

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. DOROTEO J. CELIS III, ACCUSED-APPELLANT.

Ponente: CARANDANG, J.

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CARANDANG, J.:

This is an appeal from the Decision[1] dated May 27, 2011 of the Regional Trial Court, Branch 160 of Pasig City convicting accused-appellant Doroteo Celis of falsification of public document under paragraph 6, Article 171 of the Revised Penal Code.

The facts are:

In an Information[2] dated July 29, 2002, accused-appellant DOROTEO CELIS (or Celis) was charged of Falsification of Public Document defined and penalized under paragraph 6, Article 171 of the Revised Penal Code, committed as follows:

“That on or about April 10, 2001, or sometime prior or subsequent thereto, in the Municipality of San Juan, Metro Manila, Philippines and within the jurisdiction of this Honorable Court, accused Doroteo J. Celis III, a low ranking public officer, being the Motor Pool Supervisor of the Philippine Crop Insurance Corporation (PCIC), a government-owned and controlled corporation, taking undue advantage of his official position, did then and there wilfully, unlawfully and feloniously make alteration on the original copy of PCIC Trip Ticket No. 01-0248 dated March 26, 2001 by typing unto it the additional date of April 10, 2001, the place Pasay City, and the words or group of letters “Del Doc”. After time of departure, when in truth and in fact, as the accused well knew, the said entries were not indicated when the trip ticket was approved by the Department Manager, thereby changing its meaning and by reason of the said alteration accused was able to increase the number of days of use of the trip ticket and the PCIC staff car from one (1) day to fifteen (15) days, to the prejudice of the PCIC and public interest.

CONTRARY TO LAW.”

Upon arraignment, Celis pleaded not guilty.[3] He posted bail for his provisional liberty.[4] During pre-trial proceedings[5], the prosecution admitted that accused is authorized to prepare the trip ticket of the Philippine Crop Insurance Corporation (PCIC) with qualification that the said authority is subject to the approval by the officer of the corporation. The prosecution also admitted that the vehicle was repaired at Toyota Shaw from March 26 to April 11, 2001.

The prosecution presented three (3) witnesses, namely: Noe Escueta, a security guard at the Philippine Crop Insurance Corporation (PCIC) parking area; Jaime Padilla, Chief of the Property Management and General Services Division of PCIC; and Hilconeda Abril, a former corporate auditor of PCIC.

The evidence for the prosecution established that accused Celis was the supervisor of the PCIC motor pool at the time of the commission of the crime charged. On March 26, 2001, Celis prepared four (4) copies of a trip ticket no. 01-0248 to bring a Toyota Fx with plate no. SET 807 to Toyota service center for repair. The said four copies of trip tickets were distributed as follows: one for the driver, one copy for filing, one for attachment to the

disbursement voucher and one for the security guard. Before leaving the premises, Celis gave the original carbon copy of the trip ticket[6] to Noe Escueta, the security guard on duty at the parking area of PCIC. It was stated on the said original carbon copy of the trip ticket the date March 26, 2001 and it was signed by the accused-appellant as the authorized driver. The policy of PCIC on issuance of trip tickets is on a day to day basis except for high ranking officials of the corporation who are issued trip tickets on a weekly basis.

Sometime in the month of July 2001, the Office of the Corporate Auditor inquired about trip ticket no. 01-0248[7] attached to disbursement voucher no. 05-01-656. After the necessary inquiries and by comparing the said trip ticket with the copy of trip ticket[8] on file with the security guard, Hilconeda Abril from the Office of the Corporate Auditor issued AOM No. 01-004[9] dated August 13, 2001 for PCIC president Mr. Benito F. Estacio, Jr. requesting for an explanation, to wit:

“A comparison of Driver's Trip Ticket No. 01-0248 dated March 26, 2001 attached to DV No. 05-01-656 dated May 29, 2001 with the driver's trip ticket file maintained by our security guard revealed that there is a discrepancy on the date of the portion (item no. 4) as shown below:

Trip ticket
Attach to DV
(Annex A)

Date of use
March 26, 2001 to
April 10, 2001

Security Guard's
file (Annex B)

March 26, 2001

The purpose of the said trip ticket is for calibration and repair of Toyota Tamaraw FX with plate no. SET-807.

Further verification revealed that the said vehicle was released by Toyota Shaw on April 11, 2001. However, the guard on duty only noticed the car at PCIC parking area on the morning of April 16, 2001. (copy of the logbook maintained by the PCIC Security Guard attached). The driver's trip ticket also revealed that 97 kilometers were traveled by the vehicle during the said period.

