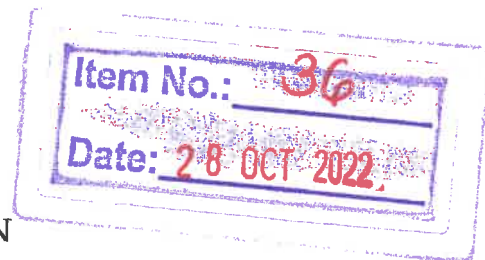


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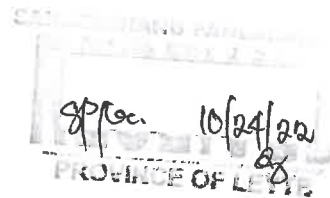
Republic of the Philippines  
PROVINCE OF LEYTE

SANGGUNIANG PANALALWIGAN



October 24, 2022

To: Hon. Atty. Carlo P. Loreto  
Majority Floor Leader  
Sangguniang Panlalawigan  
Province Leyte



Attention: SP Secretary

Dear Hon. Atty. Loreto


Greetings!

The undersigned committee chairperson of the Blue Ribbon Committee humbly requests the Honorable Majority Floor Leader to include in the agenda on the next regular session the case of CATALINA C. PANUGAN v. GILBERT S. PONCE ET. AL., on October 28, 2022.

This is pursuant to Section 17 and 18 of the Rule XII of the Revised Internal Rule of Procedure of the Sangguniang Panlalawigan of the province of Leyte, which requires the conduct of a Preliminary Conference<sup>1</sup> upon determination of the existence of a probable cause.<sup>2</sup>

Upon consideration of the Complaint and the Answer together with their respective attachments, the committee finds that a probable cause exist, hence this request. In addition, the conduct of Preliminary Conference would give the parties an opportunity to agree on an amicable settlement, which is not only an occasion for the Sanggunian to dispose of the case, but an opportunity for the parties for reconciliation.

Thank you very much and more power!

  
**Ronnan Christian M. Reposar**  
Board Member / Blue Ribbon Committee Chairperson  
Sangguniang Panlalawigan  
Province of Leyte

<sup>1</sup> Sec. 18, Rule XII of the Revised Internal Rule of Procedure of the Sangguniang Panlalawigan of the province of Leyte;

<sup>2</sup> Sec. 17, Rule XII of the Revised Internal Rule of Procedure of the Sangguniang Panlalawigan of the province of Leyte;

Republic of the Philippines  
OFFICE OF THE OMBUDSMAN (VISAYAS)  
Department of Agriculture RO- 7 Compound  
M. Veles St., Guadalupe, Cebu City

Case No.: 26  
18 OCT 2022

gpc 10/03/22

OCT 10 2022  
SP Records

CATALINA C. PANUGAN,  
Complainant,

versus

Case No. IC- OVT- 31- 0034  
FOR : " GRAVE ABUSE OF  
AUTHORITY"

HON. GILBERT S. PONCE  
(Municipal Vice Mayor,  
Calubian , Leyte )  
Members of the Sangguniang  
Bayan of Calubian, Leyte  
Namely :  
HON. ELPIDIO M. GO,  
HON. DIOMEDES D.C ARLOS  
HON. EUGENIO A. CHING, JR.  
HON. LUZ M. ASEVEROS  
HON. VIVENCIA V. CASAS  
HON. AIDA Q. LABTIC  
HON. HENRY T. BAGALLON  
HON. ALFREDO M. CASAS, and  
HON. ALYZA F. NIERRAS

Respondents

X-----X

ANSWER

COMES NOW, the respondents, ALYZA F. NIERRAS, ALFREDO M. CASAS and AIDA Q. LABTIC, former members of the of the Sangguniang Bayan of Calubian, Leyte in their capacity as SK Fed. President , ABC President and SB Member , respectively, during the term : July 1, 2019 until June 30, 2022 , unto this Honorable Court, most respectfully aver :

