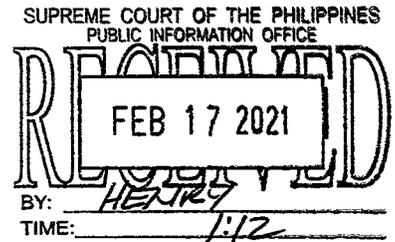




Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated July 1, 2020, which reads as follows:

“G.R. No. 223038 – (ZENAIDA U. DECA, *petitioner* v. CIVIL SERVICE COMMISSION, *respondent*). – Before this Court is a petition for review on *certiorari*¹ under Rule 45 of the Rules of Court which seeks to reverse and set aside the Decision² dated May 27, 2015 of the Court of Appeals (CA) in CA-G.R. SP No. 05930-MIN. The assailed Decision affirmed Decision No. 130845³ dated August 12, 2013 of the Civil Service Commission (CSC), which had, in turn, affirmed Decision No. 12-027⁴ dated August 24, 2012 of the Civil Service Commission Regional Office No. XII (CSCRO No. XII) finding petitioner Zenaida U. Deca (Deca) guilty of serious dishonesty and ordering her dismissal from the service.

Petitioner Deca started her career as a public school teacher on January 2, 1989 when she was hired as Teacher I under a provisional status. On July 1, 1993, she was appointed in a permanent capacity to the position of Teacher II.

Sometime in 2007, Deca applied for promotion as Master Teacher I. Her promotional appointment was issued on November 29 of the same year.⁵ Because of which, her eligibility was submitted to the CSCRO No. XII for verification. Upon verification, however, material differences were noted on the photographs found on the Picture Seat Plan (PSP) for the October 25, 1992 Professional Board Examination for Teachers (PBET) at Iligan City National High School which Deca purportedly took and passed, on one hand; and the Personal Data Sheet (PDS) she accomplished in 2007 in relation to her application for the said promotion, on the other hand.⁶

¹ *Rollo*, pp. 18-30.

² *Id.* at 31-37; penned by Associate Justice Oscar V. Badelles, with Associate Justices Romulo V. Borja and Edward B. Contreras, concurring.

³ *Id.* at 87-95; rendered by Commissioner Nieves L. Osorio, with Chairperson Francisco T. Duque III and Commissioner Robert S. Martinez, concurring.

⁴ *Id.* at 71-86; signed by Director IV Grace R. Belgado-Saqueton.

⁵ *Id.* at 60.

⁶ *Id.* at 90.

After a preliminary investigation, the CSCRO No. XII found that there existed a *prima facie* case against petitioner. As a result, on November 10, 2008, it formally charged petitioner with serious dishonesty allegedly committed as follows:

That you (true Zenaida U. Deca) knowingly and unlawfully allowed somebody else to take the October 25, 1992 Professional Board Examination for Teachers (PBET) conducted in Iligan City, for and in your behalf, as shown by the Picture Seat Plan used during the aforesaid examination and your Personal Data Sheet accomplished on November 14, 2007 in support of your appointment as Master Teacher I at the Department of Education (DepED) Lanao del Norte Division.

CONTRARY TO CIVIL SERVICE LAW AND RULES.⁷

The case was docketed as Adm. Case No. 2008-12-D-008. Petitioner was required to file her answer to the formal charge within five (5) days from receipt of a copy thereof and to indicate whether she elects a formal investigation.

In her Answer⁸ dated January 13, 2009, Deca asserted that she personally took the PBET on October 25, 1992 and denied having allowed somebody else to take the examination on her behalf. She averred that the photo attached to her PBET application form, as also pasted on the PSP, was taken six (6) years before the date of the examination or when she was only about 17 or 18 years old. She alleged that the mental suffering and emotional stress she endured due to the untimely demise of her first husband, Mustapha Sinal, in 1992 greatly affected her physical appearance; and that her marriage to her second husband, Alanodin M. Deca, in 1998 helped her recover from distress which gradually led her to become healthy, heavy and stout. Hence, she explained that the disparity between the photos in her PBET application form and PSP and the photo in her 2007 PDS can be attributed to the passage of time, having a gap of almost 20 years. With regard to the disparity in name, Deca claimed that when she applied for promotion from Teacher II to Master Teacher I in 2007, she inadvertently failed to indicate in her PDS that she used to carry the name, Zenaida U. Sinal, by virtue of her prior marriage. Deca insisted that her civil service eligibility had already been verified in 1993 when she applied for promotion from Teacher I to Teacher II. Lastly, she manifested her option to be heard in a formal investigation.

