

**MANUEL T. DE GUIA, IN HIS CAPACITY AS COUNCILOR OF THE
MUNICIPALITY OF PARAÑAQUE, METRO MANILA, PETITIONER, VS.
HON. COMMISSION ON ELECTIONS, RESPONDENT.**

G.R. No. 104712. May 06, 1992

Ponente: BELLOSILLO, J.

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BELLOSILLO, J.:

This is a petition for certiorari and prohibition assailing the validity and the enforcement by respondent Commission on Elections (COMELEC) of its RESOLUTION NO. 2313, adopting rules and guidelines in the apportionment, by district, of the number of elective members of the Sangguniang Panlalawigan in provinces with only one (1) legislative district and the Sangguniang Bayan of municipalities in the Metro Manila Area for the preparation of the Project of District Apportionment by the Provincial Election Supervisors and Election Registrars (Annex "A", Petition), RESOLUTION NO. 2379, approving the Project of District Apportionment submitted pursuant to Resolution No. 2313 (Annex "B", Petition), and RESOLUTION UND. 92-010 holding that pars. (a), (b) and (c), and the first sentence of par. (d), all of Sec. 3, R.A. 7166, apply to the May 11, 1992 elections (Annex "C", Petition).

Petitioner Manuel T. De Guia is an incumbent Member of the Sangguniang Bayan of the Municipality of Parañaque, Metro Manila, having been elected in the January 1988 local elections. He prays, more particularly, for reversal of the position of respondent insofar as it affects the municipality of Parañaque and all the other municipalities in the Metro Manila Area. He claims that the second proviso of par. (c), Sec. 3 of R.A. 7166, which requires the apportionment into districts of said municipalities does not specify when the members of their Sangguniang Bayan will be elected by district. He would consequently lean on par. (d) of Sec. 3, which immediately succeeds par. (c), to support his view that the elected members of these municipalities mentioned in par. (c) should continue to be elected at large in the May 11, 1992 elections.

Paragraph (d) states that "[F]or purposes of the regular elections on May 11, 1992, elective members of the Sangguniang Panlungsod and Sangguniang Bayan shall be elected at large in accordance with existing laws. However, beginning with the regular elections in 1995, they shall be elected by district." Petitioner therefore insists that the elected members of the Sangguniang Bayan of Parañaque fall under this category so that they should continue to be elected at large until the 1995 regular elections.

Before addressing the crux of the controversy, the Court observes that petitioner does not allege that he is running for reelection, much less, that he is prejudiced by the election, by district, in Parañaque. As such, he does not appear to have a locus standi, a standing in law, a personal or substantial interest.^[1] He does not also allege any legal right that has been violated by respondent. If for this alone, petitioner does not appear to have any cause of action.

However, considering the importance of the issue involved, concerning as it does the political exercise of qualified voters affected by the apportionment, and petitioner alleging abuse of discretion and violation of the

Constitution by respondent, We resolve to brush aside the question of procedural infirmity, even as We perceive the petition to be one of declaratory relief. We so held similarly through Mr. Justice Edgardo L. Paras in *Osmeña v. Commission on Elections*.^[2]

Now on the meat of the dispute.

On November 18, 1991, Congress passed R.A. 7166, signed into law by the President on November 26, 1991. It is "An Act Providing for Synchronized National and Local Elections and for Electoral Reforms, Authorizing Appropriations Therefor, and for Other Purposes". At issue in this case is the proper interpretation of Sec. 3 thereof which provides:

"Section 3. Election of Members of the Sangguniang Panlalawigan, Sangguniang Panlungsod, and Sangguniang Bayan. - The elective members of the Sangguniang Panlalawigan, Sangguniang Panlungsod and Sangguniang Bayan shall be elected as follows:

‘(a) For provinces with two (2) or more legislative districts, the elective members of the Sangguniang Panlalawigan shall be elected by legislative districts x x x x

‘(b) For provinces with only one (1) legislative district, the Commission shall divide them into two (2) districts for purposes of electing the members of the Sangguniang Panlalawigan x x x x

‘(c) The number and election of elective members of the Sangguniang Panlungsod and Sangguniang Bayan in the Metro Manila Area, City of Cebu, City of Davao and any other city with two (2) or more legislative districts shall continue to be governed by the provisions of Sections 2 and 3 of Republic Act No. 6636 x x x x Provided, further, That, the Commission shall divide each of the municipalities in Metro Manila Area into two (2) districts by barangay for purposes of representation in the Sangguniang Bayan x x x x and,

‘(d) For purposes of the regular elections on May 11, 1992, elective members of the Sangguniang Panlungsod and Sangguniang Bayan shall be elected at large in accordance with existing laws. However, beginning with the regular elections in 1995, they shall be elected by district x x x x"

On November 20, 1991, respondent COMELEC, invoking authority of the Constitution, the Omnibus Election Code, R.A. 6636, R.A. 6646 and R.A. 7166,^[3] issued Resolution No. 2313 and the subsequent resolutions in question.

