

****Title:**** Arlin B. Obiasca vs. Jeane O. Basallote: A Dispute Over Civil Service Appointment

****Facts:****

Jeane O. Basallote was appointed as Administrative Officer II by the City Schools Division Superintendent, Nelly B. Beloso, in May 2003. Following a change in leadership, Ma. Amy O. Oyardo, the new Superintendent, ordered a reevaluation of the appointment, effectively putting Basallote's appointment in limbo. Despite this, Basallote assumed office in June 2003. Obstacles followed when Human Resource Management Officer I, Ma. Teresa U. Diaz, refused to forward Basallote's appointment to the Civil Service Commission (CSC) due to an unsubmitted PDF form. Basallote was then advised to return to her previous teaching position.

In August 2003, Arlin B. Obiasca was appointed to the same position, which was attested by the CSC. Basallote filed a complaint against the SFs' actions with the Office of the Deputy Ombudsman for Luzon, resulting in their suspension for withholding information regarding her appointment status. Basallote also sought recourse through the CSC, which eventually approved her appointment and recalled Obiasca's appointment. Obiasca contested this CSC resolution through a petition for certiorari in the Court of Appeals (CA), which was denied, leading to the escalation of the matter to the Supreme Court.

****Issues:****

1. Whether the non-submission of Basallote's appointment to the CSC within 30 days rendered her appointment ineffective.
2. Whether Basallote's appointment ceased to be effective, thereby allowing Obiasca's appointment to the same position.
3. Whether the CSC acted within its authority in recalling Obiasca's appointment and reinstating Basallote.

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

The Supreme Court denied Obiasca's petition. It ruled that Basallote's appointment was immediate and remained effective until disapproved by the CSC, which never happened. Furthermore, the failure to submit Basallote's appointment within 30 days did not render it ineffective due to bad faith actions by the appointing authority and HR officer, preventing its submission. The CA's decision upholding Basallote's appointment was affirmed.

****Doctrine:****

This case reiterates that an appointment in the civil service becomes effective immediately

upon issuance by the appointing authority and remains effective until disapproved by the CSC. The failure to submit the appointment to the CSC within 30 days, especially if due to actions beyond the control of the appointee, does not automatically render the appointment ineffective.

****Class Notes:****

- An appointment in the civil service is effective upon its issuance and assumption of office by the appointee.
- The CSC has the authority to recall an appointment that it initially approved if said appointment and its approval were in disregard of applicable civil service laws and regulations.
- Bad faith actions or negligence by officials other than the appointee that prevent the submission of an appointment to the CSC within prescribed deadlines do not invalidate the appointment.

****Historical Background:****

This case represents the tension that can arise within the appointment process in the Philippine civil service, highlighting the critical role of the Civil Service Commission in upholding merit and fitness in government positions. It emphasizes the CSC's protective jurisdiction over appointees subjected to administrative lapses or bad faith actions by other officials, ensuring that meritocracy and legal standards guide civil service appointments.