May we request for an explanation on the discrepancy of dates used and the kilometers traveled.”

After proper investigation, a complaint was filed before the Office of the Ombudsman. Acting on the complaint, the Office of the Ombudsman issued a Resolution[10] dated July 30, 2002 finding probable cause to indict Celis for the crime of Falsification of Public Document defined and penalized under paragraph 6 of Article 171 of the Revised Penal Code. Upon filing of a criminal Complaint[11] by the Office of the Ombudsman, the corresponding Information was thereafter filed in court.

After the prosecution rested its case, the defense with leave of court filed a Demurrer to Evidence[12] but it was denied by the trial court in its Order[13] dated November 22, 2009. The trial court set the case for presentation of defense evidence.

The defense presented three (3) witnesses, namely: the accused himself, Doroteo J. Celis, III; Segundo Guerrero, OIC of Administrative Department of PCIC; and, Gilbert De Leon, a former OIC of the Service Department, Toyota Shaw.

Celis denied the charge imputed against him, claiming that it was a mere harassment case as he was the

whistleblower in their office who filed a case of dishonesty against Jaime Padilla, Nilo Moreno, Elba Combatar and Liberty Tiongco. They were found guilty of Grave Misconduct and Dishonesty by the Office of the Ombudsman in its Resolution[14] dated September 28, 2007.

According to him, the insertions made in the driver's trip ticket[15] were done in good faith and he did it in connection with his duties and responsibilities as supervisor of the motorpool. On March 26, 2001, the subject Toyota Tamaraw Fx vehicle was scheduled for its annual maintenance check-up and calibration of the injection pump. Upon approval of Mr. Padilla and Elba C. Combatar, he prepared four (4) copies of a trip ticket, stating therein the following information: "1] Name of authorized passenger – Self-Driven; 2] Place to be visited – Metro Manila-Shaw Blvd., Mandaluyong City; 3] Purpose – Calibration and Repair of Toyota Tamaraw Fx with plate SET-807; and, 4] Date of Use – March 26, 2001 to ____." The date of use of the vehicle was not completely filled out because he could not predict the time when Toyota service shop would finish the job. He only stated March 26, 2001 as the date of use because it was the time that he took out the vehicle from PCIC premises. Normally, it took two weeks for Toyota service shop to finish the calibration of the vehicle. Toyota issued a certification[16] that the period for said service work took that long. Before leaving the PCIC premises, he gave one copy of the trip ticket to the security guard on duty.

On April 10, 2001 Toyota informed him that the subject car was ready for pick-up, thus, he added the date "April 10, 2001" in the trip ticket in his possession, to make it appear that the date of use was from "March 26 to April 10, 2001". When he drove the vehicle for a road test, he found something to be done on it. Since it was subject for further repair, he did not claim the Toyota Fx on that day. It was eventually released on April 11, 2001. After it was released from the service shop, he called up Mr. Jaime Padilla to inform him about the documents for delivery to the GSIS by a representative of the repair shop from Sucat. Mr. Padilla told him that since the vehicle was already with him, he might as well bring the document to the GSIS together with PCIC's premium payment. That was the reason why he also put the entries "Del. Docs." and "Pasay City" in the trip ticket. Using the Tamaraw FX service car, he drove to GSIS to meet the representative of the repair shop from Sucat but he was instructed to deliver the document to their repair shop in Project 8, Quezon City in the afternoon of April 15, 2001, an Easter Sunday, because they were already in the province during the Holy Week period (April 12 to 14). He returned the Tamaraw FX to the PCIC garage on the same day. As there was no assigned security guard on duty in the garage, no one was informed about it. He brought the car key going home.

Segundo Guerrero testified that he became the Officer-In-Charge of the Administrative Department of the PCIC in April 2007. Since he was not yet in said department at the time when the alleged falsification happened, he merely testified on documents on file in their office such as disbursement voucher nos. 050106812[17] and 0501056-699[18], and job order no. 2001-00319 dated July 04, 2001 prepared by Doroteo Celis III as authorized by Jaime Padilla and Elba C. Combatar. He assumed that when a voucher was paid, all supporting documents were attached thereto.

Gilbert De Leon testified that he was a former officer-in-charge of the Service Department, Toyota Shaw. He confirmed that PCIC was one of the Toyota's corporate clients. PCIC had five (5) Toyota vehicles, four (4) of them Tamaraws. He issued a certification regarding the works done on a Tamaraw Fx subject of this case on the basis of his verification from the computer files. He confirmed that it took two (2) weeks to repair the vehicle, five (5) days to replace all fluids and another five (5) to six (6) days for injection pumps calibration of the diesel engine.

