

DEPARTMENT OF HEALTH, PETITIONER, VS. PRISCILLA G. CAMPOSANO, ENRIQUE L. PEREZ, AND IMELDA Q. AGUSTIN, RESPONDENTS.

G.R. NO. 157684. April 27, 2005

Ponente: PANGANIBAN, J.

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PANGANIBAN, J.:

Administrative due process requires that, prior to imposing disciplinary sanctions, the disciplining authority must make an independent assessment of the facts and the law. On its face, a decision imposing administrative sanctions must show the bases for its conclusions. While the investigation of a case may be delegated to and conducted by another body or group of officials, the disciplining authority must nevertheless weigh the evidence gathered and indicate the applicable law. In this manner, the respondents would be informed of the bases for the sanctions and thus be able to prepare their appeal intelligently. Such procedure is part of the sporting idea of fair play in a democracy.

The Case

Before us is a Petition for Review[1] under Rule 45 of the Rules of Court, assailing the March 19, 2003 Decision[2] of the Court of Appeals (CA) in CA-GR SP No. 67720. The challenged Decision disposed as follows:

“WHEREFORE, based on the foregoing, the petition is GRANTED. The assailed Resolutions of the CSC are hereby SET ASIDE.

“The Department of Health is hereby ordered to: “1) Reinstate petitioners without loss of seniority rights but without prejudice to an administrative investigation that may be undertaken against them by the DOH should the evidence warrant; and

“2) Pay petitioners their back salaries from the time their preventive suspension expired. Mandatory leave credits shall not be charged against their leave credits.”[3]

The Facts

The facts are narrated by the CA as follows:

“[Respondents] are former employees of the Department of Health–National Capital Region (hereinafter DOH-NCR). They held various positions as follows: [Respondent] Priscilla B. Camposano (hereinafter Camposano) was the Finance and Management Officer II, [Respondent] Imelda Q. Agustin (hereinafter Agustin) was an Accountant I, and [Respondent] Enrique L. Perez (hereinafter Perez) was the Acting Supply Officer III.

“On May 15, 1996, some concerned [DOH-NCR] employees filed a complaint before the DOH Resident Ombudsman Rogelio A. Ringpis (hereinafter the Resident Ombudsman) against Dir. IV Rosalinda U. Majarais, Acting Administrative Officer III Horacio Cabrera, and [respondents], arising out of an alleged

anomalous purchase by DOH-NCR of 1,500 bottles of Ferrous Sulfate 250 mg. with Vitamin B Complex and Folic Acid capsules worth P330,000.00 from Lumar Pharmaceutical Laboratory on May 13, 1996.

“On August 6, 1996, the Resident Ombudsman submitted an investigation report to the Secretary of Health recommending the filing of a formal administrative charge of Dishonesty and Grave Misconduct against [respondents] and their co-respondents.

“On August 8, 1996, the Secretary of Health filed a formal charge against the [respondents] and their co-respondents for Grave Misconduct, Dishonesty, and Violation of RA 3019. On October 25, 1996, then Executive Secretary Ruben D. Torres issued Administrative Order No. 298 (hereafter AO 298) creating an ad-hoc committee to investigate the administrative case filed against the DOH-NCR employees. The said AO was indorsed to the Presidential Commission Against Graft and Corruption (hereafter PCAGC) on October 26, 1996. The same reads: ‘I have the honor to transmit herewith, for your information and guidance, a certified copy of Administrative Order No. 298 dated October 25, 1996 entitled ‘CREATING AN AD HOC COMMITTEE TO INVESTIGATE THE ADMINISTRATIVE CASES FILED AGAINST NCR HEALTH DIRECTOR ROSALINDA U. MAJARAIS AND OTHER OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF HEALTH, NATIONAL CAPITAL REGION.’

“On December 2, 1996, the PCAGC took over the investigation from the DOH. After the investigation, it issued a resolution on January 23, 1998 disposing [respondents]’ case as follows:

‘WHEREFORE, premises considered, this Commission finds Respondents Rosalinda U. Majarais, Priscilla G. Camposano, Financial Management Chief II, Horacio D. Cabrera, Acting Administrative Officer V, Imelda Q. Agustin, Accountant I and Enrique L. Perez, Acting Supply Officer III, all of the Department of Health – National Capital Region (DOH-NCR) guilty as charged and so recommends to his Excellency President Fidel V. Ramos that the penalty of dismissal from the government service be imposed thereon.

