

**JEANY-VI G. KIANI, PETITIONER, VS. THE BUREAU OF IMMIGRATION AND DEPORTATION (BID); EDGARDO CABRERA, ELISEO EXCONDE AND JOSE VALE, JR., RESPONDENTS.***G.R. NO. 160922. February 27, 2006*

Ponente: CALLEJO, SR., J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-160922/>**CALLEJO, SR., J.:**

This is a Petition for Review on Certiorari for the nullification of the decision<sup>[1]</sup> of the Court of Appeals (CA) in CA-G.R. No. 74484, dismissing the appeal of Jeany-Vi G. Kiani, which assailed the Order of the Regional Trial Court (RTC) of Manila, Branch 8, in Special Proceedings (Sp. Proc.) No. 02-103935, dismissing her Petition for Habeas Corpus.

On June 19, 2002, Javed Kiani, a British national but a Pakistani by birth<sup>[2]</sup> reported to the Rodriguez, Rizal Police Station that his friends, Iqbal Singh and Balbir Singh, had been forcibly taken by four (4) armed men from their residence at Balita, Rodriguez, Rizal.<sup>[3]</sup> A couple of days later, then Commissioner Andrea D. Domingo of the Bureau of Immigration and Deportation (BID) issued Mission Order No. ADD-02-203 based on Executive Order No. 287 of former President Joseph Estrada. In said Order, appropriate officers of the Bureau were directed to conduct verification/validation of the admission status and activities of Javed Kiani, and, if found to have violated the Philippine Immigration Act of 1940, as amended, to immediately place him under arrest.<sup>[4]</sup> Per records of the BID, Javed Kiani was married to a Filipina, Jeany-Vi Kiani, on July 27, 1988. He was admitted as an immigrant and was issued a permanent resident visa on March 17, 1993.<sup>[5]</sup>

A week later, on June 27, 2002, Javed Kiani was arrested at Felicidad Village, Montalban, Rizal. The arresting officers, Eduardo Cabrera, Eliseo Exconde and Jose Vale, Jr., operatives of the Bureau of Intelligence of the BID, relied on information from Iqbal and Balbir Singh, who pointed to Javed Kiani as the one who had furnished them with fake Alien Certificate Registration (ACR) and Immigrant Certificate Registration (ICR). Apparently, the forms used were not official BID forms.<sup>[6]</sup>

On July 1, 2002, the BID Prosecutor filed a Charge Sheet<sup>[7]</sup> against "Javed Kiani alias Ahmad Singh" before the Board of Special Inquiry (BSI) for violation of the Philippine Immigration Act of 1940, as amended, particularly Section 37(a)(7) and Section 45 thereof. The case was docketed as D.C. No. ADD-02-080. The Charge Sheet reads:

Records show that the above-named subject was arrested on June 27, 2002 by Bureau's Intelligence operatives at Felicidad Village, Montalban, Rizal, pursuant to Mission Order No. ADD-02-203, dated June 20, 2002.

Records also show that subject national was positively identified by Indian nationals Balbir Singh and Iqbal Singh when they were arrested by the same operatives on June 18, 2002 as the person who gave them spurious immigration documents and as their protector evidenced by copies of the ACRs and ICRs of Balbir and Iqbal Singh, which were certified by Mr. Reynaldo Joson as "fake." Additionally, Mr. Joson certified that the forms used in the forgery/falsification are not official forms of this Bureau.

Contrary to law.[8]

On the same day, July 1, 2002, the Board of Commissioners (BOC) conducted a summary proceeding and issued a Summary Deportation Order revoking the visa issued to Javed Kiani. The Order reads in part:

Considering the seriousness of the charge/s and the evidence in support thereof, respondent, whose Temporary Residence Visa is hereby ordered cancelled and revoked, is hereby ordered summarily deported to his country of origin, subject to PNP, Court and NBI clearances and payment of an administrative fine in the amount of P50,000.00.[9]

