

IMPOSING A FINE ON PROVINCIAL TREASURER F. D. PACANA OF ZAMBOANGA

ADMINISTRATIVE ORDER NO. 237, December 23, 1953

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This is an administrative case against Mr. F. D. Pacana, Provincial Treasurer of Zamboanga, for alleged irregularities committed by him in the acquisition of supplies and materials.

The record discloses that in violation of existing regulations respondent acquired supplies and materials in excess of the requirements of the service for six months and made purchases thereof from private dealers without benefit of public bidding, resulting in losses to the province.

By way of explanation, respondent states that he had to acquire a little larger stock than that allowed by the regulations in view of the distance between Manila and Zamboanga and the considerable delay, not to say uncertainty, in the filling of their orders by the Procurement Office and the Bureau of Printing. He also explains that purchases from private dealers were prompted by the exigencies of the service and were made after a canvass of prices of the local market.

Respondent's explanation is not wholly satisfactory. The regulations as to the quantity of supplies and materials that may be carried in stock and the manner they should be acquired, to wit, by public bidding, are sufficiently clear, and it should at least have occurred to respondent to consult the Secretary of Finance before departing therefrom. Foresight and greater care in anticipating the probable needs of the province and its municipalities could have saved the province from loss of over ₱8,000 due to irregular negotiated purchases. Respondent knew or should have known also that printed forms for use of government offices were very seldom, if ever, carried by local dealers and printers. Canvassing of the local market was, therefore, idle and ineffectual and was evidently resorted to as a means of circumventing the regulations. At any rate, canvassing of prices is not, and cannot be the equivalent of, public bidding. The loss, representing the difference in prices between those paid to traveling merchants and those of the Bureau of Printing, could have been minimized, if not altogether avoided, had respondent consulted, even by wire, the Bureau of Printing.

The foregoing shows respondent to have been remiss in the performance of his duties. Considering, however, his long and satisfactory service before the commission of the instant irregularities, I believe that respondent deserves some leniency.

Wherefore, Mr. F. D. Pacana is hereby fined in an amount equivalent to his salary for one month, with a warning that commission of similar irregularities in the future will be dealt with more severely.

Done in the City of Manila, this 23rd day of December, in the year of Our Lord, nineteen hundred and fifty-three, and of the Independence of the Philippines, the eighth.

(Sgd.) ELPIDIO QUIRINO
President of the Philippines

By the President:

(Sgd.) MARCIANO ROQUE
Acting Executive Secretary

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