

Title: Felicisimo F. Lazarte, Jr. vs. Sandiganbayan and People of the Philippines

Facts:

In June 1990, the Pahanocoy Sites and Services Project, Phase 1, in Bacolod City was awarded to A.C. Cruz Construction by the National Housing Authority (NHA), funded by a loan agreement with the World Bank. The project was to cost PHP 7.66 million. Project works began on August 1, 1990. By April 1991, Candido M. Fajutag Jr. became the Project Engineer. Upon review, Fajutag Jr. found discrepancies and overestimations in the reported excavations and road fillings, prompting him to recommend contract termination with A.C. Cruz Construction in June 1991. An NHA committee confirmed just 40.89% completion of the project's works, leading to the contract's rescission in August 1991. However, A.C. Cruz Construction continued working with minimal workforce until the remaining work was awarded to Triad Construction in March 1992. Subsequent payments to A.C. Cruz Construction prompted an investigation from the Commission on Audit (COA), which discovered ghost activities and overpayments. Felicisimo F. Lazarte Jr., along with other NHA officials, was charged in March 2001 under Republic Act No. 3019 for causing undue injury to the government by paying A.C. Cruz Construction PHP 232,628.35 for unperformed work.

Lazarte Jr.'s motion to quash the charges was denied by the Sandiganbayan in March 2007, leading to this petition for certiorari under Rule 65.

Issues:

1. Whether the Information filed before the Sandiganbayan adequately averred the essential elements of the crime charged.
2. Whether the Information detailed the individual participation of the accused in the alleged conspiracy.
3. Whether the Sandiganbayan had jurisdiction over Lazarte Jr., who held a position below salary grade 27.

Court's Decision:

The Supreme Court dismissed Lazarte Jr.'s petition, affirming the Sandiganbayan's resolutions. It held that the Information against Lazarte Jr. sufficiently alleged the elements of a violation under Section 3(e) of R.A. No. 3019. It noted that the details of each accused's participation in a conspiracy need not be detailed in the Information when conspiracy is only

a mode of committing the crime. The Court also found that the Sandiganbayan had jurisdiction over Lazarte Jr., as his managerial position in the NHA placed him within the ambit of the Sandiganbayan's jurisdiction, regardless of his salary grade.

Doctrine:

In cases of conspiracy as a mode of committing a crime, the Information needs not detail the specific participation of each accused. The allegation of conspiracy in the Information should enable the accused to suitably prepare his defense. The Sandiganbayan has jurisdiction over officials of government-owned or controlled corporations, including those below salary grade 27, when the offense is related to their position.

Class Notes:

- **Elements of Crime**: Identification of the key elements constituting the offense charged is crucial in preparing a defense.
- **Conspiracy**: When alleged as a mode of committing a crime, specific roles need not be detailed in the Information.
- **Jurisdiction of Sandiganbayan**: Includes officials from government-owned or controlled corporations engaged in offenses related to their positions, regardless of salary grade.

Historical Background:

This case highlights the prolonged legal processes involved in addressing corruption within government contracts and the role of the judiciary in upholding accountability. It underscores the challenge of proving conspiracy and individual involvement within the framework of public procurement fraud.