

NATIONAL BUREAU OF INVESTIGATION, COMPLAINANT, VS. ROLANDO SAA, CLERK OF COURT, RESPONDENT.

A.M. No. P-90-429. August 24, 1994

Ponente: BIDIN, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a5c2513e8fcf/>

BIDIN, J.:

In a sworn complaint filed with complainant National Bureau of Investigation (NBI), Mayor Rolando O. Esturas of the Municipality of Capalonga, Camarines Norte charged respondent Rolando Saa, Clerk of Court of the Municipal Circuit Trial Court of Capalonga, Camarines Norte with Dereliction of Duty for playing mahjong almost daily during office hours in the afternoon of regular working days.

The NBI applied for, and was granted by, the Office of the Ombudsman clearance to investigate the case.

On May 29, 1989, the NBI dispatched Senior Agent Manuel Briones together with Security Officer Roberto Vale and photographer Bonifacio Acosta to Capalonga, Camarines Norte and placed respondent Saa under surveillance.

On May 30, 1989 at around 1:00 o'clock in the afternoon, the NBI agents saw respondent playing mahjong but were unable to take pictures of the incident because of a curtain barring the photographer's view.

The following day, the NBI agents succeeded in taking clear photographs of respondent playing mahjong.

On September 12, 1990, the Court acting upon the letter and evaluation report of the NBI, resolved to refer the case to the Executive Judge for investigation, report and recommendation.

Thereafter, Executive Judge Luis D. Dictado submitted his report on the subject administrative matter, pertinent portion of which reads:

"x x x Bonifacio Acosta (NBI Photographer) testified that he was in Capalonga on May 30, 1989 (Tuesday), he looked around for a place where he could take a good picture of the subject Rolando Saa playing mahjong but he was not able to take pictures because of a curtain that blocked the view; but on May 31, 1989 (Wednesday), between 1:00 and 2:00 o'clock in the afternoon, he was able to take pictures of subject Rolando Saa; he also identified his affidavit on the surveillance activity; after taking pictures on the respondent Rolando Saa, they went to the Police Station and went back to Daet.

"Respondent Rolando Saa on the other hand testified that on May 30, 1989 at about 1:00 o'clock in the afternoon, Mayor Esturas went to his office and requested him to play for him at a mahjong game. He played mahjong at 3:00 to 3:30 p.m. which included his coffee break. The same was repeated the next day at the same hour. He acceded to the request to play mahjong because Mayor Esturas who requested him had some visitors to attend to. He did not know that he was being trapped by Mayor Esturas for political vendetta. No evidence contradicted his claim. In fact, Mayor Esturas, notwithstanding the subpoena issued to him, and who, according to respondent, was duly received by his wife although the return does not say so, did not come to testify in the case. So with Jimmy Gonzales whose affidavit says he played with Rolando Saa on May 30, 1989 and in the past. But be that as it may, Rolando Saa has admitted playing mahjong on May 30 and 31, 1989

during office hours. For his bold and honest admission of guilt which he did at the request by (sic) no other than the complaining town executive, the same may mitigate his guilt.

"WHEREFORE, in the the light of the evidence, respondent has been proven to have violated existing civil service rules by playing mahjong during office hours. However, considering that respondent was merely trapped into playing mahjong by no other than complainant Mayor Esturas of the town whom he looked upon as his superior, and the fact that this is his first offense, it is recommended that he be punished a fine equivalent to ONE (1) month salary with censure and a severe warning that a repetition of the same act will mean an outright dismissal from the service." (Rollo, pp. 46-47)

After a perusal of the records of this case, the Court finds itself in full accord with the findings and recommendation of Investigating Judge Luis Dictado.

We echo once more the pronouncement made by this Court on the values expected from court employees in the performance of their duties, to wit:

"xxx The administration of justice is a sacred task. By the very nature of their duties, all those involved in it must faithfully adhere to, hold inviolate, and invigorate the principle solemnly enshrined in the 1987 Constitution that a public office is a public trust; and all public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty and efficiency" (Mirano v. Saavedra, 225 SCRA 77 [1993]).

WHEREFORE, the Court finds respondent Rolando Saa Guilty of Dereliction of Duty and Resolved to impose upon him a FINE equivalent to one (1) month salary with censure and warning that a repetition of the same offense shall be dealt with more severely.

SO ORDERED.

Feliciano, (Chairman), Romero, Melo, and Vitug, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.