Convinced that the prosecution has established accused's guilt beyond reasonable doubt, the trial court convicted him of the crime charged. It ruled:

"The elements of Article 171(6), Revised Penal Code are as follows: 1) that the offender is a public officer,

employee, or notary public; 2) that he takes advantage of his official position; 3) that there be an alteration (change) or intercalation (insertion) on a document; 4) that it was made on a genuine document; 5) that such alteration/intercalation has changed the meaning of the document; and 6) that the change made the document speak something false.

In this case, accused was a motor pool supervisor of the PCIC, a government-owned and controlled corporation. It was his duty as driver of the Toyota Fx van to prepare trip ticket no. 01-248, the subject document, a copy of which he also had official custody of. It is noted that the trip ticket as approved by accused's superiors did not contain the entries which he only added after the fact of approval and long after the original date consisting of just a single day: 26 March 2001, hence the alteration made through the added entries changed the meaning of the document.

Originally, the vehicle was supposed to be brought out of PCIC only for repair at the nearby Toyota Shaw, as indicated in the unaltered copy of the trip ticket. By putting additional entries in the copy used to support the voucher, the integrity of the trip ticket as a document is affected.

In falsification of public or official documents, it is not necessary that there be present the idea of gain or the intent to injure a third person because what is punished is the violation of the public faith and the destruction of the truth as therein solemnly proclaimed.

Even if the court were to swallow accused's version hook, line and sinker, still it will not absolve him of criminal liability. Those he claims to be his persecutors did not concoct his commission of the act alleged in the information which he acknowledges to have performed."

Celis filed a Motion for Reconsideration but it was denied.²⁰ Hence, the present appeal raising the following errors committed by the trial court:

I. THE LOWER COURT GRAVELY ERRED IN RULING THAT ACCUSED-APPELLANT FALSIFIED THE ORIGINAL OF THE TRIP TICKET (EXH. C-7/15) OF THE TOYOTA TAMARAW FX VAN WHEN HE ONLY CORRECTED THE SAME TO REFLECT THE TRUTH (PEO. VS. MATEO, 25 Phil 324) THAT TOYOTA SHAW INC. REPAIRED IT AND IT WAS PARKED IN ITS REPAIR SHOP FOR NOT LESS THAN FIFTEEN (15) DAYS.

II. THE LOWER COURT GRAVELY ERRED WHEN IT SURPRISINGLY REFUSED TO FOLLOW THE PERTINENT LAW AND JURISPRUDENCE (PEO. VS MATEO) AND INSISTING TO CONVICT ACCUSED.

III. THE LOWER COURT GRAVELY ERRED IN GLOSSING OVER THE EVIDENCE OF BOTH PROSECUTION AND DEFENSE THAT ACCUSED COULD NOT HAVE USED THE TOYOTA VAN BECAUSE IT WAS PARKED IN THE TOTYOTA SHAW REPAIR SHOP FOR NOT LESS THAN 15 DAYS.

IV. THE LOWER COURT GRAVELY ERRED WHEN IT REFUSED TO ORDER PCIC TO RETURN ACCUSED TO HIS JOB WHEN THE EVIDENCE CLEARLY ACQUITS HIM OF THE CRIME OF FALSIFICATION.

The appeal is without merit.

There is no question that from March 26, 2001 up to April 11, 2001, the subject Tamaraw Fx was at Toyota service shop for repair as shown in the Certification issued by Gilbert De Leon, a former OIC of the Service Department, Toyota Shaw. This fact was even admitted by the prosecution during pre-trial proceedings. It was, however, admitted by Celis that he only returned the subject vehicle to the PCIC garage on April 15, 2001 but no one was informed about it because of lack of security guard on duty in the garage at that time. Celis also admitted

that he added other entries in the documents such as “Pasay City” and the words or group of letters “Del Doc”. Despite of these admissions, he claims that all of the added entries in the trip ticket were done in good faith -- to state the truth.

