ATTY. EMMANUEL PONTEJOS, PETITIONER, VS. HON. ANIANO A DESIERTO AND RESTITUTO AQUINO, RESPONDENTS.

G.R. NO. 148600. July 07, 2009

Ponente: LEONARDO-DE CASTRO, J.

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LEONARDO-DE CASTRO, J.:

In this petition for review on certiorari under Rule 45 of the Rules of Court, petitioner seeks to set aside and annul the Decision[1] dated August 21, 2000 as well as the Resolution[2] dated June 15, 2001 of the Court of Appeals (CA) in CA-G.R. SP No. 54474.

The CA decision dismissed the petition filed by herein petitioner assailing the decision[3] of Aniano Desierto in his capacity as Ombudsman which found petitioner guilty of grave misconduct and imposed upon him the penalty of dismissal.

The factual antecedents of the case are summarized by the CA thus:

> On August 26, 1998, the Housing and Land Regulatory Board (HLURB, for brevity) received a Notice of Appeal filed by Rasemco, Inc., represented by its president Restituto Aquino, in a case captioned as "Rasemco Construction Corp. vs. Hammercon, Inc." docketed as HLURB Case No. 9817 decided by Arbiter Emmanuel Pontejos, petitioner herein. In said Notice of Appeal, Rasemco, through Aquino, asked for the nullification of all the proceedings conducted before Arbiter Pontejos for alleged extortion, bribery and graft and corruption committed by Pontejos in conspiracy with Director Wilfredo Imperial and Ms. Carmen Atos, both of HLURB and one Roderick Ngo, officer of Hammercon, Inc. Attached to the Notice of Appeal were a photocopy of Aquino's letter to President Joseph Estrada dated August 12, 1998 and his complaint-affidavit. The complaint-affidavit imputed to the named officer and employee of HLURB the following acts, viz:
>
> - Demanding and receiving monetary consideration in exchange for offers of assistance in securing a favorable decision in a pending case;
>
> - Inaction of Director Imperial of complainant's opposition to the issuance of license to sell in favor of Rasemco, Inc., and subsequently, his issuance of said license despite his supposed knowledge about the existence of legal defect or impediment in applicant's title;
>
> - Arbiter Pontejos' preparing and/or editing pleadings such as draft petition for review as well as other legal documents such as affidavits and contracts for Rasemco; and
>
> - Aquino and his lawyer, Atty. Venturanza, outside of office premises.

The gravity of the allegations contained in the complaint prompted the HLURB to conduct an investigation despite the absence of a formal administrative complaint. On August 28, 1998, Commissioner Francisco L. Dagñalan of the Legal and Administrative Affairs of HLURB directed Dir. Imperial, Atty. Pontejos and Ms. Atos to submit their comments to Mr. Aquino's affidavit complaint within five (5) days from receipt of the memorandum dated August 28, 1998. On September 2, 1998, petitioner and Ms. Atos submitted separate explanations denying the allegations in the complaint and giving their own version of the events. Meanwhile, Dir.

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Imperial submitted a Manifesto written in Filipino, dated August 31, 1998, as his answer to the complaint.

On September 8, 1998, HLURB Chief Executive Officer (CEO) and Commissioner Romulo Q. Fabul issued HLURB Special Order No. 55 creating a fact-finding committee to investigate the background and circumstances of Mr. Aquino's complaint against Dir. Imperial, Arbiter Pontejos and Carmen Atos and determine the remedial and preventive management measures that HLRUB must undertake, if any. Commissioner Francisco Dagñalan was named chairman of the fact-finding committee and Commissioners Roque Arrieta Magno and Teresita A. Desierto as members.

While the fact-finding committee of the HLURB was conducting their investigation, Mr. Aquino filed an administrative complaint with the Office of the Ombudsman against the same persons on alleged conspiracy to extort money form him under a promise that a favorable decision will be rendered in a case pending before HLURB. Attached to the complaint are the sworn statements of Ruth Adel and Atty. Thaddeus E. Venturanza, Resemco's finance officer and legal counsel, respectively, and a photocopy of the check allegedly received by Arbiter Pontejos through Ms. Atos. The Evaluation and Preliminary Investigation Bureau (EPIB, for brevity) of the Office of the Ombudsman conducted a preliminary investigation and directed the respondents to file their counter-affidavits and other supporting evidence. On September 25, 1998, respondent Atos filed her counter-affidavit denying the material allegations of the complaint and raised the defense that the check given by Ruth Adel was in payment of a personal transaction between them. The counter-affidavit of respondent Pontejos submitted on December 4, 1998, also denied the material allegations of the complaint and dismissed the complaint as "nothing more than a disgruntled losing party seeking to gain leverage." Repondent Imperial also denied the allegations linking him to the alleged extortion perpetrated by Atty. Pontejos and Ms. Atos and in the receipt of his alleged share in the bribe.