The next day, July 2, 2002, Javed Kiani's wife, Jeany-Vi, filed a Petition for a Writ of Habeas Corpus[10] for and in behalf of her husband before the RTC of Manila, naming the BID and its intelligence officers as respondents. She prayed that the court issue a writ of habeas corpus directing respondents to produce the person of Javed Kiani before it "in the soonest time possible and to show the cause or legal justification for the latter's detention and imprisonment, if any; and for such other or further reliefs as may be deemed just and equitable under the premises." She further alleged that her husband had intervened in the arrest of Iqbal and Balbir Singh, and that the arresting officers resented such intervention. She insisted that the arrest and detention of her husband were bereft of factual and legal basis, since at the time, no deportation order had yet been issued against him. Citing the ruling of this Court in *Board of Commissioners v. Dela Rosa*,[11] she alleged that the Mission Order issued by the Immigration Commissioner was void. The case was docketed as Sp. Proc. No. 02-103935.[12] Javed Kiani had been detained at the BID Detention Center, Camp Bagong Diwa, Taguig, Metro Manila since July 3, 2002.[13]

On July 18, 2002, the RTC issued an Order[14] granting bail for Javed Kiani on a bond of P50,000.00, and ordered respondent BID Intelligence Officers to file their return on the writ. The respondents complied, and alleged in their return that Javed Kiani had already been charged before the BOC and ordered deported; hence, the petition had become moot and academic. They refused to release Kiani although the bond had already been posted.[15] Instead, the respondents, through the Office of the Solicitor General (OSG), filed an Omnibus Motion[16] for the reconsideration of the Order on the following grounds: (1) under Section 37(9)(e) of Commonwealth Act 613, as amended, it is the Commissioner of Immigration, and not the court, who has authority to grant bail in a deportation proceeding; (2) the court has no authority to grant the petition considering that Javed Kiani was lawfully charged with violation of the Philippine Immigration Act of 1940, as amended, before the BSI; and (3) the BOC has subsequently issued a Summary Deportation Order.

On October 28, 2002, the RTC issued an Order[17] granting the motion and setting aside its July 18, 2002 Order. In dismissing the petition, it ruled that Jeany-Vi was barred from questioning the legality of the arrest and detention of her husband, following the filing of the Charge Sheet with the BSI; as such, there was no justification for the issuance of a writ of habeas corpus. It declared that, as gleaned from the return of the writ filed by the respondents, Javed Kiani was lawfully charged with violation of the Philippine Immigration Act of 1940, as amended; hence, the Summary Deportation Order issued by the BOC was valid.

The RTC also ruled that the proper remedy of Javed Kiani from the Summary Deportation Order of the BOC was to file a petition for review with the CA under Rule 43 of the Rules of Court (and not a petition for a writ of habeas corpus before it), as it had no jurisdiction to take cognizance of and reverse the Summary Deportation Order issued by the BOC.

Jeany-Vi appealed the RTC's Order of July 18, 2002 to the CA, in which she raised the following issues:

- WHETHER OR NOT THE ARREST OF JAVED KIANI ON 27 JUNE 2002 AND HIS SUBSEQUENT DETENTION BY THE RESPONDENTS-APPELLEES WERE VALID AND/OR LEGAL.

- WHETHER OR NOT THE SUPPOSED ISSUANCE OF A SUMMARY DEPORTATION ORDER AGAINST JAVED KIANI HAS THE EFFECT OF LEGALIZING AND/OR VALIDATING HIS CONTINUED DETENTION, THEREBY RENDERING THE HABEAS CORPUS PETITION DISMISSIBLE.[18]

On May 8, 2003 the CA rendered judgment dismissing the appeal.[19] The CA declared that a Petition for a Writ of Habeas Corpus can no longer be allowed since the party sought to be released had been charged before the BSI. Assuming that Javed Kiani's detention or his arrest was illegal, any incipient infirmity thereon was cured by the filing of the Charge Sheet against him. The appellate court cited the ruling of this Court in *Velasco v. Court of Appeals*. [20] It likewise affirmed the ruling of the RTC that it had no jurisdiction to take cognizance of and reverse the Summary Deportation Order of the BOC, that the remedy of petitioner from the Summary Deportation Order of the BOC was to file a petition for review with the CA under Rule 43 of the 1997 Rules of Civil Procedure, and that her failure to do so rendered said Order final and executory.

Jeany-Vi received a copy of the CA Decision on May 22, 2003, and filed a Motion for Reconsideration thereof on June 6, 2003. She alleged that since the Summary Deportation Order of the BOC had not yet been promulgated by the BSI, the period to appeal was yet to commence, and as such, said order could not become final and executory. Even assuming that such order had become final and executory, her husband was entitled to a writ of habeas corpus since he was deprived of his right to due process.

On November 21, 2003, the appellate court resolved to deny the motion.[21] Jeany-Vi received a copy of the Resolution on December 1, 2003.

On January 15, 2004, petitioner filed the instant petition for review on certiorari under Rule 45 of the Revised Rules of Court, alleging that:

- THE COURT OF APPEALS ERRED IN FAILING TO NULLIFY AND TO DECLARE AS ILLEGAL THE ACTUAL ARREST AND SUBSEQUENT DETENTION OF JAVED KIANI.
- THE COURT OF APPEALS ERRED IN FAILING TO DECLARE AS NULL AND VOID AB INITIO THE PUTATIVE SUMMARY DEPORTATION ORDER AGAINST JAVED KIANI.
- THE COURT OF APPEALS ERRED IN CONCLUDING THAT THE SUMMARY DEPORTATION ORDER AGAINST JAVED KIANI HAS ALREADY BECOME FINAL AND EXECUTORY.
- THE COURT OF APPEALS ERRED IN CONCLUDING THAT HABEAS CORPUS IS NOT THE CORRECT OR PROPER REMEDY AVAILABLE TO THE HEREIN PETITIONER.[22]

Petitioner avers that the Mission Order issued by the Immigration Commissioner for the investigation and arrest of her husband, Javed Kiani, is null and void. She points out that when said Order was issued, the BOC had not yet made a determination as to the existence of a lawful ground for his deportation. She further avers that the Immigration Commissioner has no power to issue a Mission Order or Warrant of Arrest solely for the purpose of investigation, and before a final order for deportation is issued by the BOC. She insists that an order of arrest is proper only if the BOC has already issued an Order of deportation. She cites the rulings of this Court in *Qua Chee Gan v. Deportation Board*, [23] *Ang Ngo Chiong v. Galang*, [24] and *Board of Commissioners v. Dela Rosa*. [25]

Petitioner further maintains that the filing of the Charge Sheet against Javed Kiani by the BOC did not render the issue of the illegality of arrest and detention moot and academic. She asserts that there is no factual and legal basis for the deportation of her husband because he had been issued a permanent visa and his passport is yet to expire. She avers that a warrant for the arrest of her husband may be issued only after a Summary Deportation Order shall have become final and executory. Considering that there was no showing in the records that said Order had

already been promulgated by the BSI, it could not have become final and executory. She avers that the ruling of this Court in *Velasco v. Court of Appeals*[26] is not applicable in this case.

In its Comment on the petition filed on December 10, 2004, the Office of the Solicitor General (OSG) avers that it agrees with the ruling of the CA and prays that it be affirmed. Citing the ruling of this Court in *Dwikarna v. Domingo*,[27] the OSG posits that the remedy of petitioner from the Summary Deportation Order of the BOC was to appeal to the CA via a petition for review under Rule 43 of the Revised Rules of Court. It maintains that it was inappropriate for petitioner to assail the arrest and detention of her husband after the filing of the Charge Sheet with the BSI.

The OSG also alleges that Javed Kiani had filed an Omnibus Motion Ad Cautelam[28] dated March 19, 2004 in the BID, presumably with the BOC, wherein he prayed that the Summary Deportation Order issued by the BOC against him be set aside, and that he be released in the meantime. The OSG also asserts that in said motion, Javed Kiani alleged that his arrest and detention was illegal because there had been as yet no determination by the BOC of any ground for his deportation; in effect, he pursued the same reliefs he seeks from this Court in his motion with the BOC, that is, to declare as illegal his continued detention and order his release. The OSG avers that this is a classic example of forum shopping which is prohibited under the Rules.

In reply, petitioner asserts that during the pendency of this case, Immigration Commissioner Alipio F. Fernandez, Jr. granted her husband's Omnibus Motion Ad Cautelam in an Order[29] dated June 22, 2004, and ordered his provisional release on a cash bond of P50,000.00. The Commissioner also declared that the Summary Deportation Order against her husband had been improvidently issued, and ruled that there was no factual and legal basis for his summary deportation. Moreover, Javed Kiani was deprived of his right to due process when the Order was issued on the same day the Charge Sheet was filed with the BSI.

The Court is posed to resolve the following issues: (1) whether petitioner engaged in forum shopping; and (2) whether the CA erred in (a) holding that the Petition for a Writ of Habeas Corpus before the RTC was not the proper remedy of petitioner; (b) upholding the validity of the Summary Deportation Order issued by the BOC; and (c) declaring that such Order had become final and executory.