1. That On November 12, 2020, the Office of the Sangguniang Bayan of the Municipality of Calubian, where the herein respondents were members thereof, received a complaint dated Nov. 6, 2020 filed by Kagawads Rogelio M. Cabalhin, Leopoldo M. Salut, Mamerto D. Capin, Jr., Renato C. Avenir, Jr., Narciso R. Malig-on, Arnel S. Baronda, SK Chair Jade Luster E. Jalipa, and Treasurer Crisle R. Isorena (hereinafter collectively called "COMPLAINANT" for brevity) against Punong Barangay Catalina C. Panugan of Bgy. Cabalhin/Herrera, Calubian, Leyte (hereinafter called "RESPONDENT" for brevity) for Abuse of Authority; Grave Misconduct; Gross Ignorance of the Law; Gross Negligence Dereliction of Duty, and Violation of R.A. 6713. The complaint is docketed as Administrative Case No. 2020-03 entitled Kagawad Rogelio M. Cabalhin, et.al. vs. Punong

Barangay Catalina C. Panugan for Abuse of Authority; Grave Misconduct; Gross Ignorance of the Law; Gross Negligence Dereliction of Duty, and Violation of R.A. 6713;

2. That on December 1, 2020, the Committees on Barangay Affairs, Peace & Order, and Good Governance, Ethics and Accountability conducted a Committee Investigation/Hearing at the SB Session Hall. Both Complainant and Respondent were present during said hearing. Attached herein is the Minutes of the Investigation / Hearing conducted by the assigned committees , and considered as Annex " A";

3. That on Dec. 7, 2020, the Committees on Barangay Affairs, Peace and Order & Good Governance, Ethics & Accountability make their committee report; and recommend to put Punong Barangay Catalina C. Panugan of Brgy. Cabalhin, Calubian, Leyte, the herein complainant of this instant case, Guilty of the Offenses of Abuse of Authority as Punong Barangay, Dishonesty and Malversation of funds in violation of the Anti- Graft and Corrupt Practises Act, and said Punong Barangay be penalized for suspension of six (6) months effective immediately. Copy of the said SB Committee Report No. 2020- 78 A dated Dec. 7, 2020 is hereto attached and marked as Annex " B";

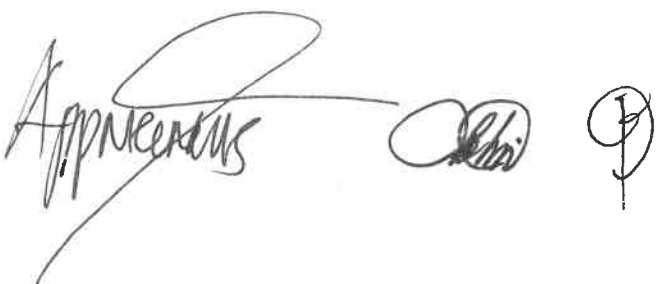
4. That on Dec. 7, 2020 the Honorable Sangguniang Bayan of Calubian, Leyte passed Res. No. 2020- 225 approving the SB Committee Report No. 2020- 78 A dated Dec. 7, 2020. Copy of the said resolution is likewise attached and marked as Annex "C";

5. That on Dec. 7, 2020 , the Sangguniang Bayan of Calubian, Leyte then passed SB Res. No. 2020- 226 approving the Decision on the Administrative Complaint filed before the Office of the Sangguniang Bayan of Calubian, Leyte by Bgy. Kagawad Rogelio M. Cabalhin, et. al. dated Nov. 6, 2020 against their Punong Baranagy Catalina C. Panugan. Copy of the said Res. No. 2020- 226 is hereto attached and marked as Annex " D" and a copy of the Decision of the Sangguniang Bayan of Calubian, Leyte be considered & labelled as " Annex "E";

6. That on Dec. 15, 2020, the Mun. Secretary of Calubian, Leyte, Mrs. Norminda R. Raagas forwarded a copy of SB Res. No. 220- 225 and its attached Committee Report dated Dec. 7, 2020 and SB Res. No. 2020- 226 and its DECISION dated Dec. 7, 2020 on the Administrative Complaint dated Nov. 6, 2020 filed before the Office of the Sangguniang Bayan of Calubian, Leyte to the Honorable Mayor Marciano A. Batiancela, Jr. and the DILG Officer of Calubian, leyte in the person of Ms. Jessica Josol. Copy of the transmittal letters of the Mun. Secretary are hereto attached and marked as Annex "F" and Annex " G", respectively;

