

****Title:**** Evangelista vs. Jarencio: The Right of an Administrative Agency to Issue Subpoenas in Fact-Finding Investigations

****Facts:****

The case revolves around the issuance of a subpoena by the Presidential Agency on Reforms and Government Operations (PARGO) to Fernando Manalastas, then Acting City Public Service Officer of Manila. This subpoena was issued as part of PARGO's investigations into allegations of graft, corruption, and other activities prejudicial to government and public interest under its broad investigatory powers granted by Executive Order No. 4 of January 7, 1966. Manalastas, contesting the legality of this subpoena, filed a petition in the Court of First Instance of Manila (Civil Case No. 73305), securing a preliminary injunction restraining PARGO from further issuing subpoenas to him and from instituting contempt proceedings under Section 580 of the Revised Administrative Code. Aggrieved by the trial court's order, PARGO filed a direct action for certiorari and prohibition with the Supreme Court, bypassing a motion for reconsideration on the basis that the order was a patent nullity, arguing that as an investigative body, PARGO had the authority to issue subpoenas in pursuit of its functions.

****Issues:****

1. Whether the Presidential Agency on Reforms and Government Operations (PARGO) has the authority to issue subpoenas as part of its investigatory functions.
2. Whether the subpoena power of PARGO is limited to quasi-judicial functions or extends to its broader investigatory powers.
3. Whether the issuance of a subpoena to a person not facing administrative charges but as a witness in fact-finding investigations violates constitutional rights.

****Court's Decision:****

The Supreme Court set aside the trial court's order, affirming PARGO's authority to issue subpoenas in its conduct of fact-finding investigations. The Court clarified that administrative agencies like PARGO are empowered not only in adjudicatory or quasi-judicial functions but also in purely investigatory proceedings with the aim of uncovering facts for future action. It was ruled that the limitations applied to judicial subpoenas are not entirely applicable to administrative subpoenas, which are meant for investigative rather than adjudicative purposes. The Court also emphasized that invoking the privilege against self-incrimination in administrative investigations should be balanced against the necessity of the investigation, with a safeguard that the investigation should not violate constitutional rights.

****Doctrine:****

- The Supreme Court established that administrative agencies are granted the power of inquisition, independent of a case or controversy, to investigate upon suspicion of law violations or for assurance of compliance with the law.
- Administrative subpoenas can be enforced if the inquiry is within the authority of the agency, the demand is not too indefinite, and the information is reasonably relevant.

****Class Notes:****

- ****Administrative subpoenas vs. Judicial subpoenas:**** Administrative subpoenas are issued for investigatory purposes to uncover evidence, while judicial subpoenas are issued by courts for specific cases.
- ****Requirements for enforcing administrative subpoenas:**** The inquiry must be within the agency's authority, demands must not be too indefinite, and information sought must be reasonably relevant.
- ****Privilege against self-incrimination:**** In administrative investigations, individuals can invoke the privilege against self-incrimination similarly to in judicial proceedings, especially when the investigation has the potential to lead to criminal or penal consequences.

****Historical Background:****

The case underscores the evolving role of administrative agencies in governance, particularly in combating corruption and ensuring public accountability. PARGO, established under President Ferdinand Marcos' administration, embodied the expanded investigatory and regulatory functions given to executive bodies. This case reflected the tension between the need for effective administrative investigation to uphold public interest and the imperative to respect individual rights, illustrating the balance the judiciary seeks to maintain between governmental authority and constitutional protections.