

[ADMINISTRATIVE ORDER NO. 142, October 12, 1968]

ADMONISHING ACTING DIRECTOR SERAFIN L. QUIASON OF THE NATIONAL LIBRARY

This refers to the administrative charges against Acting Director Serafin D. Quiason of the National Library filed separately by Atty. Samy Y. Militante, a private citizen, and Mrs. Constanca de Jesus and 34 other officials and employees of the National Library. The charges have been grouped together for convenience and to obviate needless repetition as follows: (1) violation of the Civil Service law and regulations, misrepresentation and falsification; (2) improper conduct, oppression and incompetence, and violation of the Anti-Graft Act; and (3) illegal, precipitate and disadvantageous purchases of books.

A formal investigation of the charges was ordered and conducted where complainants and respondent, assisted by counsel, were given full opportunity to support their respective sides. In his exhaustive report the investigator from the Malacañang Legal Office found respondent guilty under certain counts of charges (1) and (2) and innocent under charge (3), and recommended that respondent be admonished. A careful review of the records and weighing of respondent's liability in the premises sustain the investigator's findings and recommendation. Only those counts where respondent is found guilty or liable need be taken up.

Charge I

(a) It is alleged that respondent illegally permitted and authorized the non-use of the bundy clock by Manuel Portugal, his stenographer, despite disapproval by the Civil Service Commission (CSC) of his request to exempt Portugal from punching the bundy clock.

The evidence shows that from July 1966 to May 1967 Portugal used Form 48 for recording his attendance instead of the bundy clock which he used for part of the month of September 1966. Respondent would justify the non-use of the bundy clock by the fact that the nature of Portugal's additional duties as liaison officer, following up papers in other offices, made it impracticable for him to be in the office just to punch the bundy clock to record his arrival and departure. Respondent claims that under the Civil Service rules the use of the bundy clock is required whenever practicable (Sec. 4, Rule XV, Civil Service Rules). His explanation appears plausible as to the time covered before the denial by CSC of his request for exemption in behalf of Portugal. Upon such denial by the Commission on October 27, 1967, he was supposed to be bound thereby and should not have allowed Portugal to continue using Form 48. It hardly avails him that, as testified to by Portugal, they were told by people in the Department of Education that the use or non-use of the bundy clock was a matter of internal arrangement as allegedly confirmed by a certain Mr. Valdez from CSC during a seminar. The officials referred to were obviously not competent to overrule the CSC.