On February 20, 1992, in view of the perceived ambiguity in the meaning of par. (d), particularly in relation to par. (c), Sec. 3, R.A. 7166, petitioner filed with COMELEC a Motion for Clarification of its Resolution No. 2313 inquiring whether the members of the Sangguniang Bayan of Parañaque and the other municipalities of Metro Manila enumerated therein, which are all single-district municipalities, would be elected by district in the May 11, 1992 or in the 1995 regular elections.

Meanwhile, on March 3, 1992, COMELEC issued Resolution No. 2379 approving the guidelines submitted by the Provincial Election Supervisors and Municipal Election Registrars concerned pursuant to Resolution No. 2313, and stating therein its purpose in recommending to Congress the districting/apportionment of Sangguniang Panlungsod and Sangguniang Bayan seats, i.e., to reduce the number of candidates to be voted for in the May 11, 1992 synchronized elections. In this Project of Apportionment, Parañaque together with the other twelve (12) municipalities in the Metro Manila Area was divided into two (2) districts with six (6) elective councilors for each district.

On March 10, 1992, COMELEC resolved petitioner's Motion for Clarification by interpreting Sec. 3, R.A. 7166, to mean that the election of, elective members of the Sangguniang Bayan, by district, of the thirteen (13)

municipalities in the Metro Manila Area shall apply in the May 11, 1992 elections (Resolution UND. 92-010, prom. March 10, 1992). Petitioner says that he received copy of Resolution UND. 92-010 on March 13, 1992.

On April 7, 1992, apparently not satisfied with this third Resolution of COMELEC, petitioner filed the instant petition asserting that under par. (d), Sec. 3 of R.A. 7166 the elective members of the Sangguniang Panlungsod and the Sangguniang Bayan, for purposes of the May 11, 1992 regular elections, shall be elected at large in accordance with existing laws. He would include in this class of sanggunian members to be elected at large those of the municipality of Parañaque.

Petitioner therefore imputes grave abuse of discretion to COMELEC in promulgating Resolution No. 2313, Resolution No. 2379 and Resolution UND. 92-010 which clarifies, contrary to his view, that the district apportionment of the municipalities in the Metro Manila Area is applicable to the May 11, 1992 regular elections.

We have carefully examined pars. (a), (b), (c) and (d) of Sec. 3, R.A. 7166, and its precursor bills on synchronized elections, Senate Bill No. 1861 and House Bill No. 34811, and We realize the web of confusion generated by the seeming abstruseness in the language of the law. Some framers of the law were even fazed at the empirical implications of some of its provisions, particularly Sec. 3 thereof, and they admitted in fact that said provisions were susceptible of varied interpretations, as borne by the sponsorship and explanatory speeches now spread in the Journals of Congress. Hence, We can understand why petitioner would interpret Sec. 3 as he would. But if we pursue his course, we may conclude in absurdity because then there would have been no reason for R.A. 7166 to single out the single-district provinces referred to in par. (b), and the municipalities in the Metro Manila Area mentioned in the second proviso of par. (c), to be apportioned at once into two (2) districts each if the members of their respective sanggunian after all would still be elected at large as they were in the 1988 elections.

No law is ever enacted that is intended to be meaningless, much less inutile. We must therefore, as far as we can, divine its meaning, its significance, its reason for being. As it has oft been held, the key to open the door to what the legislature intended which is vaguely expressed in the language of a statute is its purpose or the reason which induced it to enact the statute. If the statute needs construction, as it does in the present case, the most dominant in that process is the purpose of the act.[4] Statutes should be construed in the light of the object to be achieved and the evil or mischief to be suppressed,[5] and they should be given such construction as will advance the object, suppress the mischief, and secure the benefits intended.[6] A construction should be rejected that gives to the language used in a statute a meaning that does not accomplish the purpose for which the statute was enacted, and that tends to defeat the ends which are sought to be attained by the enactment.[7]

The reason for the promulgation of R.A. 7166 is shown in the explanatory note of Senate Bill No. 1861 which states in part:

"This bill proposes to set the national and local elections for May 11, 1992, and provide for the necessary implementing details. It also endorses reforms and measures to ensure the conduct of free, orderly, honest, peaceful and credible elections. Specifically, it seeks to: (1) Reduce the number of positions to be voted for by providing therein that the members of the Sangguniang Panlalawigan, Sangguniang Panlungsod and Sangguniang Bayan be elected not at large, but by district x x x x"

That respondent COMELEC is cognizant of this legislative intent of R.A. 7166 is reflected in the "WHEREAS" clauses constituting the preamble to Resolution No. 2379. Thus -

"WHEREAS, the Commission on Elections, in order to reduce the number of candidates to be voted for in the May 11, 1992 synchronized elections recommended, among others, to the Congress of the Philippines, the districting/apportionment of sangguniang panlungsod and sangguniang bayan seats;

"WHEREAS, the Congress of the Philippines passed Republic Act 7166, and approved by the President of the

Philippines on November 26, 1991, adopting among others, the recommendation of the Commission on Elections aforesated;

"WHEREAS, pursuant to, and in implementation of Republic Act 7166, particularly Section 3 thereof, the Commission promulgated Resolution No. 2313, directing the Provincial Election Supervisors and Election Registrars concerned to submit, after consultation, public hearings, and consensus-taking with the different sectors in the community, the Project of District Apportionment of single legislative-district provinces and municipalities in the Metro Manila area;

"WHEREAS, the established criteria/guidelines in the determination of the district apportionment are as follows: a. compactness, contiguity and adjacentness of territory; b. apportionment shall be based on the 1990 census of population; c. no municipality, in the case of provinces, and no barangay, in the case of cities and municipalities, shall be fragmented or apportioned into different districts."

