

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 130

REPRIMANDING MR. FERNANDO MANALASTAS, ACTING ASSISTANT PUBLIC SERVICE OFFICER OF THE CITY OF MANILA.

Mr. Fernando Manalastas, Acting Assistant Public Service Officer of the City of Manila, is charged with illegal use of government property, vehicle and personnel for his personal or private benefit in connection with the construction of a water tank tower at his residence in Malabon, Rizal.

This case arose from the report of the Police Special Team of the City Mayor dated February 21, 1964, stating, among other things, (1) that Mr. Fernando Manalastas, Acting Assistant Public Service Officer, "with intent to gain, had induced Mr. Manuel Privado (his driver) to take out, as the latter in fact took out, several pieces of lumber . . . from the carpentry shop of the Department of Public Services on February 1st, 1964, without the consent of the owner (the government), which materials were estimated to cost less than ₱50.00, and used them, without any authority, in the construction of the water tank in his backyard at No. 2 Chico Road, Malabon, Rizal;" (2) that "Manuel Privado, in the course of taking out and delivering said materials, illegally used a government vehicle, jeep No. RP-5625, contrary to standing administrative regulations prohibiting the same;" (3) that "Mr. Fernando Manalastas, also with intent of gain, using a government vehicle, jeep No. 5625, without authority from the government, took from the carpentry shop of the DPS on February 3, 1964, two pieces of lumber measuring about 4 feet long and 20 cm. wide, and one G.I. sheet, all estimated to be worth less than ₱20.00;" and (4) that "Mr. Manalastas employed six (6) DPS government carpenters in the construction of the above-mentioned water tank tower."

The Investigating Committee of the Mayor recommended that the respondent be only admonished and warned based on the following findings:

"(a) That there is no substantial evidence to support the charge that Mr. Manalastas used government-owned lumber in the construction of his water tank tower;

"(b) That the galvanized iron sheet and two pieces of lumber taken out of the DPS Carpentry Shop

Mr. Manalastas Fernando

on February 3, 1964, were used for some official purpose;

"(c) That Mr. Manalastas committed a violation of rules and regulations when he caused privately-owned lumber to be loaded in Jeep RP-5625 on February 1, 1964. Your Committee holds the view that the violation is not a serious one considering the circumstances under which the government vehicle in question was used, namely, that the lumber was loaded at a time when it was anyway going to the residence of Mr. Manalastas, and as such it did not involve additional expense to the City government. In short, the loading was only incidental to an authorized use.

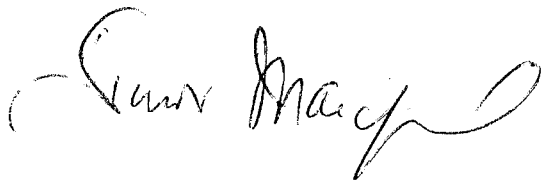
"(d) With respect to the services rendered by the DPS carpenters at the residence of Mr. Manalastas on February 1, 1964 (a Saturday when the carpenters were off-duty), your Committee has found that the same may in some measure be a violation of Section 19(u) of the Revised Civil Service Rules and Regulations, and may be considered as a transgression of the bounds of sound or ethical official conduct."

The Mayor of Manila concurs in the findings and recommendation of the Investigating Committee.

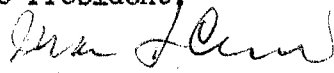
I agree with the findings of the Investigating Committee but not with its recommendation that the respondent be only admonished. A public official's act and conduct must not only be legal but moral as well, and the respondent deserves at least a severe reprimand for his indiscretion.

In view of the foregoing, Mr. Fernando Manalastas, Acting Assistant Public Service Officer of the City of Manila, is hereby severely reprimanded and warned that commission of the same or similar offense in the future will be dealt with drastically.

Done in the City of Manila, this 2nd day of August in the year of Our Lord, nineteen hundred and sixty-five.



By the President:


JUAN S. CANCIO
Acting Assistant
Executive Secretary