Meanwhile, the fact-finding committee of the HLURB proceeded with their own investigation, limiting their inquiry into the administrative aspect of the complaint. On January 29, 1999, the committee submitted its report on the investigation proposing among others to indorse the report to the Office for the Ombudsman for its consideration.

On February 18, 1999, public respondent Ombudsman Aniano A. Desierto issued an order placing petitioner Pontejos under preventive suspension for a period of six (6) months without pay and further directing him and Dir. Imperial to file their counter-affidavits and other controverting evidence to the complaint. Thereafter or on February 19, 1999, the EPIB of the Office of the Ombudsman issued a joint resolution recommending that: 1) an Information for Estafa (one count) be filed against respondent Atty. EMMANUEL T. PONTEJOS befor the Regional Trial Court of Quezon City; 2) an Information for Direct Bribery be filed against respondent Atty. EMMANUEL T. PONTEJOS before the Regional Trial Court of Quezon City; 3) an Information for Unauthorized Practice of Profession in violation of R.A. 6713 to be filed against Atty. EMMANUEL T. PONTEJOS before the Metropolitan Trial Court of Quezon City; 4) the complaint against Director WILFREDO I. IMPERIAL and RODERICK NGO be dismissed for insufficiency of evidence; and 5) respondent CARMENCITA ATOS y. RUIZ be extended immunity from criminal prosecution in accordance with Section 17 of R.A.A 6770 and be utilized as a state witness. Respondent Pontejos (petitioner, herein) moved to reconsider the Order of the Office of the Ombudsman dated February 18, 1999 which motion was denied in an Order dated March 5, 1999. In accordance with the recommendation of the EPIB, the Office of the Ombudsman filed criminal informations for bribery and estafa against respondent Atty. Emmanuel T. Pontejos. Meanwhile, in a Resolution dated June 21, 1999, the Office of the Ombudsman granted Carmencita Atos immunity from criminal prosecution for bribery and estafa filed with the Regional Trial Court of Quezon City and in the Metropolitan Trial Court of Quezon City.

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On June 29, 1999, the Office of the Ombudsman disposed of the administrative complaint as follows:

> "WHEREFORE, in view of the foregoing premises, we hereby declare respondent Emmanuel Pontejos guilty of Grave Misconduct, and as such, the penalty of dismissal from the service is hereby meted on him.
>
> We hereby absolve respondent Wilfredo Imperial of the charges for lack of substantial evidence.
>
> SO ORDERED."

Petitioner moved to reconsider the above decision but this was denied by the Ombudsman in an Order dated July 21, 1999. Thereafter, he filed a petition for review under Rule 43 of the Rules of Court in the CA. On August 21, 2000, the CA dismissed the petition and upheld the Ombudsman's decision finding petitioner guilty of grave misconduct. Petitioner moved for reconsideration but the CA denied his motion.

Hence, this petition based on the following assignment of errors:

> - THE HONORABLE COURT OF APPEALS ERRED IN NOT DECLARING THAT PETITIONER WAS DENIED DUE PROCESS BY THE OFFICE OF THE OMBUDSMAN;
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> - THE HONORABLE COURT OF APPEALS ERRED IN NOT DECLARING THAT THE PROCEEDINGS BEFORE THE OFFICE OF OMBUDSMAN WAS TAINTED WITH ILL-MOTIVES;
>
> - THE HONORABLE COURT OF APPEALS ERRED IN NOT DECLARING THAT THE GRANT OF IMMUNITY TO MS. CARMENCITA R. ATOS WAS IMPROPER;
>
> - THE HONORABLE COURT OF APPEALS ERRED IN NOT DECLARING THAT THE OFFICE OF THE OMBUSMAN SINGLED OUT HEREIN PETITIONER FOR PREVENTIVE SUSPENSION
>
> - THE HONORABLE COURT OF APPEALS ERRED IN GIVING WEIGHT TO THE AFFIDAVIT DATED 18 FEBRUARY 1999 OF MS. ATOS;
>
> - THE HONORABLE COURT OF APPEALS ERRED IN NOT DECLARING THAT THERE WAS A FAILURE TO PROSECUTE ON THE PART OF PRIVATE RESPONDENT.

