

****Title:****

Nilo A. Malanyaon v. Hon. Esteban M. Lising and Cesario Goleta, G.R. No. L-48288, 193 Phil. 425 (1980)

****Facts:****

1. Mayor S.B. Pontanal was one of the accused in Criminal Case No. P-339 for a violation of the Anti-Graft and Corrupt Practices Act (R.A. No. 3019).
2. Upon the filing of the case, Pontanal was suspended from office after a hearing.
3. During his suspension, Pontanal passed away, which led to the dismissal of the charges against him.
4. Nilo A. Malanyaon, a former Sangguniang Bayan member of Bula, Camarines Sur, filed an action to declare the disbursement of P5,000.00 by Cesario Goleta, the Municipal Treasurer, to Venancia Pontanal (the widow of Mayor Pontanal) as illegal. This amount represented a portion of the salary due to the late Mayor during his suspension.
5. Malanyaon argued that disbursements for Pontanal's salary during his suspension were contrary to Section 13 of R.A. No. 3019 as the late Mayor was not acquitted but merely had the charges dismissed due to his death.
6. The trial court, presided over by Hon. Esteban M. Lising, dismissed Malanyaon's action, interpreting the dismissal of the criminal case due to Mayor Pontanal's death as equivalent to an acquittal.

****Issues:****

The primary legal issue was whether the dismissal of criminal charges against a public officer due to death during prosecution is tantamount to an acquittal, thereby entitling the deceased officer to salaries and benefits denied during suspension according to Section 13 of R.A. No. 3019.

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

The Supreme Court reversed the trial court's decision:

1. ****Dismissal vs. Acquittal:****

- The Court clarified that for purposes of R.A. No. 3019, dismissal due to death does not equate to acquittal.
- Acquittal necessitates a detailed judicial examination resulting in a determination that the evidence is insufficient to prove guilt beyond reasonable doubt.
- Dismissal simply terminates proceedings due to various procedural or substantive reasons unrelated to the merits (e.g., death, procedural defects).
- As cited in *People v. Salico*, dismissal does not resolve the defendant's guilt on the merits.

2. **Interpretation of Section 13:**

- Section 13 emphasizes that only an acquittal, based on merits, entitles an accused to reinstatement and back benefits.
- Mayor Pontanal's case dismissal due to death hence did not fulfill the acquittal condition described in Section 13 of R.A. No. 3019.

3. **Relevance of Art. 81 No. 1 of the Revised Penal Code:**

- The respondents mistakenly invoked Art. 81, No. 1; this article pertains to the extinguishment of criminal and civil liabilities upon the death of an accused pending appeal.
- In contrast, Pontanal's case was not on appeal but still under trial, and the claim for back salaries was not a criminal or civil liability; therefore, Art. 81, No. 1 did not apply.

The Court thus declared that the payment from municipal funds for Mayor Pontanal's salaries during his suspension was illegal. It ordered the Municipal Treasurer to recover the already disbursed sums.

Doctrine:

1. **Acquittal vs. Dismissal:** Acquittal requires a decision on the merits, indicating the insufficiency of evidence to prove guilt beyond reasonable doubt, whereas dismissal ends the legal proceedings without touching on the merits.
2. **Interpretation of Section 13, R.A. No. 3019:** Reinstatement and recovery of benefits upon suspension under R.A. No. 3019 require an acquittal—dismissal due to procedural reasons or death does not suffice.

Class Notes:

- **Key Concept: Acquittal:** Requires a decision on the merits (evidence considered insufficient).
- **Key Provision - Section 13, R.A. No. 3019:** Suspended officers may only reclaim salaries and benefits if acquitted.
- **Relevant Statutes:**
 - **R.A. No. 3019, Section 13:** "Suspension and loss of benefits"
 - **Revised Penal Code, Art. 81, No. 1:** Extinguishes liabilities if the accused dies pending appeal.
- **Application:** In cases involving suspended public officials, differentiation between dismissal and acquittal is crucial to determining entitlement to benefits.

Historical Background:

- The Anti-Graft and Corrupt Practices Act (R.A. No. 3019) was enacted to address corruption within the Philippine government by imposing strict penalties and preventive measures, including the mandatory suspension of officials facing graft charges.
- This legislative background aims to maintain public trust in government institutions by ensuring officials accused of corruption are temporarily removed from their positions, pending the outcome of their trials.