

[ADMINISTRATIVE ORDER NO. 78, July 11, 1988]

IMPOSING A FINE ON FORMER REGISTER OF DEEDS RAMON G. GARCIA OF ORIENTAL MINDORO

This is an administrative case for negligence against Ramon G. Garcia, former Register of Deeds of Oriental Mindoro.

The records show that, upon investigation of a complaint filed on June 6, 1984, by one Jose Agutaya with the National Bureau of Investigation (NBI), Calapan Branch Office, Oriental Mindoro, regarding alleged falsification of official documents which resulted in the irregular transfer of ownership of certain parcels of land owned by Felisa Pangilinan to Nelia M. Bunda, the NBI came up with the following findings:

- 1) Felisa Pangilinan, executed a deed of sale of two (2) parcels of land covered by TCT RT-87 (T-1312) and TCT RT-86 (T-1228) in favor of Nelia Bunda on December 1, 1982. The deed of sale was made to appear to have been executed on December 1, 1980, which was noted in the Primary Entry Book to justify the issuance of TCT No. T-14283 and T-14284 both dated July 15, 1981;
- 2) Menandro Abac, Clerk II of said Registry of Deeds may have caused the falsification as he is the one charged with the preparation and safekeeping of the document;
- 3) Nelia Bunda is liable under Art. 171 of the Revised Penal Code for selling the falsified title to one Leon Yap;
- 4) Ramon G. Garcia, then Acting Register of Deeds of Calapan, Oriental Mindoro is "liable for Falsification of Public Documents through Reckless Imprudence" for causing the registration of the transfer of ownership of parcels of land despite the fact that:
 - a) there was no certification of the BIR that such transfer has been reported and the capital gains tax therefor had been paid, as required by LRC Circular No. 356, dated September 12, 1979, implementing Sec. 34(h) of the National Internal Revenue Code as amended;
 - b) the Title No. T-14283 was entered on July 15, 1981 when the Deed of Sale effecting the transfer was dated December 1, 1982.

On the basis thereof, the then Land Registration Commissioner filed formal charges against herein respondent Ramon G. Garcia and Registry of Deeds Clerk Menandro Abac for negligence and grave misconduct/dishonesty, respectively.

After formal hearing, the LRC investigator recommended that respondent be found guilty of the charges and suspended for two months without pay. Meanwhile, or on April 3, 1987, Garcia retired from the government service.