

MALACAÑANG  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 249-A

AMENDING ADMINISTRATIVE ORDER 249 SERIES OF 1996, BY  
REDUCING THE PENALTIES IMPOSED ON EXECUTIVE  
DIRECTOR ELSA BAYANI AND DEPUTY EXECUTIVE  
DIRECTOR ASUNCION MACALALAG FROM NINE (9) MONTHS  
SUSPENSION TO ONE (1) MONTH SUSPENSION WITHOUT PAY

This is a resolution of the motion filed by Executive Director Elsa Bayani and Deputy Executive Director Asuncion Macalalag, officials of the National Nutrition Council, seeking the reconsideration of Administrative Order No. 249, dated 2 February 1996, which declared them guilty of the following offenses:

- a. Realigning funds without the required DBM approval;
- b. Entering into six (6) contracts without the required Certificates of Availability of Funds;
- c. Charging the expenses of their April 1991 team building seminar against the NAFC Trust Fund, in violation of section 84 (2) of P. D. 1445;

and imposed on each of them the penalty of suspension for nine (9) months without pay.

After a thorough review of the records in the instant case, this Office finds that while the respondents failed to strictly adhere to the applicable laws and regulations, there was, however, substantial compliance thereto. In addition, we acknowledge that except for this case, the long government service of the respondents has not, heretofore, been tainted with any anomaly or wrongdoing.

In view of the foregoing, this Office hereby modifies its earlier decision by reducing the penalty imposed upon each of them by AO 249, series of 1996, from nine (9) months suspension to thirty (30) days suspension without pay. Respondents are cautioned that a repetition of their infractions, or the commission

REPLYING, PLEASE CITE:

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of acts similar thereto, will be dealt with more severely. Commensurate to the positions they occupy, respondents are at all times, expected to be precise and diligent in the exercise of their duties and functions. Nothing less will satisfy the stringent requirements of our laws on disbursement and accounting of public funds.

DONE in the City of Manila, this 16<sup>th</sup> day of **M a y** in the year of Our Lord, Nineteen Hundred and Ninety-Six.

A large, stylized handwritten signature in black ink, likely belonging to the President mentioned in the text below.

By authority of the President:

A handwritten signature in black ink, appearing to read 'Ruben D. Torres', positioned above the printed name.

**RUBEN D. TORRES**  
Executive Secretary