# RE: ANONYMOUS COMPLAINT AGAINST MR. RODEL M. GABRIEL.

*A.M. NO. 2005-18-SC. April 19, 2006*

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**PER CURIAM:**

This administrative matter arose from an anonymous letter[1] received through the Civil Service Commission's (CSC) TEXTCSC Project, concerning the promotional appointment of respondent Rodel M. Gabriel to the position of Carpenter General Foreman in the Maintenance Division, Office of the Administrative Services (OAS), this Court. Respondent's promotional appointment was approved by then Chief Justice Hilario C. Davide, Jr. on September 3, 2004 and attested to by the CSC on September 27, 2004.[2]

The anonymous letter was referred to the OAS by Ms. Thelma P. Japson, Director III, Public Assistance and Information Office, CSC, for appropriate action.[3]

It is alleged in the letter that respondent was not qualified for the position of Carpenter General Foreman as the minimum educational requirement for the position is high school graduate, of which respondent was not. The writer surmised that respondent's lack of educational qualification for the position must have eluded the scrutiny of the Court's Selection and Promotion Board that evaluated respondent's appointment.

Acting on the referral, the OAS directed respondent Gabriel to explain why no disciplinary action should be taken against him for dishonesty and/or falsification of public document.[4]

In his explanation via a reply-letter[5] dated October 27, 2004, Gabriel vehemently denied the accusation against him. He averred that he was a high school graduate of the Holy Trinity High School in Porac, Pampanga in 1986. Unfortunately, his high school diploma was among those lost when Mt. Pinatubo erupted in 1991, but his sister was able to keep a photocopy thereof, which he attached to his reply-letter.

Upon receipt of respondent's letter, the OAS inquired with the Principal of the Holy Trinity High School to verify the authenticity of the photocopy of said diploma. [6]

Meanwhile, a review of the pertinent documents from respondent's 201 File disclosed the following information from his duly accomplished Civil Service Form 212, otherwise known as the Personal Data Sheets (PDSs):

1. When he first applied for the position of Carpenter I in September 1997:[7]

**EDUCATIONAL BACKGROUND**

**EDUCATION**

Name of School/ College/ University

Degree earned (Write ONE if not graduated)

Number of Units Completed Course Title

Inclusive Dates of Attendance

Honors Received

**ELEMENTARY**

Calzadang Bayu Elem. School

1982

Graduate

**SECONDARY**

Republic Central Colleges

1984

Graduate

2. When he assumed the position of Carpenter I on November 1997:[8]

**EDUCATION**

Name of School/ College/ University

Degree earned (Write ONE if not graduated)

Number of Units Completed Course Title

Inclusive Dates of Attendance

Honors Received

**ELEMENTARY**

Calzadang Bayu Elem. School

1971-1980

Graduate

**SECONDARY**

Republic Central Colleges

1980-1984

Graduate

3. When he assumed the position of Carpenter II on July 7, 2003:[9]

**EDUCATION**

**NAME OF SCHOOL/ COLLEGE/ UNIVERSITY**


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**DEGREE EARNED**

Number of Units Completed Course Title

**INCLUSIVE DATES OF ATTENDANCE**

**HONORS RECEIVED**

**ELEMENTARY**

Calz Bayu Elem. School

(Write ONE if not graduated)

1976-1982

Graduate

**SECONDARY**

Holy Trinity High School

1982-1986

Graduate

4. When he assumed his present position of the Carpenter General Foreman:[10]

**EDUCATION**

Name of School

DEGREE/
COURSE EARNED

Highest Grade/ Level/ Unit Earned of not graduated)

Inclusive INCLUSIVE DATES OF ATTENDANCE

**ACADEMIC HONORS RECEIVED**

**ELEMENTARY**

Calzadang Bayu Elem. School

Graduated

1976-1982

**SECONDARY**

Holy trinity High School

Graduated

1982-1986

On the other hand, almost four (4) months had elapsed and yet no reply was received from the Principal of the Holy Trinity High School. To hasten the investigation, Atty. Edwin B. Andrada of the Complaint and Investigation Division (CID), OAS, served personally the First Tracer[11] and at the same time conducted further inquiries. Atty. Andrada found that the Holy Trinity High School had stopped operation in 1991 and was instead converted into a school for special children. Through the cooperation of the nuns now running the school, Atty. Andrada reviewed all the available records of the enrollees and graduates of the said school from 1979 to 1986 but no name of Rodel M. Gabriel was found.

