

Title

Ramos et al. v. Hon. Benjamin H. Aquino et al.: On the Scope of the Prosecutor's Authority in the Presence of Auditor General's Final Decisions

Facts

This case revolves around the legality of conducting a preliminary investigation by the respondent Provincial Fiscal of Rizal, Benjamin H. Aquino, into allegations of malversation through the falsification of public, official, and commercial documents against the petitioners, despite already having passed audits and voucher approvals by the Auditor General. The petitioners, composed of various personnel from the Philippine Army's Finance Service, argued that such investigation constituted an encroachment on the constitutional prerogatives of the Auditor General, whose final decisions on the vouchers were alleged to be inviolable and beyond review, even by judicial or prosecutorial entities.

After their motion to quash the investigation was denied by Fiscal Aquino on May 23, 1967, the petitioners sought relief through a certiorari and prohibition proceeding in the lower court, which was subsequently dismissed on December 20, 1967. The lower court ruled that the Fiscal's jurisdiction over criminal liability stemming from the disbursement of public funds was not undercut by the Auditor General's administrative findings. The petitioners appealed the decision to the Supreme Court on January 3, 1968.

Issues

1. Whether the ongoing preliminary investigation by the respondent Fiscal into alleged anomalies, already audited and approved by the Auditor General, infringes upon the constitutional and statutory mandates assigned to the Auditor General.
2. If the prosecutor's authority to investigate fiscal malversations and related offenses can be limited or negated by prior decisions of the Auditor General concerning the regularity of financial transactions.

Court's Decision

The Supreme Court affirmed the lower court's dismissal of the petition, holding that the prosecution's authority to conduct investigations into criminal liability for anomalies in the disbursement of public funds is not precluded by the Auditor General's audit and approval of transactions. The Court elaborated that the constitutional remit of the Auditor General pertains to the audit and settlement of government accounts, aimed at ensuring compliance with legislative appropriations and not to the ascertainment of criminal liability, which falls under the jurisdiction of the prosecutorial and judicial branches. Thus, the Fiscal's

investigation into the alleged malversation and forgery by the petitioners does not constitute an encroachment upon the Auditor General's constitutional powers.

Doctrine

This case reaffirms the doctrine that the prosecutorial authority to investigate and ascertain criminal liability operates independently of the Auditor General's audit and approval functions. The Auditor General's responsibilities are primarily administrative, focusing on the lawful expenditure of public funds in accordance with legislative appropriations. In contrast, establishing criminal liability, including for acts that may involve misappropriation or misapplication of public funds, resides within the prosecutorial and judicial domains.

Class Notes

- ****Separation of Powers****: This case illustrates the principle of separation of powers by delineating the distinct responsibilities and authorities between the administrative audit functions (Auditor General) and prosecutorial powers (Fiscal).
- ****Auditor General's Authority****: The Auditor General is tasked with ensuring that public funds are disbursed in accordance with law and administrative regulations, but this authority does not extend to determining criminal liability.
- ****Prosecutorial Independence****: Prosecutors have the autonomy to investigate criminal matters, including potential financial crimes, regardless of prior administrative findings regarding the regularity of those transactions.

Historical Background

The case contextualizes the checks and balances inherent in the Philippine governmental structure, emphasizing the independence of prosecutorial functions from administrative audit actions. In a period marked by heightened scrutiny over public spending and the integrity of governmental operations, this decision underscores the judiciary's role in clarifying the bounds of authority among different government branches, ensuring that mechanisms for accountability do not override each other but operate within a complementary framework.