The formal investigation was initially set on March 19, 2009. After several postponements made by petitioner, a pre-hearing conference was conducted on June 9, 2009. Petitioner submitted her pre-hearing brief and the formal investigation was set on February 4, 2010. But on the said date, she

⁷ Id. at 58.

⁸ Id. at 66-70.

failed to appear. Thus, the prosecution presented evidence *ex parte*, to wit: (a) promotional appointment paper of petitioner Deca as Master Teacher I issued on November 29, 2007; (b) PDS accomplished on June 11, 1993 under the name of Zenaida Usman Sinal; (c) PDS accomplished on November 14, 2007 under the name of Zenaida Usman Deca; (d) PBET Notice of Rating submitted by petitioner Deca; and (e) PSP for the October 25, 1992 PBET – Room No. 005 at Iligan City National High School. Thereafter, the reception of petitioner's evidence was scheduled on April 20, 2012.⁹

Meanwhile, Deca filed a petition for change of venue before the CSC Central Office. It was denied in CSC Resolution No. 11-00106 dated January 11, 2011. To which, she sought reconsideration but was likewise denied in CSC Resolution No. 11-00756 dated June 1, 2011.¹⁰

During the continuation of the formal investigation on January 19, 2012, petitioner moved to amend her Answer and also proffered evidence in her defense. Among others, she presented her Judicial Affidavit and that of her father, Bulcais Ambol Usman, who supposedly accompanied her on October 25, 1992 when she took the PBET at Iligan City National High School.¹¹

On May 17, 2012, the case was ordered closed and terminated. Deca was given the option to file a Memorandum. Despite the extension granted to her, she failed to file one.¹²

The CSCRO No. XII Ruling

On August 24, 2012, the CSCRO No. XII, through Director IV Grace R. Belgado-Saqueteon, rendered Decision No. 12-027,¹³ the dispositive portion of which is quoted hereunder:

WHEREFORE, foregoing premises considered, respondent ZENAIDA U. DECA is found GUILTY for Serious Dishonesty for having employed impersonation in the July 26, 1987 Professional Board Examination for Teachers. She should be meted the penalty of DISMISSAL from the service, including its' [sic] accessory penalties of cancellation of eligibility, forfeiture of retirement benefits, disqualification from taking future civil service examinations and disqualification from re-entering the government service.

Let copy of this decision be furnished the respondent and her counsel in their addresses on record; the Department of Education, Lanao

⁹ Id. at 73-75.

¹⁰ Id. at 75.

¹¹ Id. at 76, 78.

¹² Id. at 84.

¹³ Id. at 71-86.

del Norte Division; the Office for Legal Affairs (OLA), Civil Service Commission (CSC), Quezon City; the Government Service Insurance System, Cagayan de Oro City; the CSC-X Lanao del Norte Field Office; and the CSC XII Exam Services Division for their information and appropriate action.

Cotabato City.¹⁴

The CSCRO No. XII held that the evidence presented by petitioner failed to substantially disprove the impersonation charge against her. It noted that, during the formal investigation; she was unable to present even a single picture of her younger days that would presumably conclude that it was really she who took the October 25, 1992 PBET. It ruled that petitioner cannot rely on a previous verification of her civil service eligibility, ratiocinating that the CSC is not barred from re-validating appointments of employees in the government.

Petitioner's motion for reconsideration was denied by the CSCRO No. XII on February 15, 2013¹⁵ through Resolution No. DC-13-004.¹⁶

On appeal via a petition for review before the CSC, Deca raised the following arguments: (1) that the Decision of the CSCRO No. XII was premature and violated her right to due process as her motion to re-open the case for formal investigation or new trial was not acted upon; (2) that the Decision was contrary to facts and the law because it was arrived at by comparing her photo on the PSP for the October 25, 1992 PBET at Iligan City National High School with her photo on the PDS accomplished in 2007, which has at least 20 years difference, when the CSCRO No. XII could have compared it with her photo on the PDS accomplished in 1993; and (3) that the Decision was not supported by the evidence on record as her eligibility had already been previously verified in 1993 and had been found to be in order and proper.¹⁷

The CSC Ruling

The CSC, in its Decision No. 130845¹⁸ dated August 12, 2013, upheld the findings made by the CSCRO No. XII. First, the CSC ruled that petitioner was not denied of her right to due process as she was allowed to testify and even submit her documentary evidence, and the fact that the formal investigation was not re-opened upon her request, after the case was submitted for resolution, did not result in violation of her constitutional right to be heard. It emphasized that the essence of due process in administrative proceedings is

¹⁴ Id. at 86.

¹⁵ Id. at 90.

¹⁶ Id. at 87.

¹⁷ Id. at 88-90.

¹⁸ Id. at 87-95.

the opportunity to explain one's side or seek a reconsideration of the action or ruling complained of, which petitioner was afforded with.

Second, the CSC recognized that the PDS accomplished on June 11, 1993 was part of the records of the case and, contrary to Deca's claim, was evaluated by the CSCRO No. XII in its Decision. Further, it found that, upon re-assessment of the picture in the PDS submitted by Deca in 1993 and the picture attached to the PSP for the October 25, 1992 PBET, there were material discrepancies enough to conclude that the person who took the said examination and Deca are two different persons.

Third, the CSC reiterated that it is not precluded from re-checking and re-evaluating previously issued certificates of eligibility, in view of its legal mandate to ensure the integrity of all civil service examinations. According to the CSC, it is empowered to employ all methods necessary to guarantee that civil service examinations remain credible.

The *fallo* of Decision No. 130845 reads:

WHEREFORE, the Petition for Review of Zenaida U. Deca is hereby DISMISSED. Accordingly, Civil Service Commission Regional Office (CSCRO) No. XII Resolution No. DC-13-004 affirming CSCRO No. XII Decision No. 12-027 dated August 24, 2012 finding Deca guilty of Serious Dishonesty and meting her the penalty of dismissal from the service with all the accessory penalties of cancellation of eligibility, forfeiture of retirement benefits, perpetual disqualification from holding public office and bar from taking civil service examinations, is hereby AFFIRMED.

Copies of this Decision shall be furnished the Integrated Records Management Office (IRMO), this Commission, Commission on Audit (COA) and Government Service Insurance System (GSIS).

Quezon City.¹⁹

A motion for reconsideration thereof was filed by petitioner but it was denied by the CSC in its Resolution No. 1302488²⁰ dated November 11, 2013, finding that the arguments raised therein had already been judiciously passed upon and resolved by the Commission in its Decision.

Undaunted, Deca elevated the case to the Court of Appeals by way of a petition for review²¹ under Rule 43 of the Rules of Court. It was then docketed as CA-G.R. SP No. 05930-MIN. She argued that the Decisions of the CSCRO No. XII and the CSC were not supported by evidence. She pointed out that the documentary evidence against her were mere photocopies and were not

¹⁹ Id. at 95.

²⁰ Id. at 96-100.

²¹ Id. at 101-122.

identified and attested to by the person or officer having legal custody thereof, in utter disregard of the rules on admissibility of evidence. She also asseverated that her right to due process was violated because the *fallo* or dispositive portion of Decision No. 12-027 of the CSCRO No. XII pronounced her guilty of serious dishonesty for having employed impersonation during the July 26, 1987 PBET, instead of the October 25, 1992 PBET, with which she was formally charged. Finally, she insisted that the photos and signatures in the PSP for the October 25, 1992 PBET and the PDS accomplished in 2007, while naturally showing dissimilarities between them because of the twenty-year gap, are all hers.

The CA Ruling

On May 27, 2015, the CA rendered the assailed Decision,²² the decretal portion of which states:

WHEREFORE, premises considered, the Petition for Review is DENIED and DISMISSED for lack of merit. The assailed Decision No. 130845 of the Civil Service Commission dated 12 August 2013 is hereby AFFIRMED *in toto*.

SO ORDERED.²³

The CA held that both the CSCRO No. XII and the CSC were correct in giving credence to the documentary evidence against petitioner, in consonance with the rule that public documents are *prima facie* evidence of the facts stated therein. Anent the issue of lack of due process, the CA stressed that due process is satisfied in administrative proceedings when the parties are afforded fair and reasonable opportunity to explain their side of the controversy or given opportunity to move for reconsideration of the ruling or action complained of. Such minimum requirements were found to have been satisfied in the case. Ultimately, the CA concluded that petitioner presented no evidence to controvert the impersonation charge against her.

Deca moved for reconsideration²⁴ of the aforesaid Decision. On February 11, 2016, the CA issued a Resolution²⁵ denying her motion for failure to raise any new or substantial ground or reason to justify reconsideration.

Hence, the present petition anchored on the following grounds:

²² Id. at 31-37.

²³ Id. at 36.

²⁴ Id. at 38-49.

²⁵ Id. at 50-51.

A.

THE CONCLUSION OF DISHONESTY BY THE CSC IS DRAWN FROM DIFFERENTS FACTS ESTABLISHED BY ITS EVIDENCE.²⁶

B.

THE DECISION IS BASED ON PURE SPECULATION AND ILLOGICAL, AND FINDING IS CONTRARY TO NATURE.²⁷

Our Ruling

In the instant petition, Deca recapitulates her contention about her right to due process being violated when she was adjudged administratively liable for serious dishonesty for having employed impersonation during the PBET conducted on July 26, 1987, a different date of examination than the one indicated in the formal charge which is October 25, 1992. Likewise, Deca intimates that the CSC overlooked the fact that a difference of 20 years between the photos on the PSP and the PDS will, in the natural course, show significant changes in the size of her body, physical facial features, and apparel worn.

The petition is bereft of merit.

As an administrative offense, dishonesty is defined as the concealment or distortion of truth in a matter of fact relevant to one's office or connected with the performance of his duties. It is disposition to lie, cheat, deceive, or defraud; untrustworthiness; lack of integrity; lack of honesty, probity or integrity in principle; lack of fairness and straightforwardness; disposition to defraud, deceive or betray.²⁸

CSC Resolution No. 06-0538²⁹ dated April 4, 2006, also known as the "Rules on the Administrative Offense of Dishonesty," sets the criteria for determining the severity of dishonest acts.³⁰ It classifies dishonesty into three categories, namely: (1) serious; (2) less serious; and (3) simple.

For dishonesty to be considered serious, any one of the following circumstances must be present:

- a. The dishonest act caused serious damage and grave prejudice to the Government;

²⁶ Id. at 24.

²⁷ Id. at 26.

²⁸ *Field Investigation Office v. P/Director Piano*, G.R. No. 215042, November 20, 2017.

²⁹ As amended by CSC Resolution No. 06-1009, June 5, 2006. The amendment, however, refers to clerical errors under Section 7.

³⁰ *Committee on Security and Safety, Court of Appeals v. Dianco, et al.*, 760 Phil. 169, 188 (2015).

- b. The respondent gravely abused his authority in order to commit the dishonest act;
- c. Where the respondent is an accountable officer, the dishonest act directly involves property, accountable forms or money for which he is directly accountable and the respondent shows an intent to commit material gain, graft and corruption;
- d. The dishonest act exhibits moral depravity on the part of the respondent;
- e. The respondent employed fraud and/or falsification of official documents in the commission of the dishonest act related to his/her employment;
- f. The dishonest act was committed several times or in various occasions;
- g. The dishonest act involves a Civil Service examination irregularity or fake Civil Service eligibility such as, but not limited to impersonation, cheating and use of crib sheets;
- h. Other analogous circumstances.³¹ (Emphasis and underscoring supplied)

The CSCRO No. XII, the CSC and the CA uniformly found petitioner Deca liable for the charge of serious dishonesty, particularly impersonation. As a rule, factual findings of administrative agencies, such as the CSC, that are affirmed by the CA, are conclusive upon and generally not reviewable by this Court.³²

To be sure, there are recognized exceptions to this rule, to wit: (1) when the findings are grounded entirely on speculation, surmises, or conjectures; (2) when the inference made is manifestly mistaken, absurd, or impossible; (3) when there is grave abuse of discretion; (4) when the judgment is based on a misapprehension of facts; (5) when the findings of facts are conflicting; (6) when in making its findings, the CA went beyond the issues of the case, or its findings are contrary to the admissions of both the appellant and the appellee; (7) when the findings are contrary to those of the trial court; (8) when the findings are conclusions without citation of specific evidence on which they are based; (9) when the facts set forth in the petition as well as in the petitioner's main and reply briefs are not disputed by the respondent; (10) when the findings of facts are premised on the supposed absence of evidence and contradicted by the evidence on record; and (11) when the CA manifestly overlooked certain relevant facts not disputed by the parties, which, if properly considered, would justify a different conclusion. None of these exceptions has been shown to be attendant in the present case.³³

³¹ Id.

³² *Donato, Jr. v. Civil Service Commission Regional Office No. 1*, 543 Phil. 731 (2007).

³³ Id. at 742.

Petitioner was dismissed from the service only after being accorded due process.

The essence of due process is simply to be heard, or as applied to administrative proceedings, a fair and reasonable opportunity to explain one's side, or an opportunity to seek a reconsideration of the action or ruling complained of. Administrative due process cannot be fully equated with due process in its strict judicial sense.³⁴ Hence, petitioner cannot claim denial of due process. We quote with approval the findings of the CA on this matter:

Such minimum requirements have been satisfied in this case. The formal charge of Serious Dishonesty issued by CSCRO No. XII against the petitioner specified the charge against her. The formal charge also included a brief statement of material and relevant facts which sufficiently informed the petitioner of the acts she allegedly committed that constituted the charge against her [sic]. The records would show that the petitioner was given ample opportunity to explain her side, albeit her repeated motions for the postponement and resetting of the formal investigation for reasons personal to her counsel. Hearings were conducted by the CSCRO No. XII and the petitioner actively participated therein and even submitted her respective evidence. Moreover, the petitioner was able to seek reconsideration of the decision of the CSCRO No. XII and, subsequently, to elevate the case for review to the CSC and to the Court.³⁵

Nevertheless, petitioner, in maintaining that her constitutional right to due process was violated, harps on the fact that, while she was formally charged with serious dishonesty for impersonation during the October 25, 1992 PBET, she was found guilty of serious dishonesty for impersonation during the July 26, 1987 PBET, as reflected in the dispositive portion of Decision No. 12-027 rendered by the CSCRO No. XII.

We beg to disagree. It is clear from the formal charge, as well as the evidence presented by both parties, that the subject matter of the controversy pertains to the October 25, 1992 PBET. More importantly, a reading of the body of Decision No. 12-027 readily reveals that petitioner was being held liable for serious dishonesty for impersonation relating to the October 25, 1992 PBET, and not the July 26, 1987 PBET. Nowhere in Decision No. 12-027 is the July 26, 1987 PBET mentioned, save in the dispositive portion.

The Court is not unaware of the general rule that where there is a conflict between the *fallo*, or the dispositive part, and the body of the decision or order, the *fallo* prevails on the theory that the *fallo* is the final order and becomes the subject of execution, while the body of the decision merely contains the reasons or conclusions of the court ordering nothing.³⁶ However,

³⁴ *Pat-og, Sr. v. Civil Service Commission*, 710 Phil. 501, 515-516 (2013).

³⁵ *Rollo*, pp. 35-36.

³⁶ *Metropolitan Cebu Water District v. Mactan Rock Industries, Inc.*, 690 Phil. 163, 190 (2012).

in the case of *Cobarrubias v. People, et al.*,³⁷ the Court makes an exception – where one can clearly and unquestionably conclude from the body of the decision that there was a mistake in the dispositive portion, the body of the decision will prevail. The mistake contemplated in the exception refers to a clerical error.³⁸

Here, the exception applies. Taking into consideration that the intent of Decision No. 12-027 is beyond doubt, it can be said that the CSCRO No. XII committed a clerical mistake, a mere inadvertence on its part, in typing the dispositive portion thereof. Certainly, this Court cannot be precluded from making the necessary amendment, so that the *fallo* will conform to the body of the said decision. In this light, the Court therefore deems it proper to amend the dispositive portion of Decision No. 12-027 to reflect the exact findings and conclusions of the CSCRO No. XII, by finding petitioner Deca guilty of serious dishonesty for having employed impersonation during the October 25, 1992 PBET.