‘SO ORDERED.’

“On April 20, 1998, President Ramos issued [Administrative Order No. 390 (hereinafter AO 390)] that reads:

‘WHEREFORE, premises considered, respondent Dr. Rosalinda U. Majarais is hereby found guilty as charged and, as recommended by the Presidential Commission Against Graft and Corruption, is meted the Penalty of dismissal from the service. The records of the case with respect to the other respondents are remanded to Secretary Carmencita N. Reodica, Department of Health for appropriate action.’

“Thereafter, on May 8, 1998, the Secretary of Health issued an Order disposing of the case against [respondents] and [Horacio Cabrera]. The dispositive portion reads:

‘WHEREFORE, pursuant to the Resolution rendered by the Presidential Commission Against Graft and Corruption (PCAGC) dated 23 January 1998 on the above-captioned case, respondents Priscilla G. Camposano, Financial Management Chief II, Horacio D. Cabrera, Acting Administrative Officer V, Imelda Q. Agustin, Accountant I and Enrique L. Perez, Acting Supply Officer III, all of the Department of Health – NCR are hereby DISMISSED from the service.

‘SO ORDERED.’

“On May 28, 1998 [respondents] filed a motion for reconsideration of the said Order. The Secretary of Health denied the same on June 5, 1998. Thus, [respondents] filed a Notice of Appeal on June 29, 1998.

“On July 17, 1998, [respondents] filed their appeal with the CSC. The appeal was denied by the CSC on May 21, 1999. Horacio Cabrera filed a separate appeal with the CSC which was denied on August 17, 1999. [Respondents]’ motion for reconsideration was denied on September 30, 1999. While Cabrera’s motion for reconsideration was denied on January 27, 2000. [Respondents], however, received the resolution denying their

motion for reconsideration on November 2001. Thus, Horacio Cabrera was able to appeal to [the CA] the CSC's resolutions ahead of [respondents]. The petition of Cabrera was granted [by the CA] in a decision dated October 15, 2001 with a dispositive portion which reads:

'WHEREFORE, the instant petition is GRANTED. The Assailed Resolutions of the Civil Service Commission are hereby SET ASIDE.

'Petitioner Horacio D. Cabrera is exonerated of the administrative charges against him. The Civil Service Commission is hereby ORDERED[:]

'(1) To reinstate petitioner immediately, without loss of seniority rights; and

'(2) To pay petitioner's back salaries from the time his preventive suspension expired. Mandatory leave credits shall not be charged against his leave credits.

'SO ORDERED.'"[4]

Not satisfied with the denial by the CSC (Civil Service Commission) of their appeal, respondents brought the matter to the CA.

Ruling of the Court of Appeals

While the herein assailed Decision made no reference to the separate appeal of Horacio Cabrera, the CA nonetheless used the same legal bases for annulling the CSC's Resolution against respondents.[5]

The appellate court held that the PCAGC's jurisdiction over administrative complaints pertained only to presidential appointees. Thus, the Commission had no power to investigate the charges against respondents.[6] Moreover, in simply and completely relying on the PCAGC's findings, the secretary of health failed to comply with administrative due process.[7]

Hence, this Petition.[8]

The Issues

Petitioner raises the following grounds for our consideration:

"I

The Court of Appeals erred in finding that the Presidential Commission Against Graft and Corruption (PCAGC) did not have jurisdiction to investigate the anomalous transaction involving respondents.

"II

The Court of Appeals erred in concluding that the authority to investigate and decide was relinquished by the Secretary of Health and that the Secretary of Health merely performed a mechanical act when she ordered the dismissal of respondents from government service.

"III

The Court of Appeals erred in ignoring the fact that an exhaustive investigation was already conducted by the Presidential Commission Against Graft and Corruption (PCAGC) which resulted in the finding that the anomalous contract for the purchase of medicines without the required public bidding is patently illegal."[9]

The second and the third grounds will be discussed together, as they are necessarily intertwined.

The Court's Ruling

The Petition is partly meritorious.