This avowed policy of having sanggunian members elected by district is also manifest from the four corners of Sec. 3 of R.A. 7166.[8] Thus, a careful analysis of the provisions of Sec. 3 shows that the purpose of districting/apportionment of the sanggunian seats is to reduce the number of positions to be voted for in the May 11, 1992, synchronized elections and ensure the efficiency of electoral process. Considering that the single-district provinces and the municipalities in the Metro Manila Area, which are all single-districts, and under pars. (b) and (c) have already been apportioned into two (2) districts, they will henceforth be electing the members of their Sangguniang Panlalawigan and Sangguniang Bayan by district in the coming May 11, 1992, elections, although under par. (d), the single-district cities and all the municipalities outside the Metro Manila Area which are all likewise single-districts, will have to continue electing at large the members of their Sangguniang Panlungsod and Sangguniang Bayan as they have yet to be apportioned. But beginning the regular elections of 1995, they will all have to be elected by district. By then, COMELEC would have had enough time to apportion the single-district cities and the municipalities outside the Metro Manila Area.

As they now stand in relation to the districting/apportionment of local government units for purposes of election under Sec. 3 of R.A. 7166, it is clear that: (1) for provinces with two (2) or more legislative districts contemplated in par. (a), they shall continue to be elected by district; (2) for provinces with single legislative districts, as they have already been apportioned into two (2) districts each under par. (b), they shall henceforth be elected likewise by district; (3) for cities with two (2) or more legislative districts, e.g., the cities of Manila, Cebu and Davao, they shall also continue to be elected by district under the first part of par. (c); and, (4) for the thirteen (13) municipalities in the Metro Manila Area, which have already been apportioned into two (2) districts each under the second proviso of par. (c), they shall likewise be elected by district in the regular elections of May 11, 1992.

Then, that should leave us the Sangguniang Panlungsod of the single-district cities and the Sangguniang Bayan of the municipalities outside Metro Manila, which remain single-districts not having been ordered apportioned under Sec. 3 of R.A. 7166. They will have to continue to be elected at large in the May 11, 1992, elections, although starting 1995 they shall all be elected by district to affect the full implementation of the letter and spirit of R.A. 7166. That is the true import of par. (d). Consequently, as We view it, where he stands, petitioner must fall.

WHEREFORE, finding no abuse of discretion, much less grave, on the part of respondent, and for lack of merit, the instant petition is DISMISSED. No costs.

SO ORDERED.

Narvasa, C.J., Melencio-Herrera, Gutierrez, Jr., Cruz, Paras, Feliciano, Padilla, Bidin, Griño-Aquino, Medialdea, Regalado, Davide, Jr., Romero, and Nocon, JJ., concur.

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- [1] *Sanidad v. Commission on Elections*, G.R. No. L-44640, October 12, 1976, 73 SCRA 333; *Municipality of Malabang v. Benito*, G.R. No. L-28113, March 28, 1969, 27 SCRA 533.
- [2] G.R. No. 100318, July 30, 1991, 199 SCRA 750.
- [3] R.A. 7166 was approved only on November 26, 1991, when the President signed it into law, although it was passed by Congress on November 18, 1991, or before COMELEC promulgated its Resolution No. 2313.
- [4] *De Jesus v. City of Manila*, 29 Phil. 73 [1914]; *Commissioner of Internal Revenue v. Filipinas De Seguros*, 107 Phil. 1055 [1960]; *1 Garcia v. Ambler*, 4 Phil. 81 [1904]; *McMicking v. Lichauco*, 27 Phil. 386 [1914].
- [5] *LVN Pictures, Inc. v. Phil. Musicians Guild*, 110 Phil. 725 [1961]; *People v. Purisima*, G.R. No. 52050, November 20, 1978, 86 SCRA 542; *Commissioner of Internal Revenue v. Filipina Compania De Seguros*, 107 Phil. 1055 [1960].
- [6] *Rivera v. Campbell*, 34 Phil. 348 [1916].
- [7] *Muñoz & Co. v. Hord*, 12 Phil. 624 [1909]; *Ty Sue v. Hord*, 12 Phil. 485 [1909]; *Sarcos v. Castillo*, G.R. No. 29755, January 31, 1969, 26 SCRA 853; *Republic Flour Mills, Inc. v. Commissioner of Customs*, G.R. No. L-28463, May 31, 1971, 39 SCRA 269; *People v. Gatchalian*, 104 Phil. 664 [1958]).
- [8] *Manila Lodge No. 761 v. Court of Appeals*, G.R. No. L-41001, September 30, 1976, 73 SCRA 162.

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