

EN BANC

[A.M. NO. 2005-18-SC, April 19, 2006]

RE: ANONYMOUS COMPLAINT AGAINST MR. RODEL M. GABRIEL.

R E S O L U T I O N

PER CURIAM:

This administrative matter arose from an anonymous letter^[1] received through the Civil Service Commission's (CSC) TEXTCSC Project, concerning the promotional appointment of respondent **Rodel M. Gabriel** to the position of Carpenter General Foreman in the Maintenance Division, Office of the Administrative Services (OAS), this Court. Respondent's promotional appointment was approved by then Chief Justice Hilario C. Davide, Jr. on September 3, 2004 and attested to by the CSC on September 27, 2004.^[2]

The anonymous letter was referred to the OAS by Ms. Thelma P. Japson, Director III, Public Assistance and Information Office, CSC, for appropriate action.^[3]

It is alleged in the letter that respondent was not qualified for the position of Carpenter General Foreman as the minimum educational requirement for the position is high school graduate, of which respondent was not. The writer surmised that respondent's lack of educational qualification for the position must have eluded the scrutiny of the Court's Selection and Promotion Board that evaluated respondent's appointment.

Acting on the referral, the OAS directed respondent Gabriel to explain why no disciplinary action should be taken against him for dishonesty and/or falsification of public document.^[4]

In his explanation via a reply-letter^[5] dated October 27, 2004, Gabriel vehemently denied the accusation against him. He averred that he was a high school graduate of the Holy Trinity High School in Porac, Pampanga in 1986. Unfortunately, his high school diploma was among those lost when Mt. Pinatubo erupted in 1991, but his sister was able to keep a photocopy thereof, which he attached to his reply-letter.

Upon receipt of respondent's letter, the OAS inquired with the Principal of the Holy Trinity High School to verify the authenticity of the photocopy of said diploma. ^[6]

Meanwhile, a review of the pertinent documents from respondent's 201 File disclosed the following information from his duly accomplished Civil Service Form 212, otherwise known as the Personal Data Sheets (PDSs):

1. When he first applied for the position of Carpenter I in September 1997:^[7]

EDUCATIONAL BACKGROUND

EDUCATION	Name of School/ College/ University	Degree earned (Write ONE if not graduated)	Number of Units Completed Course Title	Inclusive Dates of Attendance	Honors Received
ELEMENTARY	Calzadang Bayu Elem. School			1982	Graduate
SECONDARY	Republic Central Colleges			1984	Graduate

2. When he assumed the position of Carpenter I on November 1997:[8]

EDUCATION	Name of School/ College/ University	Degree earned (Write ONE if not graduated)	Number of Units Completed Course Title	Inclusive Dates of Attendance	Honors Received
ELEMENTARY	Calzadang Bayu Elem. School			1971-1980	Graduate
SECONDARY	Republic Central Colleges			1980-1984	Graduate

3. When he assumed the position of Carpenter II on July 7, 2003:[9]

EDUCATION	NAME OF SCHOOL/ COLLEGE/ UNIVERSITY	DEGREE EARNED	Number of Units Completed Course Title	INCLUSIVE DATES OF ATTENDANCE	HONORS RECEIVED
ELEMENTARY	Calz Bayu Elem. School	(Write ONE if not graduated)		1976-1982	Graduate
SECONDARY	Holy Trinity High School			1982-1986	Graduate

4. When he assumed his present position of the Carpenter General Foreman:[10]

EDUCATION	Name of School	DEGREE/ COURSE EARNED	Highest Grade/ Level/ Unit Earned of	Inclusive INCLUSIVE DATES OF ATTENDANCE	ACADEMIC HONORS RECEIVED

			not graduated)		
ELEMENTARY	Calzadang Bayu Elem. School		Graduated	1976-1982	
SECONDARY	Holy trinity High School		Graduated	1982-1986	

On the other hand, almost four (4) months had elapsed and yet no reply was received from the Principal of the Holy Trinity High School. To hasten the investigation, Atty. Edwin B. Andrada of the Complaint and Investigation Division (CID), OAS, served personally the First Tracer^[11] and at the same time conducted further inquiries. Atty. Andrada found that the Holy Trinity High School had stopped operation in 1991 and was instead converted into a school for special children. Through the cooperation of the nuns now running the school, Atty. Andrada reviewed all the available records of the enrollees and graduates of the said school from 1979 to 1986 but no name of Rodel M. Gabriel was found.

On March 18, 2005, Atty. Aileen Balbieran-Taw of the CID, OAS verified directly with Mrs. Lourdes D. Dizon and Sister Corazon Quiambao, whose signatures appeared in the photocopy of the subject diploma, as Principal and Director, respectively, of the former Holy Trinity High School, as to whether the signatures appearing thereon were theirs. Atty. Balbieran-Taw elicited conflicting statements from Mrs. Dizon and Sister Quiambao. Mrs. Dizon recalled that a certain *Rodel M. Gabriel* was enrolled in the secondary level of said school and was in fourth year high school during the school year 1985-1986. A certification^[12] to this effect was issued by Mrs. Dizon. On the other hand, Sister Quiambao disowned the signature appearing on the diploma as hers, stating that she was not the Director of the Holy Trinity High School in 1986.

With the foregoing scenario, the matter was referred to Ms. Rosalinda G. Luna, School Division Superintendent, Department of Education, Region III, requesting for a certification as to whether Rodel M. Gabriel is a graduate of the Holy Trinity High School located in Porac, Pampanga.^[13] In a letter^[14] dated July 17, 2005, Mr. Cornelius F. Ducut, ES-I for Private Schools, Department of Education, Region III, declared that after looking over the available records of private schools, no record of special orders issued in 1986 for the Holy Trinity High School were on file, thus they have no basis to issue the requested certification.

After evaluating the merits of this administrative matter, Atty. Eden T. Candelaria, Chief Administrative Officer, OAS, in her Memorandum^[15] dated July 18, 2005, found respondent Rodel M. Gabriel liable for dishonesty and falsification of public document considering that the PDS is a mandatory requirement in application for appointment and promotion where an applicant had the legal obligation to disclose the truth. Atty. Candelaria thus recommended that respondent be dismissed from the service.

We find the recommendation well-taken.