First Issue:

Jurisdiction to Investigate

Executive Order (EO) No. 151[10] granted the PCAGC the jurisdiction to investigate administrative complaints against presidential appointees allegedly involved in graft and corruption. From a cursory reading of its provisions, it is evident that EO 151 authorizes the PCAGC to investigate charges against presidential, not non-presidential, appointees. In its Preamble, specifically in its “Whereas” clauses, the EO “specifically tasked [the PCAGC] to x x x investigate presidential appointees charged with graft and corruption x x x.” More pointedly, Section 3 states that the “Commission shall have jurisdiction over all administrative complaints involving graft and corruption filed in any form or manner against presidential appointees x x x.” We quote the pertinent provisions below:

“Section 3. Jurisdiction. – The Commission shall have jurisdiction over all administrative complaints involving graft and corruption filed in any form or manner against presidential appointees, including those in government-owned or controlled corporations.” (emphasis supplied)

“Section 4. Powers, Functions and Duties. – The Commission shall have the following powers, functions and duties:

“(a) Investigation – The Commission shall have the power to investigate administrative complaints against presidential appointees in the executive department of the government, including those in government-owned or controlled corporations, charged with graft and corruption. In the exercise thereof, the Commission is (1) authorized to summon witnesses, administer oaths, or take testimony or evidence relevant to the investigation by subpoena ad testificandum and subpoena duces tecum, and do such other acts necessary and incidental to the discharge of its function and duty to investigate the said administrative complaints; and (2) empowered to call upon and secure the assistance of any department, bureau, office, agency, or instrumentality of the government, including government-owned or controlled corporations.

“The Commission shall confine itself to cases of graft and corruption involving one or a combination of the following criteria:

“1. Presidential appointees with the rank equivalent to or higher than an Assistant Regional Director;

“2. The amount involved is at least Ten Million Pesos (P10,000,000.00);

“3. Those which threaten grievous harm or injury to the national interest; and

“4. Those which may be assigned to it by the President.[11]

“The Commission may refer to the Office of the Ombudsman, when warranted and necessary, any case calling for the investigation and/or prosecution of the party or parties concerned for violation of anti-graft and corruption laws.

“Administrative investigation of complaints against presidential appointees currently undertaken by various presidential committees or government agencies, including government-owned or controlled corporations shall continue notwithstanding the creation and organization of the Commission. This, however, shall be without prejudice to the Commission, in its discretion, taking over the investigation if the matter under investigation is within its jurisdiction.

“(b) Coordination – The Commission shall coordinate with different government agencies for the purpose of eradicating opportunities and the climate favorable to the commission of graft and corruption. x x x.”[12] (emphasis supplied)

On the basis of the foregoing verba legis approach, respondents claim that the PCAGC did not have jurisdiction over them, because they were not presidential appointees.

The Court notes, however, that respondents were not investigated pursuant to EO 151. The investigation was authorized under Administrative Order No. 298 dated October 25, 1996, which had created an Ad Hoc Committee to look into the administrative charges filed against Director Rosalinda U. Majarais, Priscilla G. Camposano, Horacio D. Cabrera, Imelda Q. Agustin and Enrique L. Perez.

The Investigating Committee was composed of all the members of the PCAGC: Chairman Eufemio C. Domingo, Commissioner Dario C. Rama and Commissioner Jaime L. Guerrero. The Committee was directed by AO 298 to “follow the procedure prescribed under Section 38 to 40 of the Civil Service Law (PD 807), as amended.” It was tasked to “forward to the Disciplining Authority the entire records of the case, together with its findings and recommendations, as well as the draft decision for the approval of the President.”

The Chief Executive’s power to create the Ad Hoc Investigating Committee cannot be doubted. Having been constitutionally granted full control of the Executive Department, to which respondents belong, the President has the obligation to ensure that all executive officials and employees faithfully comply with the law.[13] With AO 298 as mandate, the legality of the investigation is sustained. Such validity is not affected by the fact that the investigating team and the PCAGC had the same composition, or that the former used the offices and facilities of the latter in conducting the inquiry.

Parenthetically, the perceived vacuum in EO 151 with regard to cases involving non-presidential appointees was rectified in Executive Order No. 12,[14] which created the Presidential Anti-Graft Commission (PAGC). Non-presidential appointees who may have acted in conspiracy, or who may have been involved with a presidential appointee, may now be investigated by the PAGC.[15]

Second and Third Issues:

Validity of Health Secretary’s Decision

The Administrative Code of 1987 vests department secretaries with the authority to investigate and decide matters involving disciplinary actions for officers and employees under the former’s jurisdiction.[16] Thus, the health secretary had disciplinary authority over respondents.

