

****Title**:** Civil Service Commission vs. Pedro O. Dacoycoy

****Facts**:**

The case initiated on November 29, 1995, when George P. Suan, the Citizens Crime Watch Vice-President of the Allen Chapter in Northern Samar, filed a complaint against Pedro O. Dacoycoy for habitual drunkenness, misconduct, and nepotism with the Civil Service Commission (CSC) in Quezon City. Following a fact-finding investigation, the Civil Service Regional Office No. 8 in Tacloban City identified a prima facie case against Dacoycoy and subsequently issued a formal charge on March 5, 1996. The CSC conducted a formal investigation and on January 28, 1997, found Dacoycoy not guilty of habitual drunkenness and misconduct but guilty of nepotism due to the appointment of his two sons under his direct supervision in the Balicuatro College of Arts and Trades. Dacoycoy was dismissed from service.

Dacoycoy filed a motion for reconsideration which was denied on May 20, 1997. He then proceeded to the Court of Appeals with a petition for certiorari to nullify the CSC's resolutions. On July 29, 1998, the Court of Appeals reversed the CSC's decision, exonerating Dacoycoy from the nepotism charges and declared the dismissal null and void. The CSC appealed the Court of Appeals' decision to the Supreme Court.

****Issues**:**

1. Whether or not Pedro O. Dacoycoy was rightfully found guilty of nepotism despite not being the appointing or recommending authority for his two sons.
2. Whether the Civil Service Commission, as a government agency tasked with enforcing civil service laws, has the legal standing to appeal the Court of Appeals' decision exonerating Dacoycoy from administrative charges.

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

The Supreme Court agreed with the Civil Service Commission that Pedro O. Dacoycoy was guilty of nepotism and reinstated the penalty of dismissal from the service. The Court clarified that under the law, nepotism can occur even if the accused did not directly appoint or recommend the relative, as long as the appointment benefits a relative within the prohibited degree of relationship and is under the jurisdiction or supervision of the accused. Additionally, the Court ruled that the Civil Service Commission, as the agency adversely affected by the Court of Appeals' decision, has the legal standing to appeal such decision to the Supreme Court. This decision overruled previous jurisprudence that limited the definition of a party adversely affected by a decision exclusively to the government

employee against whom administrative charges were filed.

****Doctrine**:**

The Supreme Court clarified the scope of the nepotism ban, stating that nepotism occurs when any appointment in the civil service is made in favor of a relative within the third civil degree of consanguinity or affinity of the appointing or recommending authority, chief of the bureau or office, or person exercising immediate supervision over the appointee. Moreover, the ruling established that the Civil Service Commission, as an aggrieved party, can appeal decisions of appellate courts in administrative civil service disciplinary cases, overturning previous jurisprudence that held otherwise.

****Class Notes**:**

- Nepotism is defined under Section 59 of the Civil Service Law and involves appointments within the third degree of consanguinity or affinity in various government positions.
- A party adversely affected by a decision in an administrative civil service disciplinary case can include the Civil Service Commission, especially when such decisions adversely impact the civil service system's integrity.
- The Civil Service Commission has the authority to enforce constitutional and statutory provisions on the civil service, appealing adverse decisions that it believes may harm the public service system.

****Historical Background**:**

The case emphasizes the evolution of jurisprudence regarding the definition of nepotism within the Philippine civil service system and the scope of appeal in administrative disciplinary cases. It reflects the judiciary's role in interpreting and defining the limitations and applications of nepotism laws, illustrating the dynamic between administrative agencies and the judiciary in upholding the principles of meritocracy and integrity within the civil service.