On March 18, 2005, Atty. Aileen Balbieran-Taw of the CID, OAS verified directly with Mrs. Lourdes D. Dizon and Sister Corazon Quiambao, whose signatures appeared in the photocopy of the subject diploma, as Principal and Director, respectively, of the former Holy Trinity High School, as to whether the signatures appearing thereon were theirs. Atty. Balbieran-Taw elicited conflicting statements from Mrs. Dizon and Sister Quiambao. Mrs. Dizon recalled that a certain Rodel M. Gabriel was enrolled in the secondary level of said school and was in fourth year high school during the school year 1985-1986. A certification[12] to this effect was issued by Mrs. Dizon. On the other hand, Sister Quiambao disowned the signature appearing on the diploma as hers, stating that she was not the Director of the Holy Trinity High School in 1986.

With the foregoing scenario, the matter was referred to Ms. Rosalinda G. Luna, School Division Superintendent, Department of Education, Region III, requesting for a certification as to whether Rodel M. Gabriel is a graduate of the Holy Trinity High School located in Porac, Pampanga.[13] In a letter[14] dated July 17, 2005, Mr. Cornelius F. Ducut, ES-I for Private Schools, Department of Education, Region III, declared that after looking over the available records of private schools, no record of special orders issued in 1986 for the Holy Trinity High School were on file, thus they have no basis to issue the requested certification.

After evaluating the merits of this administrative matter, Atty. Eden T. Candelaria, Chief Administrative Officer, OAS, in her Memorandum[15] dated July 18, 2005, found respondent Rodel M. Gabriel liable for dishonesty and falsification of public document considering that the PDS is a mandatory requirement in application for appointment and promotion where an applicant had the legal obligation to disclose the truth. Atty. Candelaria thus recommended that respondent be dismissed from the service.

We find the recommendation well-taken.

The accomplishment of the PDS is required under Civil Service Rules and Regulations for employment in the government. In De Guzman vs. Delos Santos,[16] we ruled that the making of an untruthful statement in the PDS amounts to dishonesty and falsification of official document which warrant dismissal from the service upon commission of the first offense. There, we reasoned out that since the accomplishment of the PDS is a requirement under the Civil Service Rules and Regulations in connection with employment in the government, the making of an untruthful statement therein was intimately connected with such employment.[17] Since truthful completion of PDS is a requirement for employment in the judiciary, the importance of accomplishing the same with candor need not be gainsaid.[18]

The data made by respondent in all of his PDSs are highly inconsistent and irreconcilable, clearly showing his intention to defraud the Court. In the PDS accomplished in 1996 when he first applied for the position of Carpenter I, respondent stated that he was a second year high school of the Republic Central Colleges in 1984, having finished his elementary education in 1982. After he was appointed to and assumed that position, he declared in his PDS that he finished his elementary education in 1980 and his secondary education in 1984. But when he was promoted to Carpenter II and Carpenter General Foreman, he stated in both his PDSs therefor that he was a high school graduate of the Holy Trinity High School in 1986 not of the Republic Central Colleges in 1984,

as he declared in his previous PDS. Respondent also attached to his letter a photocopy of his high school diploma from the Holy Trinity High School. While it is true that Mrs. Lourdes D. Dizon issued a certification to the effect that a certain Rodel M. Gabriel was enrolled in the secondary education of the Holy Trinity High School and was a fourth year high school student in school year 1985-1986, however, Sister Quiambao, the alleged Director of the same school, disowned the signature appearing in the said diploma as hers, saying that she was not the Director of the Holy Trinity High School in 1986. Atty. Edwin B. Andrada, of the CID, OAS, reported that after reviewing all the available records of the enrollees and graduates of the Holy Trinity High School, respondent's name was not in the list of students enrolled in the said school from 1979 to 1986. Likewise, the Department of Education, Region III, had also issued a certification that no record of special order issued in 1986 for the Holy Trinity High School was on file. Hence, there can only be one conclusion: that respondent was never a high school graduate of the Holy Trinity High School.