On the first issue, we agree with the contention of the OSG that the petitioner indulged in forum shopping. Forum shopping is the institution of two or more actions or proceedings grounded on the same cause on the supposition that one or the other court would make a favorable disposition. Section 6, Rule 43 of the Revised Rules of Court provides that a petition for review on certiorari must contain a sworn certification against forum shopping as provided in the last paragraph of Section 2, Rule 42 of said Rules, to wit:

The petitioner shall also submit together with the petition a certification under oath that he has not theretofore commenced any other action involving the same issues in the Supreme Court, the Court of Appeals or different divisions thereof, or any other tribunal or agency; if there is such other action or proceeding, he must state the status of the same; and if he should thereafter learn that a similar action or proceeding has been filed or is pending before the Supreme Court, the Court of Appeals, or different divisions thereof, or any other tribunal or agency, he undertakes to promptly inform the aforesaid courts and other tribunal or agency thereof within five (5) days therefrom.

Under Section 5, Rule 45 of said Rules, the failure of the petitioner to comply with any of the foregoing requirements shall be sufficient ground for the dismissal of the petition.

In *Balite v. Court of Appeals*,[30] the Court held that there is forum shopping when a party seeks to obtain remedies in an action in one court, which had already been solicited, and in other courts and other proceedings in other tribunals. While a party may avail of the remedies prescribed by the Rules of Court, such party is not free to

resort to them simultaneously or at his/her pleasure or caprice. A party should not be allowed to present simultaneous remedies in two different forums, for it degrades and wreaks havoc to the rule on orderly procedure. A party must follow the sequence and hierarchical order in availing such remedies and not resort to shortcuts in procedure or playing fast and loose with the said rules. Forum shopping, an act of malpractice, is considered as trifling with the courts and abusing their processes. It is improper conduct and degrades the administration of justice.

In this case, petitioner seeks not only the reversal of the Order of the RTC dismissing her Petition for a Writ of Habeas Corpus filed in behalf of her husband (where it was also declared that he had been legally deported), as well as the decision of the CA affirming the RTC's Order; she also prays that the Court render judgment nullifying the Summary Deportation Order of the BOC and order her husband's release from detention. However, Javed Kiani himself, during the pendency of this case, filed an Omnibus Motion Ad Cautelam with the BID, seeking the same reliefs, which his wife prayed for in this case. By filing said motion, Javed Kiani sought to preempt the decision of this Court. Petitioner and her husband even failed to inform the Court of the filing of such motion, and did so only after the OSG had already informed the Court of such petition, and after petitioner had been ordered to reply to the Comment of the OSG.

Petitioner and her husband were represented by the same law firm, the Cruz Cruz and Neria Law Offices. The instant petition and said motion were signed by the same lawyer, Atty. Marlon Alexandre C. Cruz. That the instant petition was filed by Jeany-Vi Kiani while the Omnibus Motion was filed by Javed Kiani himself is of no moment; after all, the petition was filed for and in behalf of the latter, who is the real party-in-interest.[31] In effect, the Petition for Writ of Habeas Corpus was filed by him, as the beneficiary, through his wife as his representative. Worse, the Immigration Commissioner took cognizance of and granted the same, despite the pendency of the instant petition, thereby preempting the ruling of this Court.

The Immigration Commissioner and Atty. Marlon Alexandre C. Cruz ought to be reprimanded for their acts.

On the merits of the petition, we find and so rule that the CA acted in accord with jurisprudence when it affirmed the assailed Order of the RTC dismissing the Petition for Habeas Corpus. As the Court held in *Caballes v. Court of Appeals*,[32]

Habeas corpus is not in the nature of a writ of error; nor intended as substitute for the trial court's function. It cannot take the place of appeal, certiorari or writ of error. The writ cannot be used to investigate and consider questions of error that might be raised relating to procedure or on the merits. The inquiry in a habeas corpus proceeding is addressed to the question of whether the proceedings and the assailed order are, for any reason, null and void. The writ is not ordinarily granted where the law provides for other remedies in the regular course, and in the absence of exceptional circumstances. Moreover, habeas corpus should not be granted in advance of trial. The orderly course of trial must be pursued and the usual remedies exhausted before resorting to the writ where exceptional circumstances are extant. In another case, it was held that habeas corpus cannot be issued as a writ of error or as a means of reviewing errors of law and irregularities not involving the questions of jurisdiction occurring during the course of the trial, subject to the caveat that constitutional safeguards of human life and liberty must be preserved, and not destroyed. It has also been held that where restraint is under legal process, mere errors and irregularities, which do not render the proceedings void, are not grounds for relief by habeas corpus because in such cases, the restraint is not illegal.[33]