7. That herein Respondents also assert that the Decision ( Penalty of six (6) months suspension ) made by the Sangguniang Bayan of Calubian, Leyte was not served by the Implementing Office towards Punong Barangay Catalina C. Panugan of Brgy. Cabalhin/ Herrera , Calubian, Leyte , even up to this point in time;

8. That herein Respondents, may consider that the imposition of 6 months suspension was deferred on the account that, Punong Barangay Catalina C. Panugan made her "Appeal" before the Office of the Sangguniang Panlalawigan of Leyte in which the Decision of her Appeal was not granted; and further she filed a Certiorari With Payer



for Issuance of Temporary Restraining Order (TRO) and or Writ of Preliminary Injunction before the Office of Regional Trial Court, Branch 11 in Calubian, Leyte;

9. The Sangguniang Bayan of Calubian, Leyte, to which therein respondents were part thereof, manifested only their inherent power and mandate as a collegiate body, which they think, is appropriate to punish an erring Barangay Official pursuant to Section 66 of R.A. No. 7160, otherwise known as the Local Government Code of 1991 ;

10. The Sangguniang Bayan of Calubian, Leyte, to which the herein respondents were part thereof, **FIRMLY BELIEVED AND FOLLOWED** Section 66 of R.A. No. 7160 which states that **xxx SECTION 66. Form and Notice of Decision.** - (a) *The investigation of the case shall be terminated within ninety (90) days from the start thereof. Within thirty (30) days after the end of the investigation, the Office of the President or the Sanggunian concerned shall render a decision in writing stating clearly and distinctly the facts and the reasons for such decision. Copies of said decision shall immediately be furnished the respondent and all interested parties. Xxx;*

11. The herein respondents attest and believe that there was no "Abuse of Authority" on their part, inasmuch as Punong Barangay Catalina C. Panugan of Brgy. Cabalhin, Calubian Leyte was not suspended for the six (6 ) months penalty; hence there was no damages inflicted on her part;

12. That herein respondents admit that "Abuse of Authority " as clearly defined, is a misdemeanor committed by a public officer, who under color of his office, wrongly inflicts upon any person any bodily harm, imprisonment or other injury, it is an act of cruelty, severity, or excessive use of authority; but none of these forms were thrown against to the Complainant Catalina C. Panugan; of course if the findings say otherwise and that abuses against any law or statute were made, correspondingly the appropriate penalty will be given; **AND**

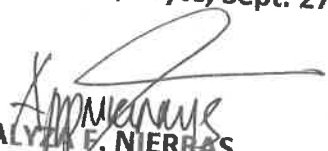
13. The recommendations of the Sangguniang Bayan of Calubian, Leyte thru its Decision dated Dec. 7, 2020 which carried with its **PENALTY** against Punong Barangay Catalina C. Panugan was not served, and accordingly, was not implemented likewise by the Implementing Agency or Office, in this case the Municipal Mayor of Calubian, Leyte.


### P R A Y E R

WHEREFORE, it is respectfully prayed of this Honorable Sangguniang Panlalawigan of Leyte, to dismiss the above-entitled complaint of Mrs. Catalina C. Panugan, Punong Barangay of Brgy. Cabalhin/ Herrera, Calubian, Leyte.

Other reliefs that are just and equitable in the premises are also prayed for.

Calubian, Leyte, Sept. 27, 2022.

  
ALYZA E. NIERRAS  
Respondent  
ID/ TIN : 730- 257-431

  
AIDA Q. LABTIC  
Respondent  
ID/TIN : 919-713-013

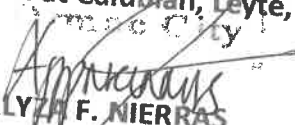
  
ALFREDO M. CASAS  
Respondent  
ID/ TIN : 116- 609- 476

VERIFICATION

We, ALYZA F. NIERRAS, ALFREDO M. CASAS & AIDA Q. LABTIC , of legal ages, Filipinos and residents of Calubian, Leyte, Philippines, after having been duly sworn to in accordance with law, depose and say :

We are the respondents in the above entitled case; We caused the preparation of the foregoing answer; We read and understood the allegations therein and that the same are true and correct of our own personal knowledge and based on authentic records/ documents.