At the outset, it must be stated that petitioner had already raised the same issues and arguments before this Court in the case of Pontejos v. Office of the Ombudsman[4] decided on February 22, 2006. That case involved exactly the same set of facts and issues as in this case, except that what was challenged therein was the February 19, 1999 Joint Resolution of the Evaluation and Preliminary Investigation Bureau (EPIB) of the Office of the Ombudsman which found probable cause against petitioner for estafa, direct bribery and illegal practice of profession, whereas what is assailed in the instant case is the decision of the Ombudsman finding petitioner guilty of grave misconduct and dismissing him from service. We held in that case, penned by former Chief Justice Artemio V. Panganiban:

> Petitioner theorizes that the OMB resolved the Complaint against him for reasons other than the merits of the case. He specifically charges HLURB Commissioner Teresita Desierto, the spouse of Ombudsman Desierto, as the "unseen hand" behind the filing of the criminal cases. Commissioner Desierto allegedly harbored resentment against him for signing a Manifesto issued by some lawyers in the HLURB.He also recalls Commissioner Desierto threatening him if he did not resign from the HLURB. Thus, he concludes that the proceedings before the OMB were tainted with ill motives.
>
> We cannot accept petitioner's arguments. The Court observes that his arguments are merely conjectures bereft of any proof. He presented absolutely no evidence of any irregularity in the proceedings before the OMB. There was no showing that Commissioner Desierto interfered in any manner in the proceedings before the OMB. Other than petitioner's bare assertions, there was also no proof that Commissioner Desierto bore a grudge against Pontejos.

x x x

The decision on whether to prosecute and whom to indict is executive in character. It is the prosecution that could essentially determine the strength of pursuing a case against an accused. The prosecutorial powers include the discretion of granting immunity to an accused in exchange for testimony against another. xxx

It is constitutionally permissible for Congress to vest the prosecutor with the power to determine who can qualify as a witness and be granted immunity from prosecution. Noteworthy, there are many laws that allow government investigators and prosecutors to grant immunity. In relation to this, the Court has previously upheld the discretion of the Department of Justice (DOJ), Commission on Elections (Comelec), and the Presidential Commission on Good Government (PCGG) to grant immunity from prosecution on the basis of the respective laws that vested them with such power.

The OMB was also vested with the power to grant immunity from prosecution, thus:

"SEC. 17. x x x.

"Under such terms and conditions as it may determine, taking into account the pertinent provisions of the Rules of Court, the Ombudsman may grant immunity from criminal prosecution to any person whose testimony or whose possession and production of documents or other evidence may be necessary to determine the truth in any hearing, inquiry or proceeding being conducted by the Ombudsman or under its authority, in the performance or in the furtherance of its constitutional functions and statutory objectives. x x x."

According to Pontejos, the OMB's authority to grant immunity is subject to the "pertinent provisions of the Rules of Court." He claims that the procedural rules allow the discharge of an accused as state witness only upon conformity of the trial court. An information against the accused must first be filed in court prior to the discharge. Moreover, the prosecution could only recommend and propose, but not grant immunity.

The pertinent provision of the Rules of Court reads:
"Sec. 17. Discharge of accused to be state witness. -When two or more persons are jointly charged with the commission of any offense, upon motion of the prosecution before resting its case, the court may direct one or more of the accused to be discharged with their consent so that they may be witnesses for the state when after requiring the prosecution to present evidence and the sworn statement of each proposed state witness at a hearing in support of the discharge, the court is satisfied that:

`(a) There is absolute necessity for the testimony of the accused whose discharge is requested;

`(b) There is no other direct evidence available for the proper prosecution of the offense committed, except the testimony of said accused;

`(c) The testimony of said accused can be substantially corroborated in its material points;

`(d) Said accused does not appear to be the most guilty; and

`(e) Said accused has not at any time been convicted of any offense involving moral turpitude.

