

### Title:

Jocom vs Regalado & Robredo: A Legal Dispute Over the Leadership of the Bicol River Basin Development Program (BRBDP)

### Facts:

The case centers around the dispute over the position of Project Director of the Bicol River Basin Development Program (BRBDP). PD 412 created the Bicol River Basin Council in 1973, which was later reorganized under PD 926 in 1978, placing it under the NEDA's supervision. The Program Director was appointed by the Cabinet Committee Coordinator under NEDA, with various specified powers and functions. Following several legislative and executive changes affecting the BRBDP's structure, the power to appoint the Program/Project Director eventually was vested in the Chairman of the National Council on Integrated Area Development (NACIAD), a role held by Vice-President Salvador H. Laurel after the 1986 revolution. On 25 March 1986, Laurel appointed Jessie M. Robredo as the Project Director. However, following the Freedom Constitution's proclamation superseding the 1973 Constitution's provisions related to the Prime Minister, Laurel appointed Edmundo C. Jocom to the same position on 27 January 1987, simultaneously informing Robredo of his termination. Robredo filed a petition for injunction with the RTC of Naga City to prevent Jocom from assuming the office, leading to the issuance of a temporary restraining order and subsequent court orders favoring Robredo. Jocom's motion for a raffle and dismissal of Robredo's petition was denied by the RTC. Jocom then filed a petition asking the Supreme Court to annul the RTC's orders and recognize him as the legitimate Project Director.

### Issues:

1. Whether Vice-President Laurel had the authority to appoint Jocom as the Program/Project Director after the promulgation of the Freedom Constitution.
2. Whether Robredo could be removed from the position without just cause.
3. The applicability of Sec. 4 of Executive Order No. 17 regarding the prohibition of court injunctions in government reorganization.

### Court's Decision:

The Supreme Court dismissed Jocom's petition, holding that following the Freedom Constitution, the Office of the Prime Minister was abolished, and its functions reverted to the President. Consequently, Vice-President Laurel lacked the authority to appoint Jocom as the BRBDP's Program/Project Director or remove Robredo. Moreover, even if Laurel had retained his appointment powers, Robredo could not be legally removed without just cause. The Court also ruled that the prohibition of court injunctions under Executive Order No. 17

did not apply to Jocom's appointment as it was not part of a valid reorganization process.

### ### Doctrine:

The Supreme Court reaffirmed the principle of security of tenure within the civil service, emphasizing that both career and non-career service positions are protected from arbitrary removal without just cause and due process. The ruling underscored that the appointing authority's power is circumscribed by constitutional and statutory safeguards intended to ensure stability within the civil service.

### ### Class Notes:

- **Security of Tenure in Civil Service:** Both career and non-career positions are protected from removal without just cause.
- **Authority of Appointment:** The abolition of an office (e.g., the Prime Minister) affects the incumbent's appointment powers.
- **Reorganization and Judicial Review:** Executive Order No. 17's prohibition against court injunctions does not preclude judicial review where the appointment or reorganization process is contested.
- **Qualifications and Tenure:** Non-career positions may have specific qualifications and tenure linked to the duration of projects; however, appointment and removal must comply with civil service rules.

### ### Historical Background:

The case exemplifies the political and administrative reorganizations following the 1986 EDSA Revolution in the Philippines, highlighting the transition from martial law to the transitional "Freedom Constitution." It reflects the complexities of political appointments and the civil service's protection amid changes in executive leadership and administrative structures.