IN WITNESS WHEREOF, we have hereunto affixed our signatures this 27<sup>th</sup> day of Sept. 2022 at Calubian, Leyte, Philippines. SEP 30 2022

  
ALYZA F. NIERRAS  
Respondent  
ID/ TIN : 730- 257-431

  
AIDA Q. LABTIC  
Respondent  
ID/TIN : 919-713-013

  
ALFREDO M. CASAS  
Respondent  
ID/ TIN : 116- 609- 476


SUBSCRIBED AND SWORN TO , before me in the municipality of Calubian, Leyte, Philippines , this 27<sup>th</sup> day of Sept. 2022. SEP 30 2022

Doc. No. 96  
Page No. 20  
Book No. 08  
Series of 2022

Copy furnished :

The Honorable Deputy Ombudsman  
For the Visayas, Cebu City

Punong Barangay Catalina C. Panugan  
Bgry. Cabalhin/ Herrera, Calubian, Leyte

  
ATTY. ARNOLD JUDD P. SALAZAR  
Notary Public for the City of Ormoc  
Municipalities of Kananga, Matag-ob,  
Merida and Isabel, Leyte  
Notarial Commission No. ORM-19-12-014  
Extended Until December 31, 2022  
(per J.M. No. 3795 Dated: September 26, 2021)  
Roll of Attorney's No. 67477  
PTR No. 7049549 Dated: 01/03/2022, Ormoc City  
IBP O.R. No. 170477 Dated: 12/15/2021, Leyte Chapter  
TIN: 451-867-649  
Aviles Street, Ormoc City  
MCLE Compliance No. VII-0916339  
Valid Until April 14, 2025  
"Notarial only. No legal advice sought or given"



