

Title: **Valmonte v. Belmonte, Jr.**

**Facts:**

This case stems from a special civil action for mandamus with a preliminary injunction filed by Ricardo Valmonte and several others (petitioners) against Feliciano Belmonte, Jr., the General Manager of the Government Service and Insurance System (GSIS), invoking their right to information. They sought to compel Belmonte to furnish them with a list of opposition members of the Batasang Pambansa who allegedly secured clean loans from GSIS through Imelda Marcos's intercession before the February 7 elections, along with certified true copies of documents evidencing such loans, or to allow them access to these public records.

Valmonte's request via a letter was met with a denial from the GSIS Deputy General Counsel, citing confidentiality between GSIS and its borrowers. Failing to receive a desired reply, Valmonte, joined by other petitioners, initiated the instant suit. The case, after necessary pleadings from both parties, was elevated to the Supreme Court for final adjudication. Notably, one of Belmonte's defenses was that the petitioners failed to exhaust administrative remedies by not appealing to the GSIS Board of Trustees first.

**Issues:**

1. Whether petitioners' failure to exhaust administrative remedies bars the filing of the case.
2. Whether mandamus is the appropriate remedy to compel Belmonte to perform the acts sought by petitioners.
3. Whether petitioners are entitled to access the documents evidencing loans granted by GSIS.
4. Whether the right to privacy of the borrowers is a valid defense against the disclosure of the loan documents.
5. Whether the loan transactions of GSIS, a government-owned corporation, are covered by the Constitutional right to information on matters of public concern.

**Court's Decision:**

1. The Supreme Court held that petitioners' case constitutes an exception to the exhaustion of administrative remedies principle since it involves a purely legal issue—the scope of the constitutional right to information.
2. The Court affirmed that mandamus is the correct remedy to compel the GSIS General Manager to allow access to documents and records as sought by the petitioners, based on their constitutional right to information on matters of public concern.

3. The Court ruled that petitioners are entitled to access documents evidencing GSIS loans subject to reasonable regulations that GSIS may promulgate.

4. The Court determined that the right to privacy cannot be invoked by GSIS or its General Manager as a defense against the disclosure since the right is personal to individuals, and those concerned (Batasang Pambansa members) are public figures who have a more limited right to privacy.

5. The Court concluded that transactions the GSIS entered into are within the ambit of the people's right to be informed according to the constitutional policy of transparency in government dealings. Consequently, the GSIS's proprietary function does not justify the exclusion of such transactions from the coverage of the right to information.

**\*\*Doctrine:\*\***

The Supreme Court upheld the constitutional right to information on matters of public concern, subject to reasonable regulations, and clarified that this right encompasses access to documents pertaining to official acts, transactions, or decisions of government-owned or controlled corporations like the GSIS. It was established that the right to privacy cannot be used by public entities or in defense of actions pertaining to public figures in their professional capacity, especially when involved in public transactions.

**\*\*Class Notes:\*\***

1. **\*\*Exhaustion of Administrative Remedies\*\***: Normally required before resorting to courts, with exceptions including when only a legal question is involved.
2. **\*\*Mandamus\*\***: A writ issued to compel the performance of a ministerial duty, provided the petitioner has a clear legal right to the act demanded.
3. **\*\*Right to Information\*\***: Constitutionally guaranteed under Art. III, Sec. 7 of the 1987 Philippine Constitution, subject to limitations provided by law.
4. **\*\*Right to Privacy vs. Right to Information\*\***: The right to privacy is personal and more limited for public figures in relation to their public roles. Government entities and public officials cannot invoke this right to withhold information on matters of public concern.
5. **\*\*Government-Owned or Controlled Corporations (GOCCs) and Transparency\*\***: Transactions entered into by GOCCs, regardless of their governmental or proprietary nature, fall within the scope of the constitutional right to information and the State policy of full public disclosure.

**\*\*Historical Background:\*\***

The case represents a pivotal moment in the Philippines' jurisprudence concerning the constitutional right to information on matters of public concern, set against the backdrop of

the post-Marcos era's efforts toward transparency and accountability in governmental actions. It reflects the broader societal and legal efforts to ensure government transparency and reinforce democratic institutions following the People Power Revolution of 1986, further cementing the principle of public office as a public trust.