HHW) tower which had been previously leased to said corporation by the Board of Liquidators; that the said loan was an honest mistake attributable to the confusion in the identity of the dismantled parts of both towers. The Committee has recommended the complete exoneration of the respondent.

I concur in the finding that respondent did not order the dismantling of the Palawan radio tower for the purpose of lending it to the Bolinao Broadcasting Corporation. However, after carefully examining the record of investigation, I cannot agree with the Committee's conclusion that the unauthorized lending of the radio tower parts was an unavoidable mistake for which the respondent should not be held responsible as Acting Civil Aeronautics Administrator and as the approving authority for such loan. The evidence discloses that Lieutenant Colonel Dizon was negligent in -

a. failing to inquire from subordinates who were in a position to identify the tower parts, particularly his Property Officer, Mr. Juan Perez, whether the additional parts

Dizon Victor H.

being loaned to the Bolinao Broadcasting Corporation belonged to the Palawan radio tower or any other tower in the possession of the Civil Aeronautics Administration;

b. assuming that if the parts covered by MR's marked Exhibits "A" and "B" (Palawan tower) were found to fit the radio beacon (HHW) tower, this would conclusively prove that the said parts were actually the structural constituents of the radio beacon (HHW) tower, when he knew that the Civil Aeronautics Administration had supporting members and accessories of at least two different towers which could be used interchangeably either in their original state or with slight alterations;

c. failing to provide a means of checking whether the Bolinao Broadcasting Corporation, a private entity, would actually and honestly get only the missing parts of the radio beacon (HHW) tower by fitting the parts in their original state, knowing as he did that not all the parts being loaned could possibly be parts of the radio beacon (HHW) tower ; and

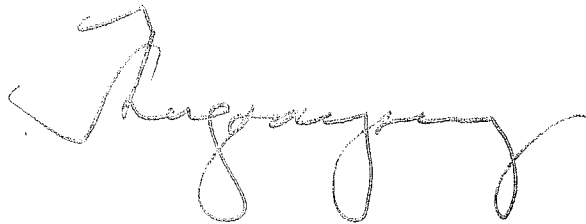
d. failing to act promptly to determine the ultimate disposition of the loaned tower parts and to recover those that were not used by the Bolinao Broadcasting Corporation.

In approving the loan of government property to a private entity under the foregoing circumstances, the respondent cannot escape responsibility by simply pleading that he had no personal knowledge that the loaned tower parts were those of the Palawan radio tower. He could have ascertained the facts by simply inquiring from his assistants. His failure to exercise reasonable diligence resulted in the unauthorized use of the said radio tower parts by the Bolinao Broadcasting Corporation.

Wherefore, Colonel Victor H. Dizon is hereby found guilty of negligence in permitting the unauthorized loan of the Palawan radio tower to the Bolinao Broadcasting

Corporation. A fine of one month's salary as Civil Aeronautics Administrator is hereby imposed on him. The Civil Aeronautics Administration is directed to take steps to recover the parts loaned, or the value thereof, from the Bolinao Broadcasting Corporation.

Done in the City of Manila, this 4th day of January, in the year of Our Lord, nineteen hundred and fifty-six, and of the Independence of the Philippines, the tenth.



By the President:


MARIANO YENKO, JR.
Assistant Executive Secretary