REPUBLIC OF THE PHILIPPINES  
Unified Multi-Purpose ID



CRN-021-1940-6797-4



SURNAME  
NIERRAS  
GIVEN NAME  
ALYZA

MIDDLE NAME  
FIEL

SEX F DATE OF BIRTH 1999/07/28  
RESIDENCE  
BRGY CABALQUINTO CALUBIAN  
LEYTE, PHIL 6534



*[Signature]*



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
BUREAU OF INTERNAL REVENUE

NAME: CASAS, ALFREDO MEDELO

TIN: 116-609-476

ADDRESS: BRGY. CRISTINA,  
CALUBIAN, LEYTE

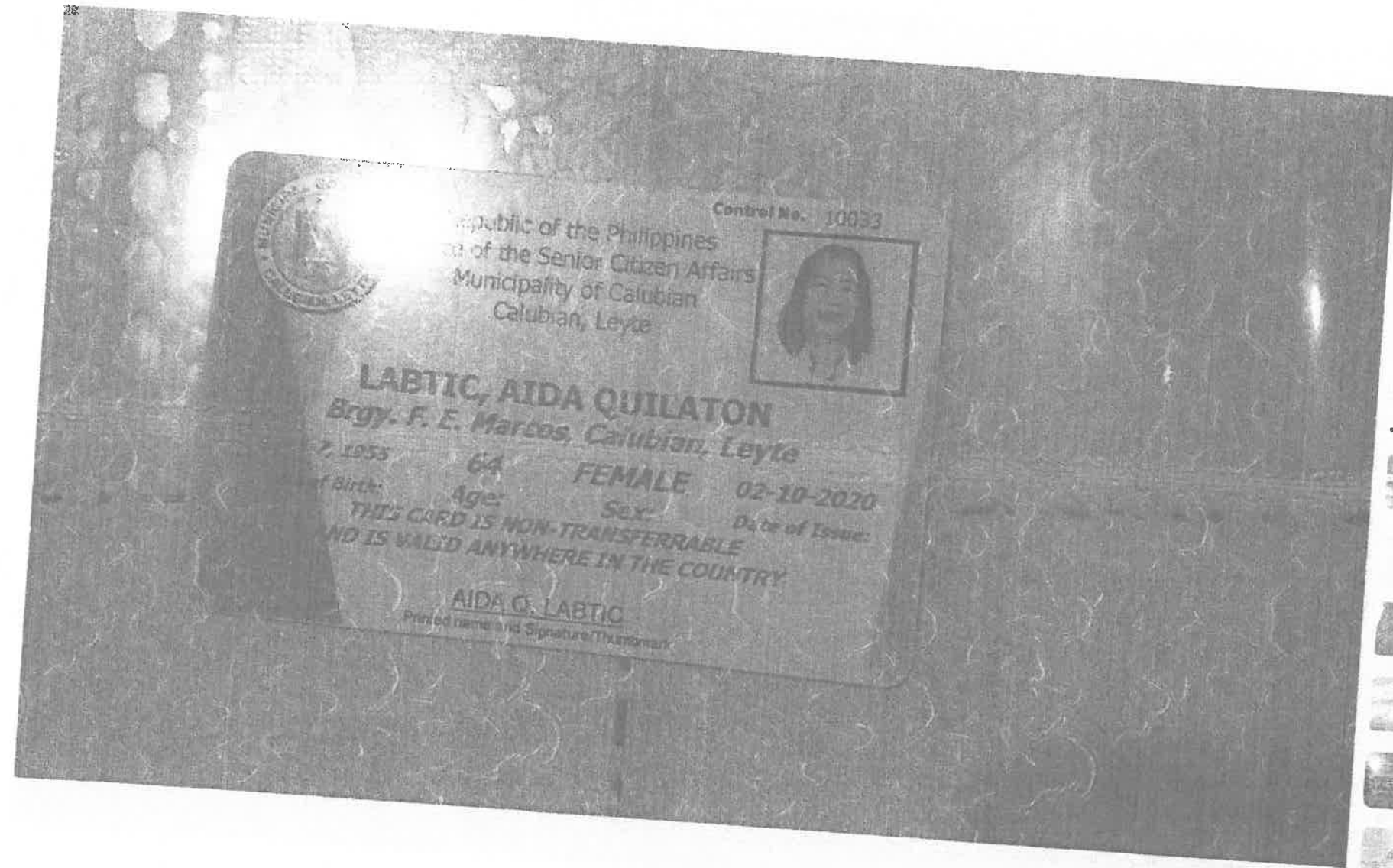
BIRTH DATE: 09-06-1943

ISSUE DATE: 11-22-1999



*Alfredo Casas*  
ALFREDO M. CASAS

SIGNATURE







OFFICE OF THE SANGGUNIANG BAYAN

MINUTES OF THE COMMITTEE HEARING / INVESTIGATION OF THE COMMITTEES ON BARANGAY AFFAIRS, PEACE & ORDER & GOOD GOVERNANCE, ETHICS & ACCOUNTABILITY HELD ON DEC. 01, 2020 AT THE SB SESSION HALL, LEGISLATIVE BULDING OF CALUBIAN, LEYTE.

- PRESENT
- : SB MEMBER HENRY T. BAGALLON - Presiding
  - SB MEMBER ELPIDIO M. GO, M.D. - Member
  - SB MEMBER DIOMEDES D. CARLOS - -do-
  - SB MEMBER EUGENIO A. CHING, JR. - -do-
  - SB MEMBER LUZ M. ASEVEROS - -do-
  - SB MEMBER AIDA Q. LABTIC - -do-
  - Liga ng Mga Barangay Pres. Alfredo M. Casas - -do-
  - OTHERS [ see attendance sheet attached ]

The committee hearing/ investigation started at exactly 1:45 in the afternoon with SB Member Henry T. Bagallon as the Presiding Officer.

The following discussions & presentation were noted during committee hearing/ investigations, to wit:

SB Member Henry T. Bagallon : Before we start, Madam Secretary, do we have a quorum?

Mrs. Norminda R. Raagas : For the committees, Mr. Chairman, we have a quorum.

SB Member Henry T Bagallon : As far as our secretary, there is a quorum. So, our committee hearing this afternoon, is now called to order. The complainants are all Bgy. Kagawads & the treasurer is also here. Only Hon. Catalina Panugan is the respondent. So, I will give the floor to the assigned committees to ask questions to the two parties. So, Hon. Ching, you will be the first to ask. Who will be the first, Hon. Labtic? The committees would like to know you, raise your hand please. Okay, Hon. Mamerto Capin, Renato Avenir, Jr., Narciso Malig-on, Leopoldo Salut, Arnel Baronda, Rogelio Cabalhin, Jade Luster Jalipa and Cresle Isorena, Bgy. Treas.. These are the complainants. Only Catalina Panugan is the respondent.

SB Member Diomedes D. Carlos : I will ask you, why this happens? What is the reason why came up with a case. Why are you not cooperating with each other, when you are only residing in one barangay? What transpired, why this case came out?

Kagawad Renato Avenir, Jr. : Mr. Chair, this is supposed to be a small problem. This is about our new bgy. treas. She was newly appointed. When she processed her papers in Naval, there is one lacking document. The COR. That is the problem. The resolution passed was not signed by the Bgy. Capt. She refused to sign, because she wanted back the old bgy. Treas. But the old bgy. Treas. already resigned. That is the problem. We want the new treas. to proceed. So, that is why, we have no salary. It was cut, two quarters already.

SB Member Diomedes D. Carlos : So, you don't receive your salary (honorarium).

Kagawad Renato Avenir, Jr. : Yes.

SB Member Henry T. Bagallon : So, Hon. Carlos, are you contented with the answer? Okay, Hon. Aseveros.

SB Member Luz M. Aseveros : Good afternoon everyone. My question is directed to Hon. Bgy. Capt. Catalina Panugan. Why is it that your old Treasurer was replaced? What is the reason?

Capt. Catalina Panugan : She resigned already, Ma'am. So, I appointed a new one. This is now the problem. Now, we are asked for an Affidavit of Loss. So, I enjoined her to prepare. When I texted her, no reply as to where she is. We quarreled about this.

SB Member Luz M. Aseveros : Follow up question. What is the reason, why your replaced the old treas.?

Capt. Catalina Panugan : She was always bothered. Every session, we kept on arguing. There was quarrel.

SB Member Luz M. Aseveros : Why is there quarrel?

ELPIDIO M. GO, M.D.  
Member

EUGENIO A. CHING, JR.  
Chairman

LUZ M. ASEVEROS  
Member

ALFREDO M. CASAS  
Chairman

AIDA Q. LABTIC  
Vice-Chairman

HENRY T. BAGALLON  
Chairman

Capt. Catalina Panugan : She resigned already.

Kagawad Renato Avenir, Jr. : Your let her resigned.

Capt. Catalina Panugan : No, She resigned really.

SB Member Eugenio A. Ching, Jr. : The concurrence you made, were agreed upon by you?

Capt. Catalina Panugan : Not all signed, others signed.

SB Member Eugenio A. Ching, Jr. : Why did you not come to agree in Naval.

Ms. Cresle Isorena : When we went to Naval Councilor. I heard that she got the forms. The DILG Officer told us, that since the Bgy. Capt. knew about the papers, she has to make it. That was what she did for the previous treasurer. Why is it that the Bgy. Capt. can not do it, when in fact, she has knowhow to do it. Those papers were made because of my efforts. I asked other Bgy. Treasurers what are the requirements. Then I asked our Bgy. Capt., what are the forms that I will bring to Naval (bank). You knew it, because you accompany the old treas. processing her papers. When we arrived there, we were given the requirements for the new Treas. & specimen. So, we were not able to comply at first for the specimen, because we were lacking of requirements. So, we promised them to be back after. Then, we came back there. We processed the lacking papers. That only lacking document we had, is the COR, which is to be taken from Ormoc (BIR). After Naval, we went to Ormoc (BIR) as early as dawn time to get that COR. But, BIR Ormoc told us that you can get the COR from your old Bgy. Treas. That is the same paper submitted when they processed to get their honorarium in the past. I told the Bgy. Capt. to secure the paper from the old treas., especially that the old treas. made no turn over. The Bgy. Capt. insisted that the document is not at the hand of the Bgy. Treas. Estelita. She said, that they were not able to secure that COR, but instead just appeal to LBP (Naval). That is her reason.

Capt. Catalina Panugan : It is not true, we are not required really to secure the TIN. No. We can not appealed to Land Bank. I told her to go upstairs at PAO. There was no turn over during the time of Bong Avenir. Then, I told her, "Sel, make the preparation of an Affidavit of Loss, from a lawyer, because we are short of time". I waited at the ground floor of the building & ask for some forms of BIR. I told her to go upstairs. I even asked the help of he Mayor. I asked Mayor to help us get a document from BIR. Now, I went to the Office of the Mayor & asked if there was somebody there waiting for the Mayor. I told her, "Sel, just go there, so that you will be given the forms. Mayor told me that she was not there.