`Evidence adduced in support of the discharge shall automatically form part of the trial. If the court denies the motion for discharge of the accused as state witness, his sworn statement shall be inadmissible in evidence.'"

The Court has already held that this provision is applicable only to cases already filed in court. The trial court is given the power to discharge an accused as a state witness only because it has already acquired jurisdiction over the crime and the accused.

As stated earlier, the power to choose who to discharge as state witness is an executive function. Essentially, it is not a judicial prerogative. The fact that an individual had not been previously charged or included in an

information does not prevent the prosecution from utilizing said person as a witness.
Section 17 of the Ombudsman Act requires conformity with the Rules of Court. Accordingly, this should be read as requiring the following circumstances prior to the discharge: (1) absolute necessity for the testimony of the accused sought to be discharged; (2) no direct evidence available for the proper prosecution of the offense committed except the testimony of the said accused; (3) the testimony of the said accused can be substantially corroborated in its material points; (4) said accused does not appear to be most guilty; and (5) said accused has not any time been convicted of any offense involving moral turpitude.

Indeed, there must be a standard to follow in the exercise of the prosecutor's discretion. The decision to grant immunity cannot be made capriciously. Should there be unjust favoritism, the Court may exercise its certiorari power.

In the present case, certiorari is not proper. Pontejos' allegations do not show, much less allege, grave abuse of discretion in the granting of immunity to Atos. The OMB considered Atos' position, record and involvement in the case prior to the discharge.

Pontejos also claims that he was not furnished a copy of Atos' Affidavit that connected him to the crimes. Since he was not afforded the opportunity to challenge the assertions in said Affidavit, his right to due process had allegedly been violated.

The alleged denial of due process is controverted by the facts. It appears from the records that Pontejos eventually received a copy of the aforementioned Affidavit. More importantly, he had challenged the Affidavit in his Motion for Reinvestigation and request for reconsideration of the Review and Recommendation of the Overall Deputy Ombudsman. Pontejos' contention must necessarily fail because -- as shown -- he had the opportunity to be heard and in fact, availed of it.

The foregoing ruling is the law of the case and thus lays to rest the issues posed by petitioner in his assignment of errors. We see no reason in this case to deviate therefrom. It is a basic legal principle that whatever is once irrevocably established as the controlling legal rule or decision between the same parties in the case continues to be the law of the case, whether correct on general principles or not, so long as the facts on which such decision was predicated continue to be the facts of the case before the court.[5]

We are now left to discuss petitioner's liability for grave misconduct and the propriety of the penalty of dismissal imposed upon him.

Petitioner contends that he was denied of his right to due process when he was not able to confront Aquino who failed to appear in two hearings. He further avers that Aquino's absence in those hearings constitutes failure to prosecute and a ground for the dismissal of the administrative case against him. Petitioner insists that no substantial evidence existed to hold him liable for grave misconduct as the Ombudsman merely relied on the affidavits of Carmencita Atos and respondent Aquino's subordinates namely Ruth Adel, Rowena Alcovendas and Atty. Thaddeus Venturanza, in determining his administrative liability.

Due process in an administrative context does not require trial-type proceedings similar to those in courts of justice. Where opportunity to be heard either through oral arguments or through pleadings is accorded, there is no denial of procedural due process. A formal or trial-type hearing is not at all times and in all instances essential. The requirements are satisfied where the parties are afforded fair and reasonable opportunity to explain their side of the controversy at hand.[6]

In the instant case, petitioner had ample opportunity to ventilate his case. On the administrative complaint filed by Aquino against him with the Office of the Ombudsman, petitioner had received sufficient information which, in

fact, enabled him to prepare his defense. He submitted his counter-affidavit denying the allegations in the complaint. He was also able to seek reconsideration of the Ombudsman's Order placing him under preventive suspension for six (6) months. Finally, he was able to appeal the Ombudsman's ruling to the CA. Clearly, petitioner had all the opportunity to be heard, present his case and submit evidence in his defense.

We have consistently held that the essence of due process is simply the opportunity to be heard or, as applied to administrative proceedings, the opportunity to explain one's side or the opportunity to seek a reconsideration of the action or ruling complained of. Any seeming defect in its observance is cured by the filing of a motion for reconsideration. Denial of due process cannot be successfully invoked by a party who has had the opportunity to be heard on his motion for reconsideration.[7] As the records would show, petitioner had filed a motion for reconsideration of the decision of the Ombudsman. Hence, petitioner's protestations that he had been deprived of due process must necessarily fail.

