

# Daplas v. Department of Finance & Office of the Ombudsman: A Reflective Discourse on Administrative Liability and Negligence in Accomplishing SALNs

### Facts:

Concepcion C. Daplas, the City Treasurer of Pasay and concurrently OIC, Regional Director of Bureau of Local Government Finance (BLGF) Region VII, encountered legal challenges resulting from allegations of Dishonesty, Grave Misconduct, and violation of Section 8 (A) of Republic Act (RA) 6713. These accusations arose from her purported failure to accurately disclose assets, liabilities, and business interests in her Statements of Assets, Liabilities, and Net Worth (SALNs). Daplas contested these claims, asserting lawful acquisition of properties and governmental or familial sponsorship of her travels abroad.

The Office of the Ombudsman initially found Daplas guilty, imposing dismissal and its accessory penalties. Daplas sought reconsideration, which was denied, leading her to appeal to the Court of Appeals (CA). The CA upheld the Ombudsman's findings, prompting Daplas to elevate the case to the Supreme Court (SC).

### Issues:

1. Whether petitioner Concepcion C. Daplas' omissions in her SALNs constitute Dishonesty and Grave Misconduct.
2. Whether Daplas violated Section 8 (A) of RA 6713.
3. The appropriateness of the penalties imposed on Daplas.

### Court's Decision:

The SC partly granted Daplas' petition. It diverged from the conclusions of both the Ombudsman and the CA, focusing on the absence of intent to commit a wrongdoing or deceive—the requisite for Dishonesty and Grave Misconduct. The Court discerned these omissions as emanating from negligence rather than a malicious intent, reclassifying the violation to Simple Negligence and adjusting the penalties accordingly.

The Court held that mere non-disclosure in SALNs does not automatically encapsulate Dishonesty, emphasizing the need for malicious intent for such a classification. Moreover, without a demonstrated linkage between the act and the discharge of duty, the accusation of Grave Misconduct collapses. Consequently, Daplas was found guilty of Simple Negligence and fined an amount equivalent to one month and one day of her last salary.

### Doctrines:

- Dishonesty implies a disposition to lie, cheat, deceive, betray, or defraud; it necessitates an intent to commit wrongdoing.
- Grave Misconduct involves intentional wrongdoing with elements of corruption or a clear intent to violate the law.
- Simple Negligence is characterized by the omission of due diligence, without bad faith or fraudulent intent to deceive.

### Class Notes:

- **SALN Non-disclosure**: Not all omissions in SALNs equate to Dishonesty; intent to deceive is critical.
- **Dishonesty**: Requires malicious intent, characterized by the disposition to lie or deceive.
- **Grave Misconduct**: Constitutes an intentional violation of the law or egregious disregard of a rule, with clear connection to official duties.
- **Simple Negligence**: Presents as an omission of due diligence; in the context of SALNs, it refers to the erroneous but not malicious failure to declare assets or interests.

Key Statutes:

- **RA 6713 Section 8 (A)**: Mandates complete disclosure in SALNs to suppress questionable wealth accumulation.
- **Article 183 of the Revised Penal Code**: Defines the penalties for false testimony or perjury not covered by SALN disclosures.

### Historical Background:

This case mirrors the judiciary's pivotal role in delineating boundaries between administrative offenses with varying degrees of moral turpitude. It underscores the nuanced interpretation of laws governing public officials' conduct, emphasizing intent, and the pertinent linkage between the misconduct and official duties, shaping the landscape of administrative law in the Philippines.