Note that being a presidential appointee, Dr. Rosalinda Majarais was under the jurisdiction of the President, in line with the principle that the “power to remove is inherent in the power to appoint.”[17] While the Chief Executive directly dismissed her from the service, he nonetheless recognized the health secretary’s disciplinary authority over respondents when he remanded the PCAGC’s findings against them for the secretary’s “appropriate action.”[18]

As a matter of administrative procedure, a department secretary may utilize other officials to investigate and report the facts from which a decision may be based.[19] In the present case, the secretary effectively delegated the power to investigate to the PCAGC.

Neither the PCAGC under EO 151 nor the Ad Hoc Investigating Committee created under AO 298 had the power to impose any administrative sanctions directly. Their authority was limited to conducting investigations and preparing their findings and recommendations. The power to impose sanctions belonged to the disciplining authority, who had to observe due process prior to imposing penalties.

Due process in administrative proceedings requires compliance with the following cardinal principles: (1) the respondents’ right to a hearing, which includes the right to present one’s case and submit supporting evidence, must be observed; (2) the tribunal must consider the evidence presented; (3) the decision must have some basis to

support itself; (4) there must be substantial evidence; (5) the decision must be rendered on the evidence presented at the hearing, or at least contained in the record and disclosed to the parties affected; (6) in arriving at a decision, the tribunal must have acted on its own consideration of the law and the facts of the controversy and must not have simply accepted the views of a subordinate; and (7) the decision must be rendered in such manner that respondents would know the reasons for it and the various issues involved.[20]

The CA correctly ruled that administrative due process had not been observed in the present factual milieu. Noncompliance with the sixth requisite is equally evident from the health secretary's Order dismissing the respondents thus:

“ORDER

“This refers to the Resolution of the Presidential Commission Against Graft and Corruption (PCAG[C]) on the above captioned case dated January 23, 1998, the dispositive portion of which reads:“WHEREFORE, premises considered, this Commission finds Respondents Rosalinda U. Majarais, Priscilla G. Camposano, Financial Management Chief II, [Horacio] D. Cabrera, Acting Supply Officer III, all of the Department of Health–National Capital Region (DOH-NCR) guilty as charged and so recommends to his Excellency President Fidel V. Ramos that the penalty of dismissal from the government be imposed thereon.”

“Acting on the aforequoted resolution of the PCAGC[,] His Excellency President Fidel V. Ramos issued Administrative Order No. 390 dated [A]pril 20, 1998, resolving thus:

“WHEREFORE, premises considered, respondent Dr. Rosalinda U. Majarais is hereby found guilty as charged and, as recommended by the Presidential Commission Against Graft and Corruption, is meted the penalty of dismissal from the service. The records of the case with respect to the other respondents are remanded to Secretary Carmencita N. Reodica, Department of Health for appropriate action.”

WHEREFORE, pursuant to the Resolution rendered by the Presidential Commission Against Graft and Corruption (PCAGC) dated January 23, 1998 on the above captioned case, respondents Priscilla G. Camposano, Financial Management Chief II; Horacio D. Cabrera, Acting Administrative Officer V; Imelda Q. Agustin, Accountant I; and Enrique G. Perez, Acting Supply Officer III; all of the Department of Health–NCR, are hereby DISMISSED from the service.”[21]

Concededly, the health secretary has the competence and the authority to decide what action should be taken against officials and employees who have been administratively charged and investigated. However, the actual exercise of the disciplining authority's prerogative requires a prior independent consideration of the law and the facts. Failure to comply with this requirement results in an invalid decision. The disciplining authority should not merely and solely rely on an investigator's recommendation, but must personally weigh and assess the evidence gathered. There can be no shortcuts, because at stake are the honor, the reputation, and the livelihood of the person administratively charged.

In the present case, the health secretary's two-page Order dismissing respondents pales in comparison with the presidential action with regard to Dr. Majarais. Prior to the issuance of his seven-page decision, President Fidel V. Ramos conducted a restudy of the doctor's case. He even noted a violation that had not been considered by the PCAGC.[22] On the other hand, Health Secretary Carmencita N. Reodica simply and blindly relied on the dispositive portion of the Commission's Resolution. She even misquoted it by inadvertently omitting the recommendation with regard to Respondents Enrique L. Perez and Imelda Q. Agustin.

