

[ADMINISTRATIVE ORDER NO. 205, February 21, 1970]

REMOVING MR. MONICO D. CLEMEÑA FROM OFFICE AS CHIEF OF POLICE OF GINGOOG CITY

This is an administrative case filed by Ex-Mayor Domingo G. de Lara of Gingoog City against Chief of Police Monico D. Clemeña for serious irregularities (falsification of public document), specifically stated as follows:

"That on or about the 11th day of July 1961, in the City of Gingoog, Philippines, and within the supervision of this Office, the above-named accused Monico D. Clemena, being then the incumbent and an ad-interim appointee Chief of Police of Gingoog City, with intent to defraud and deceive the Commission on Appointments did then and there willfully, unlawfully and feloniously fill up and state on the blanks in the Personal Information Sheet of the Office of the Commission on Appointments that he attended in 1926 second year college at San Carlos, Cebu City, and a second grade civil service in 1931 and did subscribe and swear as to the truth of those statements before then acting City Mayor of Gingoog City, Arturo S. Lugod, when in fact and in truth, said accused fully knew that said statements were false and not true and made solely to convince the Commission on Appointments in the month of Kay 1962."

About the same time a criminal case was filed against respondent with the Court of First Instance of Misamis Oriental which was, however, dismissed by the court for lack of evidence.

The administrative complaint, which had been filed with the Police Commission, was referred to the Board of Investigators for appropriate action. However, the Board called the attention of the Police Commission that the respondent, being a presidential appointee, was not within its jurisdiction to investigate. The Police Commission then requested, and was given, authority from the President to create an ad hoc committee to conduct a formal investigation.

The record discloses that respondent Monico D. Clemeña was appointed chief of police of Gingoog City on June 9, 1961 and his appointment was confirmed on May 3, 1962; and that on January 31, 1967, about five years after his appointment, Ex-Mayor De Lara filed this administrative complaint. When the ad hoc committee commenced the investigation, complainant formally requested the dismissal of the case against respondent on the ground that he and his witnesses were no longer interested in further prosecuting respondent.

Notwithstanding this manifestation of the complainant, the Board proceeded with the investigation which elicited the following: