

MALACAÑANG
RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 371

MODIFYING ADMINISTRATIVE ORDER NO. 321,
DATED MARCH 12, 1960, CONCERNING FOR-
MER ASSISTANT FISCAL CARLOS GOCO OF
RIZAL

Under Administrative Order No. 321, dated March 12, 1960, Mr. Carlos Goco was considered resigned as assistant fiscal of Rizal for engaging in outside business and professional activities without previous permission from his superiors, in violation of Executive Order No. 103, series of 1913, and Rule XIII, section 5, of the Civil Service Rules. The violation was considered serious in view of the consequences arising therefrom in that he exposed hundreds of people to apparent exploitation by unscrupulous parties to whom the lands, originally intended to be bought for the tenants of a certain hacienda in Malabon, Rizal, were sold by respondent's wife in whose name the property had been acquired from the Roman Catholic Archbishop of Manila, the original owner.

Respondent filed a motion for reconsideration stoutly protesting his innocence and want of any advantage or benefit derived either by him or by his wife said to have been favored by the deal.

A restudy of the case by the Department of Justice tends to belie any possible motive of gain or benefit on the part of either respondent or his wife. This is shown by the fact, among others, that Mrs. Goco transferred all her rights and interests over the hacienda for the nominal sum of ₱1 to A. M. Raymundo and Company, a partnership made up of tenants themselves, which had raised the necessary amount to push through the transaction, then on the verge of collapse, because of the financial inability or indifference of most of the tenants. Moreover, the protective clause for the recognition of the rights of the *bona fide* tenants contained in the deed of sale in Mrs. Goco's favor from the Archbishop was created over in the deed of sale executed by her in favor of the partnership.

Whether or not respondent acted in utmost good faith, devoid of interest, expectation or return, the fact remains that had he steered clear from any such involved trans-

action from the outset, all these troubles and misunderstandings would have been avoided.

The Secretary of Justice considers the penalty imposed in the decision rather too severe and recommends respondent's reinstatement, with the period he was out of the service considered as his suspension. I believe the decision can stand modification in the manner suggested.

Wherefore, Administrative Order No. 321, dated March 12, 1960, is hereby modified in the sense that Mr. Goco is punished with suspension without pay corresponding to the period he was out of the service; that is, from the time he was considered resigned until his reinstatement which is hereby decreed.

Done in the City of Manila, this 17th day of November, in the year of Our Lord, nineteen hundred and sixty-one, and of the Independence of the Philippines, the sixteenth.

CARLOS P. GARCIA

President of the Philippines

By the President:

EDILBERTO B. GALLARES

Assistant Executive Secretary