The Order of Secretary Reodica denying respondents' Motion for Reconsideration also failed to correct the deficiency in the initial Order.[23] She improperly relied on the President's findings in AO 390 which, however, pertained only to the administrative charge against Dr. Majarais, not against respondents. To repeat, the Chief

Executive recognized that the disciplinary jurisdiction over respondents belonged to the health secretary,[24] who should have followed the manner in which the President had rendered his action on the recommendation.

The President's endorsement of the records of the case for the "appropriate action" of the health secretary[25] did not constitute a directive for the immediate dismissal of respondents. Like that of President Ramos, the decision of Secretary Reodica should have contained a factual finding and a legal assessment of the controversy to enable respondents to know the bases for their dismissal and thereafter prepare their appeal intelligently, if they so desired.

To support its position, petitioner cites *American Tobacco Co. v. Director of Patents*.^[26] However, this case merely authorized the delegation of the power to investigate, but not the authority to impose sanctions. Verily, in requiring the disciplining authority to exercise its own judgment and discretion in deciding a case, *American Tobacco* supports the present respondents' cause. In that case, the petitioners objected to the appointment of hearing officers and sought the personal hearing of their case by the disciplining authority.^[27] The Court, however, sustained the right to delegate the power to investigate, as long as the adjudication would be made by the deciding authority.

By the same token, the Constitution^[28] grants the Supreme Court disciplinary authority over all lower court justices and judges, as well as judicial employees and lawyers. While the investigation of administrative complaints is delegated usually to the Office of the Court Administrator (OCA) or the Integrated Bar of the Philippines (IBP),^[29] the Court nonetheless makes its own judgments of the cases when sanctions are imposed. It does not merely adopt or solely rely on the recommendations of the OCA or the IBP.

Inasmuch as the health secretary's twin Orders were patently void for want of due process, the CA did not err in refusing to discuss the merit of the PCAGC's (or the Ad Hoc Committee's) recommendations. Such a discussion should have been made by the health secretary before it could be passed upon by the CA.

In representation of petitioner, the Office of the Solicitor General insists that respondents are guilty of the charges and, like Dr. Majaraes, deserve dismissal from the service. Suffice it to stress that the issue in this case is not the guilt of respondents, but solely due process.

In closing, the Court reiterates the oft-quoted aphorism that the end does not justify the means. Guilt cannot be pronounced nor penalty imposed, unless due process is first observed. This is the essence of fairness and the rule of law in a democracy.

WHEREFORE, the Petition is PARTLY GRANTED. The assailed Decision of the Court of Appeals is MODIFIED in the sense that the authority of the Ad Hoc Investigating Committee created under Administrative Order 298 is SUSTAINED. Being violative of administrative due process, the May 8, 1998 and the June 5, 1998 Orders of the health secretary are ANNULLED and SET ASIDE. Let the records of this case be REMANDED to the Department of Health, so that proper steps can be taken to correct the due-process errors pointed out in this Decision.

No pronouncement as to costs.

SO ORDERED.

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

[1] Rollo, pp. 18-71.

[2] *Id.*, pp. 73-80. Seventeenth Division. Penned by Justice Juan Q. Enriquez Jr., with the concurrence of Justices Bernardo P. Abesamis (Division chairman) and Edgardo F. Sundiam.

[3] Assailed Decision, p. 7; rollo, p. 79.

[4] *Id.*, pp. 2-4 & 8-10.

[5] See *Cabrera v. Department of Health*, CA-GR SP No. 57615, October 15, 2001; CA rollo, pp. 147-163.

[6] Assailed Decision, p. 5; rollo, p. 11.

[7] *Id.*, pp. 6 & 12.

[8] The case was deemed submitted for decision on March 29, 2004, upon this Court's receipt of petitioner's Memorandum, signed by Solicitor Elma M. Rafallo-Lingan and Associate Solicitor Josephine de Sagon Mejia. Respondents' Memorandum, signed by Atty. Gil D. Genorga Jr., was received by this Court on March 3, 2004.

[9] Petitioner's Memorandum, pp. 13-14; rollo, pp. 364-365.

[10] "Creating a Presidential Commission to Investigate Administrative Complaints Involving Graft and Corruption," issued on January 11, 1994.

[11] Petitioner incorrectly used this provision to argue that EO 151 covered non-presidential appointees. Since this provision belongs to paragraph (a), its applicability is limited to presidential appointees only. Necessarily, a case assigned to the PCAGC should refer to a presidential appointee.