The absence of Aquino in two hearings is not a sufficient ground to say that due process was not afforded petitioner. Administrative bodies are not bound by the technical niceties of law and procedure and the rules obtaining in courts of law. In administrative proceedings, technical rules of procedure and evidence are not strictly applied and administrative due process cannot be fully equated with due process in its strict judicial sense. In fact, it is well-settled that, in administrative cases, the requirement of notice and hearing does not connote full adversarial proceedings.[8] Thus, petitioner was not denied due process when he failed to cross-examine Aquino since he was given the opportunity to be heard and present his evidence. To repeat, in administrative cases, a fair and reasonable opportunity to explain one's side suffices to meet the requirements of due process.[9]

Petitioner cites Section 3, Rule 17 of the 1997 Rules of Civil Procedure to support his argument that the administrative case against him should have been dismissed for failure to prosecute because Aquino failed to appear in two hearings of the EPIB of the Office of the Ombudsman.

Section 3, Rule 17 of the 1997 Rules of Civil Procedure, states -

> SEC. 3. Dismissal due to fault of plaintiff. - If, for no justifiable cause, the plaintiff fails to appear on the date of the presentation of his evidence in chief on the complaint, or to prosecute his action for an unreasonable length of time, or to comply with these Rules or any order of the court, the complaint may be dismissed upon motion of the defendant or upon the court's own motion, without prejudice to the right of the defendant to prosecute his counterclaim in the same or in a separate action. This dismissal shall have the effect of an adjudication upon the merits, unless otherwise declared by the court.

The provisions of the Rules of Court may be applied suppletorily to the rules of procedure of administrative bodies exercising quasi-judicial powers, unless otherwise provided by law or the rules of procedure of the administrative agency concerned. The Rules of Court, which are meant to secure to every litigant the adjective phase of due process of law, may be applied to proceedings before an administrative body with quasi-judicial powers in the absence of different and valid statutory or administrative provisions prescribing the ground rules for the investigation, hearing and adjudication of cases before it.[10]

However, even if Section 3, Rule 17 of the Rules of Court is applied to the subject administrative proceedings, petitioner's argument on the matter of failure to prosecute still lacks merit. Section 3, Rule 17 provides for three instances where the complaint may be dismissed due to the plaintiff's fault: (1) if he fails to appear during a scheduled trial, especially on the date for the presentation of his evidence in chief; (2) if he fails to prosecute his action for an unreasonable length of time; and (3) if he fails to comply with the rules or any order of the court.[11]

While a court can dismiss a case on the ground of non prosequitur, the real test for the exercise of such power is whether, under the circumstances, plaintiff is chargeable with want of due diligence in failing to proceed with

reasonable promptitude. In the absence of a pattern or scheme to delay the disposition of the case or a wanton failure to observe the mandatory requirement of the rules on the part of the plaintiff, as in the case at bar, courts should decide to dispense with rather than wield their authority to dismiss.[12]

Aquino, who initiated the complaint against petitioner, has not shown culpable negligence that would warrant the dismissal of his complaint. As pointed out by the Solicitor General in his Comment filed with this Court, records show that Aquino appeared at the clarificatory hearing called by the EPIB.[13] He even brought to the attention of the proper authorities petitioner's misconduct. Likewise, the CA noted that respondent had not manifested a lack of interest to prosecute. Besides, in an administrative case, the complainant, like Aquino, is a mere witness. No private interest is involved in an administrative case as the offense is committed against the government.[14] Thus, his absence in two hearings is not a ground for the dismissal of the case against petitioner.

We agree with the conclusions of the Office of the Ombudsman as affirmed by the CA that there was sufficient evidence to support the finding of administrative liability on the part of petitioner. It has been substantially established that petitioner demanded and received the amount of One Hundred Thousand Pesos (P100,000.00) in exchange for a favorable decision of a case[15] then pending in the HLURB where petitioner was an Arbiter. The money was given in installments from January to March 1998.[16] The statements of witnesses Atos, Adel and Atty. Venturanza are clear, categorical and replete with the details establishing how the offense was perpetrated by petitioner. Their statements corroborated the allegations of complainant Aquino. The petitioner failed to present any evidence to counter the aforesaid positive and unequivocal declarations of these witnesses, same, and as such, his guilt has been adequately shown. His bare denial undoubtedly paled in comparison with the witnesses' categorical declarations.