Furthermore, Decision No. 12-027 dated August 24, 2012 of the CSCRO No. XII, as affirmed by Decision No. 13085 dated August 12, 2013 of the CSC, which dismissed petitioner from service for serious dishonesty, is supported by substantial evidence.

Substantial evidence is such relevant evidence which a reasonable mind might accept as adequate to support a conclusion, even if other minds equally reasonable might conceivably opine differently.³⁹

There is substantial evidence to prove petitioner guilty of the administrative offense for which she was charged. Petitioner's protestation that the PSP for the October 25, 1992 PBET and the PDS accomplished on November 14, 2007 did not adhere to the rules on admissibility of documentary evidence is unavailing. There is no requirement in the administrative determination of contested cases for strict adherence to technical rules in the manner observed in judicial proceedings. Administrative tribunals exercising quasi-judicial powers are unfettered by the rigidity of certain procedural requirements, subject to the observance of the fundamental and essential requirements of due process, in justiciable cases presented before them. For as long as the right to due process is recognized and respected, administrative tribunals may relax the technical rules of procedure.⁴⁰ As earlier discussed, these basic requirements of due process have been complied with by the CSC, including the CSCRO No. XII.

³⁷ 612 Phil. 984 (2009).

³⁸ *People v. Cilot, et al.*, 797 Phil. 725, 742 (2016).

³⁹ *Fajardo v. Corral*, 813 Phil. 149, 156 (2017).

⁴⁰ *Alfornon v. Delos Santos, et al.*, 789 Phil. 462, 471 (2016).

Moreover, as correctly pointed out by the CA, the documentary evidence against petitioner are public documents.⁴¹ As such, the contents/entries made in the course of official duty are *prima facie* evidence of the facts stated therein.⁴² Thus, the CSCRO No. XII and the CSC correctly appreciated the evidence against petitioner although they were unauthenticated photocopies thereof.

Petitioner invokes the jurisdiction of this Court to re-examine the evidence against her. Quasi-judicial bodies like the CSC are better-equipped in handling cases involving the employment status of employees as those in the Civil Service since it is within the field of their expertise. Factual findings of administrative agencies are generally held to be binding and final so long as they are supported by substantial evidence in the record of the case.⁴³ It is not the function of this Court to analyze or weigh all over again the evidence and credibility of witnesses presented before the lower court, tribunal or office. This flows from the basic principle that the Supreme Court is not a trier of facts. Its jurisdiction is limited to reviewing and revising errors of law imputed to the lower court, the latter's findings of fact being conclusive and not reviewable by this Court.⁴⁴

Petitioner's insistence that the disparity between the photos in her PBET application form and PSP and the photo in her 2007 PDS can be attributed to the passage of time fails to convince us. Other than her self-serving statements, petitioner was unable to sufficiently explain the discrepancies between the said photos. It would have been easy since she was given the opportunity to submit photos taken at around the time she supposedly took the PBET to establish that it was actually her photo that was pasted on the PSP for the PBET conducted on October 25, 1992 at Iligan City National High School; yet, she failed to comply. As aptly observed by the CSCRO No. XII:

Pointedly, taking a government examination is absolutely personal to the applicant. It cannot be delegated or assigned to another who presumably has better chances of passing the examination for the benefit of

⁴¹ REVISED RULES ON EVIDENCE, Rule 132, Section 19, as amended by A.M. No. 19-08-15-SC, October 8, 2019.

SEC. 19. *Classes of documents.* – For purpose of their presentation in evidence, documents are either public or private.

Public documents are:

- (a) **The written official acts or records of the official acts of the sovereign authority, official bodies and tribunal, and public officers, whether of the Philippines, or of a foreign country;**
- (b) Documents acknowledged before a notary public except last wills and testaments;
- (c) Documents that are considered public documents under treaties and conventions which are in force between the Philippines and the country of source; and
- (d) Public records, kept in the Philippines, of private documents required by law to be entered therein.