In this case, when petitioner filed her Petition for Habeas Corpus with the RTC in behalf of her husband, a Charge Sheet had already been filed against him for violation of Section 37(a)(7) and Section 45 of the Philippine Immigration Act of 1940, as amended. The filing of the Charge Sheet before the BSI cured whatever irregularities or infirmities were attendant to his arrest. The remedy of petitioner was to file a motion for the dismissal of the Charge Sheet and the Mission Order of the Immigration Commissioner, not a petition for a writ of habeas corpus

before the RTC. The RTC had no authority to nullify the Mission Order issued by the Immigration Commissioner, much less set aside the arrest of Javed Kiani. As held by this Court in *Commissioner Rodriguez v. Judge Bonifacio*:<sup>[34]</sup>

Be that as it may, there was a valid judicial process justifying Ma Jing's detention even before respondent judge rendered his decision as shown by the Return of the Writ which averred, among others, that a Charge Sheet was filed against Ma Jing. Even granting that the arrest of Ma Jing was initially illegal, the filing of the Charge Sheet cured whatever incipient infirmity there was in her arrest. Respondent judge therefore had no authority to release the party who was thus committed. Section 4, Rule 102 of the Rules of Court provides:

SEC. 4. When writ not allowed or discharge authorized. — If it appears that the person to be restrained of his liberty is in the custody of an officer under process issued by a court or judge; or by virtue of a judgment or order of a court of record, and that court or judge had jurisdiction to issue the process, render the judgment, or make the order, the writ shall not be allowed; or if the jurisdiction appears after the writ is allowed, the person shall not be discharged by reason of any informality or defect in the process, judgment or order. Nor shall anything in this rule be held to authorize the discharge of a person charged with or convicted of an offense in the Philippines, or of a person suffering imprisonment under lawful judgment.

Once a person detained is duly charged in court, he may no longer question his detention through a petition for issuance of a writ of habeas corpus. His remedy would be to quash the information and/or the warrant of arrest duly issued. The writ of habeas corpus should not be allowed after the party sought to be released had been charged before any court. The term "court" includes quasi-judicial bodies like the Deportation Board of the Bureau of Immigration.<sup>[35]</sup>

The CA acted in accord with jurisprudence when it affirmed the ruling of the RTC declaring that it had no jurisdiction over petitioner's plea to set aside the Summary Deportation Order issued by the BOC against her husband Javed Kiani. Under Section 8, Chapter 3, Title I, Book III of Executive Order No. 292, the power to deport aliens is vested on the President of the Philippines, subject to the requirements of due process. The Immigration Commissioner is vested with authority to deport aliens under Section 37 of the Philippine Immigration Act of 1940, as amended. Thus, a party aggrieved by a Deportation Order issued by the BOC is proscribed from assailing said Order in the RTC even via a petition for a writ of habeas corpus. Conformably with ruling of the Court in *Domingo v. Scheer*,<sup>[36]</sup> such party may file a motion for the reconsideration thereof before the BOC. The Court ruled therein that "there is no law or rule which provides that a Summary Deportation Order issued by the BOC in the exercise of its authority becomes final after one year from its issuance, or that the aggrieved party is barred from filing a motion for a reconsideration of any order or decision of the BOC." The Court, likewise, declared that in deportation proceedings, the Rules of Court may be applied in a suppletory manner and that the aggrieved party may file a motion for reconsideration of a decision or final order under Rule 37 of said Rules.<sup>[37]</sup>

In case such motion for reconsideration is denied by the BOC, the aggrieved party may appeal to the Secretary of Justice<sup>[38]</sup> and, if the latter denies the appeal, to the Office of the President of the Philippines. The party may also choose to file a petition for certiorari with the CA under Rule 65 of the Rules of Court, on the ground that the Secretary of Justice acted with grave abuse of discretion amounting to excess or lack of jurisdiction in dismissing the appeal, the remedy of appeal not being adequate and speedy remedy.<sup>[39]</sup> In case the Secretary of Justice dismisses the appeal, the aggrieved party may resort to filing a petition for review under Rule 43 of the Rules of Court, as amended.<sup>[40]</sup>

In this case, the petitioner did not file any motion with the BOC for reconsideration of the Summary Deportation Order or appeal therefrom; neither did she appeal to the Secretary of Justice or to the Office of the President or file a petition for certiorari under Rule 65.

