

MALACAÑANG
MANILA
BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 257

**IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE ON REGION V
REGIONAL DIRECTOR PILAR ANTE-HILARIO OF THE DEPARTMENT OF
TOURISM FOR FALSIFICATION OF PUBLIC DOCUMENT**

This refers to the administrative case filed by Mr. Ramon Rocha Labayo against Region V Regional Director Pilar Ante-Hilario of the Department of Tourism for alleged falsification of official document, her Personal Data Sheet (PDS, Civil Service Form No. 212), in violation of Article 171 of the Revised Penal Code.

In its resolution, the Presidential Commission Against Graft and Corruption (Commission) found the following:

“The only issue then to be resolved is whether or not respondent Pilar Ante Hilario is guilty of falsification of her PDS submitted on January 1, 1989 by stating therein that she earned her BSC from Republic Colleges.

Well-settled is the rule that in an administrative case, only substantial evidence is necessary to hold respondent liable of the charge against her. In this case, the Commission finds substantial evidence to hold complainant (respondent) liable for misdeclaration in her Personal Data Sheet (CSC Form No. 212) which she filed on January 1, 1989 that she earned the degree of Bachelor of Science in Commerce from the Republic Colleges, Guinobatan, Albay. The preponderance of evidence supports the allegations of complainant that she falsely declared such fact.

At the time she filled up CSC Form No. 212, her only basis was the Transcript of Records which upon perusal by this Commission appears to be not authentic as it did not have the official seal of the School. Her claim that she, in good faith, believed that she graduated from the Republic Colleges has no basis at all because if it were so, then the transcript should have the official seal indicating therein that she has indeed graduated from the said school. The preponderance of evidence negates such claim of good faith on her part. It would have been a different matter if the transcript of records indicated the fact of her graduation.

The circumstances occurring after January 1989, more particularly the issuances of the Registrar of Republic Colleges, only bolster our opinion that respondent really misdeclared her educational background. Both Efren Oliva, former Registrar of Republic Colleges and Ester P. Flores, Acting Registrar of the School certified on 19 June

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1989 and 11 September 1989 respectively, that respondent did not graduate from Republic Colleges.

Granting for the sake of argument that respondent believed in good faith, as claimed by her and as found by the deputized ombudsman who investigated the case, that she was a bona fide student of the said school because she was enrolled on a special arrangement ("tutorial" basis) and was allowed to study at home, still there was a misdeclaration. Graduation from a degree or course is not a matter pertaining only to the claim of students that they have finished all the required subjects. It has to be evidenced by an official document issued by the school which in the case at bar is lacking.

We are likewise aware of the findings of the Office of the Ombudsman absolving respondent of any criminal liability for the same act. Noted, however, by this Commission is the difference in the quantum of evidence in administrative and criminal cases.

In view thereof, it is hereby recommended to the Office of the President that respondent Pilar Ante Hilario, Regional Director, Department of Tourism, Region V, be DISMISSED from service.

SO RESOLVED."

After a careful review of the evidence on record, this Office adopts the findings of the Commission and concurs with its recommendation. Findings of administrative agencies which have acquired expertise because their jurisdiction is confined to specific matters are accorded not only respect but even finality (PNOC, Energy Development Corporation vs. NLRC, 201 SCRA 487).

In view of the foregoing, and as recommended by the Commission, respondent, Region V Regional Director Pilar Ante-Hilario of the Department of Tourism, is hereby DISMISSED from the service in accordance with the provisions of Rule XIV of the Omnibus Rules Implementing Book V of Executive Order No. 292.

SO ORDERED.

Done in the City of Manila, this 28th day of February in the year of Our Lord, Nineteen Hundred and Ninety-Six. 12

By the President:



RUBEN D. TORRES
Executive Secretary