All other writings are private. (Emphasis supplied)

⁴² REVISED RULES ON EVIDENCE, Rule 132, Section 23.

⁴³ *Hadji-Sirad v. Civil Service Commission*, 614 Phil. 119, 139-140 (2009).

⁴⁴ *Donato, Jr. v. Civil Service Commission Regional Office No. 1*, supra note 32 at 742-743.

the named applicant. This form of deception defines the offense of Dishonesty, for which Deca must be made liable.

Deca, in her defense, stated that the picture on the Picture Seat Plan was taken more than two decades ago and that there have been big changes as she became fat. **It was noted, however, that during the conduct of the formal investigation, Deca failed to present even a single picture of her younger days that would presumably conclude that it was really her who took the exam.** She also insisted on the fact that since it was previously verified, thus, her eligibility is in order. The Civil Service Commission, in its continuing fight to clean-up the bureaucracy, is not barred from re-validating appointments of employees in the government, thus, a more extensive verification can be conducted and this means not just verifying the availability of the certificate of eligibility and by checking it from the list of eligibles but by also re-examining and comparing the pictures on the PDS vis-à-vis the Picture Seat Plan.⁴⁵ (Emphasis supplied)

From the foregoing, the only logical scenario is that another person, who matched the photo on the PSP, actually signed the application form and took the PBET on October 25, 1992, in petitioner's name.

In fine, the CA committed no reversible error when it affirmed Decision No. 13085 of the CSC finding petitioner guilty of serious dishonesty.

Serious dishonesty, considered as a grave offense,⁴⁶ carries the penalty of dismissal from the service,⁴⁷ along with the accessory penalties of cancellation of eligibility, forfeiture of retirement benefits, perpetual disqualification from holding public office and bar from taking civil service examinations.⁴⁸

When an officer or employee is disciplined, the object sought is not the punishment of such officer or employee, but the improvement of public service and the preservation of the public's faith and confidence in the government. Indeed, public office is a public trust, and 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. This high constitutional standard of conduct is not intended to be mere rhetoric and taken lightly as those in the public service are enjoined to fully comply with this standard or run the risk of facing administrative sanctions ranging from reprimand to the extreme penalty of dismissal from the service, as in this case.⁴⁹

⁴⁵ *Rollo*, p. 85.

⁴⁶ Section 46 (A)(1), Rule X of the Revised Rules on Administrative Cases in the Civil Service (RRACCS), CSC Resolution No. 11-01502, November 8, 2011. While the RRACCS has been repealed by the 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS), CSC Resolution No. 17-01077, which took effect on August 17, 2017, the RRACCS remains applicable to pending cases which were filed prior to its effectivity, provided it will not unduly prejudice substantive rights (see Section 124, Rule 23 of the 2017 RACCS).

⁴⁷ Section 2(a), CSC Resolution No. 06-0538 (2006).

⁴⁸ REVISED RULES ON ADMINISTRATIVE CASES IN THE CIVIL SERVICE, Rule X, Section 52.

⁴⁹ *Andaya, et al. v. Field Investigation Office of the Office of the Ombudsman*, G.R. No. 237837, June 10, 2019.

WHEREFORE, premises considered, the petition is **DENIED** for lack of merit. The Decision dated May 27, 2015 of the Court of Appeals in CA-G.R. SP No. 05930 is hereby **AFFIRMED**. The dispositive portion of Decision No. 12-027 dated August 24, 2012 of the Civil Service Commission Regional Office No. XII is **CORRECTED** to conform to the body of Decision No. 12-027 by finding Zenaida U. Deca guilty for serious dishonesty for having employed impersonation in the October 25, 1992 Professional Board Examination for Teachers and meting her the penalty of dismissal from the service, including its accessory penalties of cancellation of eligibility, forfeiture of retirement benefits, disqualification from taking future civil service examinations and disqualification from re-entering the government service.

SO ORDERED.”

Very truly yours,

MisDOCbat
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court
6/2/20
2/1/21

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