EO 151 should be read in its entirety, each part or section construed together as a harmonious whole. The jurisdiction conferred on PCAGC refers to the investigation of charges against presidential appointees. This was the intention of the Executive Order, as articulated in the "Whereas" clause and as provided in §§3 and 4.

[12] As amended by Executive Order No. 151-A, "Amending Executive Order No. 151 Dated 11 January 1994," enacted on January 21, 1995.

[13] §17, Article VII, Constitution; §1, Chapter 1, Title I, Book III, Executive Order 292. See also *Rodriguez v. Santos* (119 Phil. 723, 727, February 29, 1964), in which the Court sustained the President's power to appoint a fact-finding investigator, notwithstanding the lack of disciplining authority over the public official concerned.

[14] "Creating the Presidential Anti-Graft Commission and Providing for its Powers, Duties and Functions and for Other Purposes," issued by President Gloria Macapagal-Arroyo on April 16, 2001. The PAGC took over the National Anti-Corruption Commission which, under President Joseph Ejercito Estrada's Executive Order No. 268 dated July 18, 2000, had replaced the PCAGC.

[15] The pertinent provision states:

"Section 4. Jurisdiction, Powers and Functions. –

x x x x x x x x

"(b) The Commission, acting as a collegial body, shall have the authority to investigate or hear administrative cases or complaints against all presidential appointees in the government and any of its agencies and instrumentalities x x x occupying the position of assistant regional director, or an equivalent rank, and higher, otherwise classified as Salary Grade "26" and higher, of the Compensation and Position Classification Act of 1989 (Republic Act No. 6758). In the same manner, the Commission shall have jurisdiction to investigate a non-presidential appointee who may have acted in conspiracy or may have been involved with a presidential

appointee or ranking officer mentioned in this subsection. x x x.”

[16] Paragraph (2), §47, Chapter 6, Book V, Executive Order 292.

[17] See *Umali v. Guingona*, 365 Phil. 77, 86, March 29, 1999; *Larin v. Executive Secretary*, 280 SCRA 713, 725, October 16, 1997. See also *David v. Villegas*, 81 SCRA 642, 648, February 28, 1978.

[18] AO 390, p. 7; rollo, p. 109.

[19] *Mollaneda v. Umacob*, 411 Phil. 159, 173, June 6, 2001; *American Tobacco Co. v. Director of Patents*, 67 SCRA 287, 295, October 14, 1975. See *Lupo v. Administrative Action Board*, 190 SCRA 69, 75, September 26, 1990; see also paragraph (3), §47, Chapter 1, Book V, Executive Order 292. The department secretary is specifically empowered to delegate the investigation of complaints to subordinates or other officials for their report and recommendation.

[20] *Singson v. National Labor Relations Commission*, 274 SCRA 358, 364, June 19, 1997; *Eastern Broadcasting Corporation v. Dans*, 137 SCRA 628, 634, July 19, 1985; *Doruelo v. Commission on Elections*, 133 SCRA 376, 382, November 21, 1984; *Ang Tibay v. Court of Industrial Relations*, 69 Phil. 635, 644, February 27, 1940.

[21] Rollo, pp. 110-111.

[22] The President noted that the Memorandum of Agreement executed by Dr. Majarais with the suppliers arrogated the mandated duty of the Bids and Awards Committee to award a contract to the winning bidder in the form of a Resolution. AO 390, p. 6; rollo, p. 108.

[23] Order on the Motion for Reconsideration, *DOH v. Dr. Rosalinda U. Majarais*, dated June 5, 1998; rollo, pp. 112-113.

[24] AO 390, p. 6; rollo, p. 108.

[25] AO 390, p. 7; rollo, p. 109.

[26] 67 SCRA 287, October 14, 1975.

[27] *Id.*, p. 291.

[28] §6, Article VIII, Constitution; §5, pars. (5) & (6), Article VIII, Constitution. See also *Maceda v. Vasquez*, 221 SCRA 464, 467, April 22, 1993; *In re Edillon*, 84 SCRA 554, 568, August 3, 1978.

[29] The Office of the Court Administrator was created to assist the Supreme Court in the exercise of the latter’s administrative supervision over all the courts. (PD 828, as amended by PD 842, enacted on November 18, 1975). See Rule 139-B, Rules of Court, for the procedure for disbarment and suspension of attorneys.

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