

**\*\*Title:\*\*** \*Thelma Dumpit-Murillo v. Career Executive Service Board: A Case of Administrative Liability and Due Process in Philippine Civil Service\*

**\*\*Facts:\*\*** The case originated from a complaint filed by the Career Executive Service Board (CESB) against Thelma Dumpit-Murillo (Dumpit-Murillo) on December 17, 2013. The CESB accused Dumpit-Murillo, a candidate for Career Executive Service (CES) eligibility, of dishonesty and falsification of a public document. This accusation stemmed from alleged false representations in her CES Personal Data Sheet (PDS), particularly regarding her educational attainment at the National Defense College of the Philippines (NDCP). Despite passing the initial stages of the CES eligibility examination process, Dumpit-Murillo's CES eligibility was denied after the discovery of these discrepancies.

The CESB's decision led to a request for a certification from the NDCP President regarding Dumpit-Murillo's credentials. The NDCP confirmed the conferment of a Master in National Security Administration degree via General Order No. 06, contingent on the pending submission of her thesis in hardbound format—a requirement never met by Dumpit-Murillo. Following this, the CESB filed a complaint with the Office of the Ombudsman (OMB), without prior notification or a hearing involving Dumpit-Murillo.

The OMB found Dumpit-Murillo guilty of dishonesty and falsification of a public document, resulting in her dismissal from service—a decision she challenged through a motion for reconsideration, only to be denied again. Subsequently, Dumpit-Murillo appealed to the Court of Appeals (CA), which affirmed the OMB's rulings. Dumpit-Murillo then elevated the case to the Supreme Court via a Petition for Review on Certiorari under Rule 45 of the Rules of Court.

**\*\*Issues:\*\***

1. Whether Dumpit-Murillo was deprived of due process by the CESB before filing the administrative complaint with the OMB.
2. Whether Dumpit-Murillo is administratively liable for dishonesty and falsification of a public document.

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

The Supreme Court declared the petition partly meritorious, maintaining that Dumpit-Murillo was not deprived of due process and held her administratively liable, not for dishonesty or falsification of a public document, but for simple negligence. The Court reasoned that while the CESB's actions, pursuant to its rules and the Integrated

Reorganization Plan, did not necessitate a preliminary hearing or notification, Dumpit-Murillo was afforded an opportunity to be heard during the proceedings at the OMB and CA. Moreover, the Court found Dumpit-Murillo could rely on the General Order from NDCP that formally conferred her degree, thus negating allegations of dishonesty or falsification. However, her failure to disclose her non-submission of the thesis rendered her liable for simple negligence.

**\*\*Doctrine:\*\*** The case reaffirms the principle of due process in administrative proceedings, emphasizing the necessity of an opportunity to be heard over the requirement of preliminary notification or hearing. Additionally, it distinguishes between dishonesty or falsification and negligence based on the intent and materiality of the information omitted or misrepresented.

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

- **\*Due Process in Administrative Proceedings\*:** Requires fair and reasonable opportunity to explain one's side, not necessarily a preliminary hearing.
- **\*Administrative Liability\*:** Distinction between dishonesty, falsification of public documents, and simple negligence based on intent and effect of the action.
- **Relevant Legal Provisions:** Integrated Reorganization Plan (Presidential Decree No. 1); CSC Resolution No. 060538 (Rules on Administrative Offense of Dishonesty); Civil Service Commission Revised Rules on Administrative Cases.

**\*\*Historical Background:\*\*** The case illustrates the comprehensive process of career executive service eligibility in the Philippines, showcasing the rigorous scrutiny candidates undergo regarding their qualifications. It also underscores the authoritative processes of the CESB and the protective mechanisms in place to ensure integrity within the civil service.