We note that under Section 3, Rule XIII[41] of the Rules of Procedure to Govern Deportation Proceedings, the decision of the BOC shall be returned to the BSI for promulgation, and shall become final and executory after thirty (30) days from promulgation unless within such period, the President of the Philippines shall order the contrary.

This rule, however, is not applicable in this case. What the petitioner assailed before the RTC was a Summary Deportation Order of the BOC, not a BOC decision based on the recommendation of the BSI after due hearing as mandated by Rule IX of the said Rules of Procedure.

IN LIGHT OF ALL THE FOREGOING, the petition is DENIED for lack of merit. Costs against the petitioner.

**SO ORDERED.**

Panganiban, C.J., (Chairperson), Ynares-Santiago and Austria-Martinez, JJ., concur.  
Chico-Nazario, J., on leave.

[1] Penned by Associate Justice Mercedes Gozo-Dadole (Retired), with Associate Justices Conrado M. Vasquez, Jr. and Rosmari D. Carandang, concurring; rollo, pp. 30-37.

[2] Rollo, p. 39.

[3] Id. at 40.

[4] Id. at 41.

[5] Id. at 39.

[6] Id. at 68.

[7] Records, p. 31.

[8] Id.

[9] Id. at 32.

[10] Id. at 1.

[11] 274 Phil. 1156 (1991).

[12] Records, pp. 1-8.

[13] Id. at 33.

[14] Rollo, p. 42.

[15] Id. at 43.

[16] Records, pp. 42-49.

[17] Rollo, pp. 44-49.

[18] CA rollo, p.19.

[19] Id. at 40-46.

[20] 315 Phil. 757 (1995).

[21] CA rollo, p. 65.

[22] Rollo, pp. 14-15.

[23] 118 Phil. 868 (1963).

[24] G.R. No. L-21426, October 22, 1975, 67 SCRA 338.

[25] Supra note 11.

[26]Supra note 20.

[27] G.R. No. 153454, July 7, 2004, 433 SCRA 748.

[28] The prayer in the Omnibus Motion reads:

WHEREFORE, respondent Javed Kiani respectfully prays that this Honorable Office issue an order for his immediate release from custody or at the very least, allowing respondent to post bail for his temporary liberty and, thereafter, issue another order setting aside the Summary Deportation Order (SDO), dated 1 July 2002, issued against him.

The respondent also prays for such other or further reliefs as may be deemed just and equitable under the premises. (Rollo, p. 95).

[29]Id. at 115-117.

[30] G.R. No. 140931, November 26, 2004, 444 SCRA 410, 421-422.

[31] Rule 3, Section 3, Rules of Court, as amended.

[32] G.R. No. 163108, February 23, 2005, 452 SCRA 312.

[33] Id. at 324-325.

[34] 398 Phil. 441 (2000).

[35] Id. at 470-471.

[36]G.R. No. 154745, January 29, 2004, 421 SCRA 468.

[37] Id. at 495.

[38]Caoile v. Vivo, 210 Phil. 67 (1983) .

[39]Go Kiong Ochura v. Commissioner of Immigration,130 Phil. 443 (1968); Board of Commissioners v. Dela Rosa, supra note 11.

[40]The provision reads in full:

SECTION 1. Scope.—This Rule shall apply to appeals from judgments or final orders of the Court of Tax Appeals and from awards, judgments, final orders or resolutions of or authorized by any quasi-judicial agency in the exercise of its quasi-judicial functions. Among these agencies are the Civil Service Commission, Central Board of Assessment Appeals, Securities and Exchange Commission, Office of the President, Land Registration Authority, Social Security Commission, Civil Aeronautics Board, Bureau of Patents, Trademarks and Technology Transfer, National Electrification Administration, Energy Regulatory Board, National Telecommunications Commission, Department of Agrarian Reform under Republic Act No. 6657, Government Service Insurance System, Employees Compensation Commission, Agricultural Inventions Board, Insurance Commission, Philippine Atomic Energy Commission, Board of Investments, Construction Industry Arbitration Commission, and voluntary arbitrators authorized by law.

[41]SECTION 3. Promulgation of Decision. Finality.— The decision of the Board shall be returned to the Board of Special Inquiry for promulgation. Service of a copy of the decision at the last known or given address of the respondent or at the office of his counsel shall be deemed promulgation. The decision shall become final and executory after thirty (30) days from promulgation, unless within such period, the President shall order the contrary.

**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.