

Malacañang
Manila

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 68

MODIFYING ADMINISTRATIVE ORDER NO. 288 DATED JANUARY 23, 1959,
CONCERNING DR. CRISTOBAL SANTIAGO, FORMER MEMBER OF THE BOARD
OF DIRECTORS OF THE NATIONAL WATERWORKS AND SEWERAGE AUTHORITY,
BY CONSIDERING HIM EXONERATED.

Under Administrative Order No. 288 dated January 23, 1959,
Dr. Cristobal Santiago was considered resigned as a member of the
Board of Directors of the National Waterworks and Sewerage Authority
(NAWASA) for alleged improper conduct in connection with the drilling
of a well belonging to his father-in-law.

Respondent seeks reconsideration of the decision for supposed
lack of valid cause to justify the same. It is claimed, among
other things, that there is nothing to show that the respondent had
something to do with the acts complained of; and that if ever the
NAWASA personnel cleaned the well of his father-in-law, it was in
reciprocation of the accommodation they had received from him, for
which they alone were responsible.

A review of the record shows that a private well in Suklain,
Arayat, Pampanga, belonging to respondent's father-in-law was
repaired and cleaned (not drilled) by NAWASA men when they were
in Arayat to clean Wells Nos. 9019 and 9020, in which government
time and equipment were used, the owner furnishing the materials.
The well in question was also being used by people in the neighbor-
hood. The tenants of the respondent and/or of his father-in-law
happened to be very accommodating to the NAWASA personnel during
their stay there and these men, out of a natural feeling of
gratitude, tried to reciprocate in some measure, which redounded
to the benefit not only of respondent's relative but also of the
people in the vicinity.

The NAWASA Board of Directors in Resolution No. 68 dated
February 16, 1959, noted, among other things, that the decision
made no reference to any intervention on the part of the
respondent in the repair and cleaning of the well involved and
that the NAWASA crew did the job voluntarily, in reciprocation
of and out of gratitude for the accommodation extended to them
by respondent's father-in-law, without anybody exercising pressure

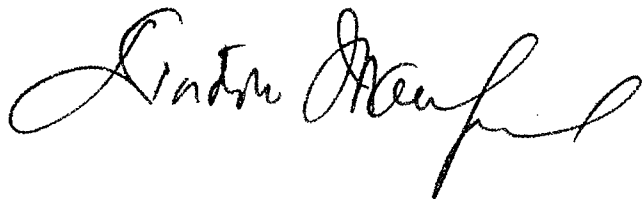
Dr. Santiago, Cristobal

or influence on them. The old NAWASA Board therefore recommended the reconsideration of Administrative Order No. 288, series of 1959, by exonerating respondent, which was left unacted upon by the last administration.

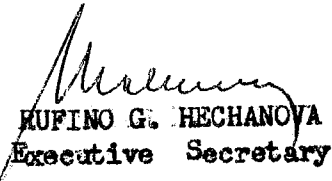
From a restudy of the case, the observations of the NAWASA Board appear well taken. Under the attendant circumstances, I believe that the penalty of separation meted out to respondent was too severe. In fact, the investigator had recommended mere reprimand. However, respondent has already been replaced in a permanent capacity since April 17, 1959, which circumstance must be taken into account in the disposition of the instant petition, considering that there are no fixed criteria for the appreciation of evidence and the imposition of penalty is largely a matter of sound discretion. As representations have been made that the respondent is not after reinstatement but merely to have his name cleared, it is believed that the request for reconsideration may be given due course on that understanding.

Wherefore, Administrative Order No. 288 dated January 23, 1959, is hereby modified in the sense that Dr. Cristobal Santiago is considered as exonerated.

Done in the City of Manila, this 16th day of July, in the year of Our Lord, nineteen hundred and sixty-three.



By the President:



RUFINO G. HECHANOVA
Executive Secretary