The Office of the Ombudsman and the appellate court invariably found petitioner guilty of grave misconduct. The Court affirms this finding following the salutary rule that factual findings of administrative bodies are accorded not only respect but even finality by the Court. In administrative proceedings, the quantum of evidence required is only substantial. The gauge of substantial evidence is satisfied where there is reasonable ground to believe that petitioner is guilty of misconduct, even if the evidence might not be overwhelming. Here, there is substantial evidence to support the Ombudsman's finding, as sustained by the CA, that petitioner is guilty of the offense charged against him. Absent a clear showing of grave abuse of discretion, the findings of the Ombudsman, when supported by substantial evidence, are conclusive and shall not be disturbed by the Court.[17] It is not the task of this Court to weigh once more the evidence submitted before administrative bodies and to substitute its own judgment for that of the latter.[18]

We thus find petitioner guilty of grave misconduct. By his actuations, he violated the policy of the State to promote a high standard of ethics in the public service. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty and efficiency, act with patriotism and justice, and lead modest lives.[19] Public servants must bear in mind this constitutional mandate at all times to guide them in their actions during their entire tenure in the government service.

Under the Civil Service Law and its implementing rules, grave misconduct is punishable by dismissal from service. Specifically, Section 22, Rule XIV of the Omnibus Rules Implementing Book V of the Administrative Code of 1987 provides:

> Sec. 22. Adiministrative offenses with its corresponding penalties are classified into grave, less grave, and light, depending on the gravity of its nature and effects of acts on the government service.
>
> The following are grave offenses with its corresponding penalties:
>
> xxx

(c) Grave Misconduct

1[st] Offense - Dismissal

xxx.

To end, it must be stressed that grave misconduct has always been and should remain anathema in the civil service. It inevitably reflects on the fitness of a civil servant to continue in office. When an officer or employee is disciplined, the object sought is not the punishment of such officer or employee but the improvement of the public service and the preservation of the public's faith and confidence in the government.[20]

WHEREFORE, the petition for review is hereby DENIED. The assailed decision of the CA in CA-G.R. SP No. 54474 is hereby AFFIRMED.

SO ORDERED.

Puno, C.J., (Chairperson), Carpio, Corona, and Bersamin, JJ., concur.

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[1] Penned by then Associate Justice Presbitero J. Velasco, Jr., now a member of this Court, with Associate Justice Bernardo LL. Salas (ret.) and Associate Justice Edgardo P. Cruz (ret.) concurring; rollo, pp. 40-54.

[2] Id. at 55-56.

[3] Id. at 98-103.

[4] G.R. Nos. 158613-614, February 22, 2006, 483 SCRA 83.

[5] Cucueco v. Court of Appeals, G.R. No. 139278, October 25, 2004, 441 SCRA 290, 301.

[6] Samalio v. Court of Appeals, G.R. No. 140079, March 31, 2005, 454 SCRA 462, 472.

[7] Ibid.

[8] Id. at 471.

[9] Autencio v. Mañara, G.R. No. 152752, January 19, 2005, 449 SCRA 46, 55.

[10] Supra note 6 at 469.

[11] Belonio v. Rodriguez, G.R. No. 161379, August 11, 2005, 466 SCRA 557, 577.

[12] Marahay v. Melicor, G.R. No. 44980, February 6, 1990, 181 SCRA 811, 817.

[13] Rollo, p. 174.

[14] Paredes v. Civil Service Commission, G.R. No. 88177, December 4, 1990, 192 SCRA 84, 98-99.

[15] HLURB Case No. 9817 entitled, "Rasemco Construction Corp. v. Hammercon, Inc."

[16] Rollo, p. 86.

[17] Basuel v. Fact-Finding and Intelligence Bureau, G.R. No. 143664, June 30, 2006, 494 SCRA 118, 127.

[18] Santos v. Manalili, G.R. No. 157812, November 22, 2005, 475 SCRA 679, 687.

[19] 1987 Constitution, Article XI, Section 1.

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[20] Civil Service Commission v. Cortez, G.R. No. 155732, June 3, 2004, 430 SCRA 593, 607-608.

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