IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE ON P/SSUPT CESAR O. MANCAO II OF THE PHILIPPINE NATIONAL POLICE FOR ALLEGED SERIOUS NEGLECT OF DUTY (AWOL).

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Before this Office is the administrative case against Police Senior Superintendent Cesar O. Mancao II for alleged Serious Neglect of Duty (AWOL).

On 17 September 2001, this Office issued a presidential clearance for the PNP to conduct administrative investigation against the subject PNP officer for the aforesaid offense.

Pursuant to the directive, Police Senior Superintendent Meynardo L. Beltran conducted summary hearing, and on March 22, 2002, recommended the dismissal of the subject officer from the service, A copy of the Resolution dated March 22, 2002 is hereto attached as Annex "A" and made an integral part hereof. The recommendation was concurred in by Police Director Lucas Managuelod and then PNP Chief, Leandro R. Mendoza.

The National Police Commission (NAPOLCOM), after judicious review, concurred with the above recommendation of the PNP Chief. This concurrence was indicated in the Memorandum to the President dated April 5, 2003 of Jose D. Lina, Jr., Chairman, NAPOLCOM.

Section 42 of Republic Act (RA) Mo. 6975, as amended by Section 53 of RA 8551, provides the following:

> "SEC. 42. Summary Dismissal Powers of the National Police Commission, PNP Chief, and the PNP Regional Directors.- The National Police Commission, the Chief of the PNP and the PNP regional directors, after due notice and summary hearings, may immediately remove or dismiss any respondent PNP member in any of the following cases:
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> x x x xxx xxx
>
> Any member or officer of the PNP who shall go on absence without Official leave (AWOL) for a continuous period of thirty (30) days or more shall be dismissed immediately from the service. His activities and whereabouts during the period shall be investigated and if found to have committed a crime, he shall be prosecuted accordingly." (italics ours)

There is no doubt that subject PNP officer has not been seen or heard shortly after former President Joseph Estrada left his post in January 2001. To date, he has not reported to his new assignment at the Headquarters Support Service, nor appeared during the investigation of the instant case and is presumed to have left the country to avoid prosecution. Accordingly, his dismissal from the police service is in order.

WHEREFORE, and as recommended by the PNP Chief and the NAPOLCOM, Police Senior Superintendent Cesar O. Mancao II is hereby DISMISSED from the police service.

SO ORDERED.

Manila, Philippines, JUN. 02 2003

By authority of the President:

(Sgd.) ALBERTO G. ROMULO
Executive Secretary

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