

**[ADMINISTRATIVE ORDER NO. 198, November
04, 1952]**

**SUSPENDING MR. PONCIANO REYNA FROM OFFICE AS
PROVINCIAL TREASURER OF ANTIQUE**

This is an administrative case against Mr. Ponciano Reyna, provincial treasurer of Antique, for his participation in the commission of alleged irregularities in the acquisition by the Province of Cebu of supplies, materials and equipment during his incumbency as assistant provincial treasurer thereof.

The record shows that from January 1947 to April 1948 the Province of Cebu bought without public bidding from private dealers an enormous quantity of supplies, materials and equipment worth P933,826.92 and that in some cases overpayments were made.

As regards the charge that Dealer Alonso de la Peña was overpaid in certain purchases made from him, which appears to be more serious, respondent explains, among other things, that the additional payment of P950 was made to said dealer in connection with the purchase of 1,000 bottles of stamping ink as a matter of justice in the light of other transactions. Respondent's explanation is not satisfactory. When De la Peña accepted payment at the rate of P.55 per bottle, it is presumed that that price was satisfactory to him, his bid offer of P1.01 per bottle notwithstanding. Moreover, the same merchandise could have been acquired from either Tabla Athletic Supply or Juan P. Juan who had both offered P.90 per bottle, which would have meant a saving of P600 for the province.

Relative to the purchase of 38 filing cabinets for which the same dealer was paid P384 per unit instead of P374, his bid price, respondent states that the difference of P10 per cabinet had to be paid because De la Peña refused to sell the cabinets at P374 upon learning that the price of the Procurement Office was P340 and that over and above this price local dealers were allowed 10 per cent profit, excluding freight charges from Manila to destination. This explanation is also unsatisfactory. If it was true that De la Peña had refused to sell at his quoted price of P374, the filing cabinets could have been obtained from either Abraham & Co. or Valeriano Alonso whose offer was P375 per unit. Better still, they should have been ordered from the Procurement Office at P340, as the price F.O.B. Cebu would have been considerably lower than P375 per unit.

Equally unsatisfactory is his explanation regarding the additional payment to De la Peña of P2,000 for the 20,000 press-board folders previously purchased and paid for at P1 each, or an increase of ten centavos per unit. The fact that the province paid P1.15 a piece to another dealer does not justify the increase in the price paid in previous transactions already consummated in every respect, as there might have been circumstances that operated to increase the price for later purchases over that for previous ones. Respondent's invariable plea that what he had done in these