

**[ADMINISTRATIVE ORDER NO. 234, December
23, 1953]**

**IMPOSING A FINE ON CITY TREASURER EULALIO H. DOLOJAN OF
SAN PABLO**

This is an administrative case against Mr. Eulalio H. Dolojan, City Treasurer of San Pablo, for alleged irregularities committed by him in the acquisition of supplies and materials during his incumbency as provincial treasurer of Abra.

An examination of the record discloses that in violation of existing regulations respondent, as provincial treasurer of Abra, bought supplies and materials without public bidding and much in excess of the requirements of the service for six months, resulting in losses to the province.

In his explanation respondent states, among other things, that in the public interest there should always be available necessary supplies and materials for the smooth functioning of the government; that if his purchases now appear excessive it was due to error of calculation; and that the articles are nonperishable and may be consumed within a reasonable length of time. He also states that, except in the case of the bolts for which there was an urgent need, the purchases were made after a canvass of the local market and that the prices paid were based on quotations of the Procurement Office.

Respondent's explanation is not entirely satisfactory. The regulations are clear enough as to the quantity of supplies and materials that may be carried in stock and the manner they should be acquired, to wit, by public bidding. Greater care in anticipating the probable needs of the province would have saved it from loss due to these excessive and irregular negotiated purchases. The mere fact that the goods are nonperishable does not justify their acquisition in excessive quantities in violation of the regulations.

With respect to the acquisition of these articles, aside from the fact that no evidence has been submitted to substantiate his claim that canvass of prices had been made before a particular purchase, such canvassing, granting that it had been made, was idle and ineffectual, as no local dealer in Abra could have furnished the supplies and materials in question, especially printed forms. At any rate, as already stated, the regulations require public bidding, and mere canvassing of prices is not, and cannot be the equivalent of, public bidding.

The foregoing shows respondent to have been remiss in the discharge of his duties to the prejudice of the Province of Abra. Considering, however, his good record until the commission of these irregularities, I am inclined to view his case with some measure of leniency.

Wherefore, Mr. Eulalio H. Dolojan is hereby fined in an amount equivalent to his