We have repeatedly emphasized that court personnel, from the highest official to the lowest clerk, must live up to the strictest standards of integrity, probity, uprightness, honesty and diligence in the public service,[19] especially since the image of a court of justice is necessarily mirrored in the conduct, official or otherwise, of the personnel who work thereat.[20] The Judiciary expects the best from all its employees, and the Court will not tolerate dishonesty. As a responsible public servant due for promotion, respondent is expected to be a noble example and a model of good morals. By falsifying his PDS to gain unwarranted advantage over those who are more qualified for the promotional position, respondent cannot be said to have measured up to the exacting standards required of a public servant. Hence, for having misrepresented the fact that he was a high school graduate, a minimum educational requirement for the position of Carpenter General Foreman, of which he was promoted, we are constrained to hold respondent liable for dishonesty by misrepresentation and falsification of an official document.

In Civil Service Commission vs. Sta. Ana,[21] we dismissed an employee from the service for dishonesty and falsification of public document for having indicated in her personal data sheet that he passed the career service professional examination when in fact he did not.

Under Section 23, Rule XIV, of the Omnibus Rules Implementing Book V of Executive Order (EO) 292, and other pertinent Civil Service laws, dishonesty and falsification of public document are considered grave offenses punishable by dismissal even at the first instance. Section 9 of said Rule likewise provides that the penalty of dismissal shall carry with it cancellation of eligibility, forfeiture of leave credits and retirement benefits, and disqualification for re-employment in the government service. This penalty is without prejudice to respondent's criminal liability.

With respect to accrued leave credits, a distinction must be made with respect to any accrued leave credits respondent earned before September 3, 2004, and the credits he may have earned from September 3, 2004, to the present. Respondent is entitled to leave credits earned before September 3, 2004, as he was employed in positions for which he was qualified. Any credits earned by him from September 3, 2004, to the present are forfeited because he lacked the minimum educational requirement of being a high school graduate as of the date he was promoted to the position of Carpenter General Foreman on September 3, 2004.

WHEREFORE, for dishonesty and falsification of public document, respondent Rodel M. Gabriel, Carpenter General Foreman, Maintenance Division, Office of the Administrative Services, this Court, is hereby DISMISSED from the service effective immediately, with prejudice to re-employment in any government agency and government-owned or controlled corporation, with forfeiture of all retirement benefits, except accrued leave credits earned before September 3, 2004.


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**SO ORDERED.**

Panganiban, Quisumbing, Ynares-Santiago, Sandoval-Gutierrez, Carpio, Austria-Martinez, Corona, Carpio-Morales, Callejo, Sr., Azcuna, Tinga, Chico-Nazario, Garcia, and Velasco, Jr., JJ., concur.
Puno, J., on leave.

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[1] Rollo, p. 68.

[2] Id. at 71.

[3] Id. at 67.

[4] Rollo, p. 62.

[5] Id. at 57.

[6] Id. at 56.

[7] Id. at 14.

[8] Id. at 16.

[9] Id. at 18.

[10] Id. at 20.

[11] Id. at 54.

[12] Id. at 49.

[13] Id. at 48.

[14] Id. at 28.

[15] Id. at 8-13.

[16] 442 Phil. 429, 436 (2002).

[17] Id., citing Civil Service Commission vs. Sta. Ana, 435 Phil. 1, 11 (2001).

[18] Actg. Judge Bellosillo vs. Rivera, 395 PHIL. 180, 191 (2000).

[19] Re: Administrative Case for Dishonesty and Falsification of Official Document: Benjamin R. Katly, 426 SCRA 236, 242 (2004).

[20] Actg. Judge Bellosillo vs. Rivera, supra note 18.

[21] Supra note17.

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