We are not persuaded. By adding in the driver's trip ticket the information “April 10, 2001”, accused-appellant Celis clearly made an intercalation (insertion) on the trip ticket causing it to appear that he was authorized to use the subject vehicle from March 26, 2001 to April 10, 2001. Being the Motorpool Supervisor of PCIC at that time, Celis was fully aware that the trip ticket dated March 26, 2001 was issued as a one way passage to bring the subject vehicle to Toyota service shop for repair. To get it back, a new trip ticket must be issued and any available driver at the PCIC may be assigned to fetch the subject vehicle. We cannot give weight to Celis' claim that he merely declared the truth as it was admitted by him that he only returned the vehicle on April 15, 2001. His claim that he was instructed by Mr. Padilla to safekeep the vehicle for him to use in going to Project 8 on Easter Sunday (April 15, 2001) cannot be given weight. From the start of the investigation, Mr. Padilla consistently denied that he instructed Celis to deliver documents at GSIS Building in Pasay City. Mr. Padilla likewise firmly contested Celis' claim that he was authorized to safekeep the vehicle and to use it in going to Project 8, Quezon City on Easter Sunday. Absent any convincing proof, We find the story of accused-appellant regarding the delivery of document in both places a mere fabrication. Accused-appellant presented no justifiable explanation why he should be assigned to deliver documents to GSIS in connection with the repair of the subject vehicle. There is no insurance claim to be filed with GSIS in connection with the repairs not occasioned by accident. The Toyota Service Shop was located at Shaw Blvd., Mandaluyong City, normally, all payments and documentation in connection with the repair of the subject vehicle must be transacted in said service shop. The entries “Pasay City” and “Del Doc” were inserted in the trip ticket to cover-up the fuel consumption and the traveled distance of the subject vehicle of 97 kilometers while in the possession of Celis which he admitted and reported (Exh. “15”).

In 2013 consolidated cases of Antonio L. Tan, Jr. vs. Yoshitsugu Matsuura and Carolina Tanjutco[21] and Antonio L. Tan., Jr. vs. Julie O. Cua[22], the Honorable Supreme Court, citing the case of Garcia vs. Court of Appeals[23], clearly identified the elements of falsification under Article 171 (6) of the RPC, to wit:

- “(1) that there be an alteration (change) or intercalation (insertion) on a document;
- (2) that it was on a genuine document;
- (3) that the alteration or intercalation has changed the meaning of the document, and
- (4) that the changes made the document speak something false.”

The first and second elements are undeniably present in this case based on the admissions made by accused-appellant. The third element is also present since the insertions done by accused-appellant has changed the meaning of the trip ticket, causing it to appear that he was allowed to use the subject vehicle from March 26, 2001 to April 10, 2001 and he was allowed to deliver documents in GSIS office at Pasay City. Likewise, the fourth element is present considering that the added entries made in the driver's trip ticket speak of something false. In the unaltered copy of the trip ticket, Celis is only allowed to drive the subject vehicle on March 26, 2001 for delivery to Toyota Shaw Service Shop.

Accused-appellant's argument that he was merely being prosecuted because he was a whistleblower against corruption in the PCIC is not supported by evidence. The case record shows that Celis was already investigated by his superiors as early as in 2001 and the present falsification case was filed in court in 2003. The issues subject of the Ombudsman case involving Mr. Padilla and other officers of PCIC happened in 2006 and it was decided by the Office of the Ombudsman in 2007. Clearly, at the time Celis filed an administrative complaint against Mr. Padilla and others, the present falsification case was already pending in the lower court.

The conviction of the accused is AFFIRMED and the penalty imposed by the trial court is correct.

WHEREFORE, premises considered, the instant appeal is DENIED.

SO ORDERED.

Barza, R. F., and Reyes-Carpio, A., JJ., concur.

- [1] Record, pp. 486-492
- [2] Record, pp. 1-2
- [3] RTC Order dated July 3, 2003 – Record, p. 143
- [4] RTC Order dated March 27, 2003 – Record, p. 134
- [5] RTC order dated July 10, 2003 – Record, pp. 146-151
- [6] Exhibit “C-8” – Record, p. 23
- [7] Exhibit “C-7” – Record, p. 22
- [8] Exhibit “C-8” – Record, p. 23
- [9] Exhibit “C-5” – Record, p. 19-20
- [10] Record, pp. 4-8
- [11] Exhibit “A” – Record, pp. 11-13
- [12] Record, pp. 329-330
- [13] Record, pp. 393-394
- [14] Record, pp. 372-391
- [15] Exhibit “C-7” – supra
- [16] Exhibit 6 – Record, p. 444
- [17] Exhibit “1” – Record, p. 440
- [18] Exhibit “2”-- Record, p. 441
- [19] Exhibit “ 4” – Record, p. 443
- [20] RTC Order dated November 18, 2011 – Record, pp. 501-502
- [21] G.R. No. 179003, January 09, 2013
- [22] G.R. No. 195816, January 09, 2013
- [23] 513 Phil. 547 (2005).

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