

PHILIPPINE TOBACCO FLUE-CURING & REDRYING CORPORATION, PLAINTIFF AND APPELLEE, VS. MANUEL SABUGO, FRUCTUOSO ALBAN, AS CHIEF, LABOR RELATIONS SECTION, AND PEDRO A. DE LEON AS HEA...

G.R. No. 16017. August 31, 1961

Ponente: REYES, J.B.L., J.

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REYES, J.B.L., J.:

This appeal is one of several cases brought before this Court for review questioning the validity of Reorganization Plan 20—A, which grants to regional offices of the Department of Labor exclusive and original jurisdiction over money claims enumerated under Section 25 of said plan.

The present dispute arose when Manuel Sabugo, one of the appellants herein, filed with Regional Office No. 1, Department of Labor, a complaint against the Philippine Tobacco Flue Curing and Redrying Corporation, demanding the payment of overtime compensation for services allegedly rendered in excess of the statutory eight (8) hours from November, 1951, to September 30, 1958. On the thesis that Reorganization Plan 20—A is null and void, the corporation filed with the Court of First Instance of Quezon City a petition for prohibition, with preliminary injunction, to restrain therein defendants Fructuoso Alban, as Chief of the Labor Relations Section, and Pedro de Leon, as Hearing Officer of the regional office, from hearing and adjudicating Sabugo's complaint. As prayed for, a writ of preliminary injunction was issued.

Issues having been joined upon the filing of the Labor officials' answer, the lower court rendered judgment on the pleadings, dated 2 July 1959, sustaining the employer's contention and issuing the writ of prohibition on two grounds (a) That the conferment upon the regional offices of jurisdiction to hear and adjudicate certain money claims constitutes an undue delegation of judicial powers, and (b) that Reorganization Plan 20—A is a nullity, it having failed to meet the constitutional requirements on enacting bills. From the decision, this appeal was taken.

Appellants' assignments of error are no different from the ones previously raised and passed upon in cases recently decided by this Court. As to the contention that the lower court erred in holding that "the authority granted upon the defendant officials of the Department of Labor by plan 20—A to hear and decide cases constitutes an undue delegation of judicial power," this Court has noted and ruled that neither Republic Act No. 997 nor the amendatory provisions of Republic Act No. 1241 empowered the Government Survey and Reorganization Commission to abolish or create judicial functions.

"It is true that in Republic Act No. 1241, amending Section 4 of Republic Act 997, which created the Government Survey and Reorganization Commission, the latter was empowered— (2) To abolish departments, offices, agencies, or functions which may not be necessary, or create those which may be necessary for the efficient conduct of the government service, activities, and functions. (*Italics supplied*)

But these 'function', which could thus be created, obviously refer merely to administrative, not judicial, functions. For the Government Survey and Reorganization Commission was created to carry out the reorganization of the

Executive Branch of the National Government (See Section 3 of R. A. No. 997, as amended by R. A. No. 1241), which plainly did not include the creation of courts. And the Constitution expressly provides that "the Judicial power shall be vested in one Supreme Court and in such inferior courts as may be established by law." (Sec. 1, Art. VIII of the Constitution). Thus, judicial power rests exclusively in the judiciary. It may be conceded that the legislature may confer on administrative boards or bodies quasi-judicial powers involving the exercise of judgment and discretion, as incident to the performance of administrative functions. But in so doing, the legislature must state its intention in express terms that would leave no doubt, as even such quasi-judicial prerogatives must be limited, if they are to be valid, only to those incidental to or in connection with the performance of administrative duties, which do not amount to conferment of jurisdiction over a matter exclusively vested in the courts."^[1]

Appellants also argue that the questioned reorganization plan should, nevertheless, be considered a valid legislation by non-action on the part of Congress, pursuant to the provisions of Section 6(a), Republic Act No. 997, which provides that the plans shall be deemed approved seventy session days after their transmittal to Congress unless disapproved by the concurrent resolution.

On this point, we have ruled that:

"It is an established fact that the Reorganization Commission submitted Reorganization Plan No. 20—A to the President who, in turn, transmitted the same to Congress on February 14, 1956. Congress adjourned its sessions without passing a resolution disapproving or adopting the said reorganization plan. It is now contended that, independent of the matter of delegation of legislative authority (discussed earlier in this opinion) said plan, nevertheless, became a law by non-action on the part of Congress. * * *

* * * * *

"Such a procedure of enactment of law by legislative inaction is not countenanced in this jurisdiction. * * *"

* * * * *

"A comparison between the procedure of enactment provided in Section 6(a) of the Reorganization Act and that prescribed by the Constitution will show that the former is in distinct contrast to the latter. Under the first, consent or approval is to be manifested by silence or adjournment or by 'concurrent resolution.' In either case, the contemplated procedure violates the constitutional provisions requiring positive and separate action by each House of Congress. It is contrary to the settled and well understood parliamentary law which requires that the two houses are to hold separate sessions for their deliberations, and the determination of the one upon a proposed law is to be submitted to the separate determination of the other. (Cooley, Constitutional Limitation, 7th ed., p. 187).

Furthermore, Section 6(a) of the Act would dispense with the 'passage' of any measure, as that word is commonly used and understood, and with the requirement of presentation to the President, * * * for under it, the President would propose the legislative action by submitting the plan, rather than approve or disapprove the action taken by Congress."^[2]

It follows that if Reorganization Plan No. 20—A did not validly confer on the regional offices of the Department of Labor the authority to hear and adjudicate claims for money under Section 25 thereof, then appellants' final contention that said offices may issue writs of execution to enforce their decision must likewise fail.

Wherefore the judgment appealed from is affirmed. Without special pronouncement as to costs.

Bengzon, C. J., Padilla, Labrador, Concepcion, Barrera, Paredes, Dizon, De Leon, and Natividad, JJ., concur. Bautista Angelo, J., did not take part.

[1] Miller vs. Mardo and Gonzales, Chin Hua Trading Co. vs. Mardo et al., Raganas vs. Sen Bee Trading Co., et al., Romero vs. Hernando et al., Fred Wilson & Co. vs. Parducho, etc., et al., supra, p. 792; See. also Pitogo vs. Sen Bee Trading Co., et al., supra, p. 842; Corominas, Jr., et al., vs. Labor Standard Commission, et al., MCU vs. Calupitan, et al., Wong vs. Carlim, et al., Balrodgan Co., et al., vs. Fuentes, et al., supra, p. 551; Lectura vs. Regional Office No. 8, et al., Leung vs. Fuentes, et al., Regina Inc. vs. Arnado, et al., supra, p. 837; Liwanag vs. Central Azucarrera de Don Pedro, supra, p. 834.

[2] Bill Miller vs. Mardo and Gonzales, Chin Hua Trading Co. vs. Mardo, et al., Raganas vs. Sen Bee Trading Co., et al., Romero vs. Hernando, etc. et al., Fred Wilson & Co. Inc. vs. Parducho, etc., et al., all jointly decided, July 31, 1961, supra, p. 792.

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