SB Member Eugenio A. Ching, Jr. : When you appointed her, you have trusted her.

Capt. Catalina Panugan : Yes. In the beginning. Then, she processed the papers. I promised her to help. Now we are quarreling. The Treas. & the Bgy. Capt. must go hand in hand. Now, I have no interest with her anymore. I have no confidence with her.

Ms. Cresle Isorena : Before I go to Ormoc, she enjoined me to get the COR from Oscar (Mende). According to Oscar (Mende), the BIR Calubian could not give a certification. A certification can only be taken from Ormoc (BIR). So, what I did, I asked the requirements in going to Ormoc (BIR). When I went there, it needs a resolution. I happened to met Oscar (Mende) in Ormoc. Then I got the resolution required. That only thing for that resolution be done, is that, it should be signed by her (Capt.). But she refused to sign it. She refused to sign it for her to continue as the Treas.

SB Member Aida Q. Labtic : Why is it that you refused to sign. The only fault she has is that COR. You should guide her. That is the exact leader. Your attitude towards her is too personal. In the first place, it is natural, you should the ones to guide her. You should be the ones to teach her. Sometimes, we take pride over other things. We should foresee for our barangay. There must somebody to be up and down.

SB Member Henry T. Bagallon : When we talk about our duties and responsibilities in the barangay, we are liable to it. It is stipulated in the Local Government Code. Okay. It means, according to Hon. Aida Labtic, nobody would question you, because you are the appointing officer. Although, your council would object it. Even your council rejected. But according to law, as interpreted by the committees, at least within 3<sup>rd</sup> degree of affinity or consanguinity. So, no one would question you on that. Although, majority have concurred your appointed Treas. The problem now is you. After a while, you don't want to sign for her to continue with the transaction. The transaction is pending. This is the problem, You failed to give their honorarium & payment of electricity. There are also some issues here, like some bad words, stated here, may be because of anger or hatred. This is the term here, "bisan pa otrohon, diri an ako ma perma hito a resolution, kay nagkuha na ako hin bag-o na treas., kay amo la guihapon deri kami magkasinabot. These are the wordings. Here are the uttered words also stated, your husband Danilo Panugan, who is the Chief Tanod uttered the words, "Kun ako mapungot waray ko pipilion", then added also, "pakaon ko hin pulbura." This is all because of anger. In your side Bgy. Capt., I will give your part to express why this happened. Why reached to this long time delay of having no transactions, particularly the giving of honorarium and other transaction in the barangay? What is the reason of delay, no treasurer?

ELPIDIO M. GO, M.D.  
Member

EUGENIO A. CHING, JR.  
Chairman

LUZ M. ASEVEROS  
Member

ALFREDO M. CASAS  
Chairman

AIDA Q. LABTIC  
Vice-Chairman

HENRY T. BAGALLON  
Chairman

Capt. Catalina Panugan : Yes, we don't have. We are not agreeing with each other. We arrived at the DILG Office for settlement. They told me that they will file a case to me and the treas.

SB Member Henry T. Bagallon : That is why, they have filed a complaint against you. We, in the Mun. Council, we'll try your best to settle both of you. If ever, you don't agree upon, we, the council will convene to make one decision here. So, any body, how about Hon. Go?

SB Member Elpidio M. Go, M.D. : That problem, it doesn't mean that there is no solution. If somebody got fault, nobody liked. Secondly, it should be obligated because there is a reason. Others have considered, because there are reasons. If the problem can not be solved, it will become big. The problem can be resolved only with you. Then on your part, you insisted. The Bgy. Captain insisted not to sign. The solution is only with you. Don't say that, "I will not" If you don't want it, give your reason. Try to cooperate within yourselves. There is no harmony, if there is someone blocking or resisting. Understanding is the answer. For example, if somebody don't like, will he be liable? If one group insisted to stop it, are they liable to it? All of you have reasons. But have it dissected. Is be. That is not the purpose. The objective here is to continue, the operation of the barangay. What is lacking you should comply it so that it can solved today, tomorrow & so on. What ever has to be ironed it, the do it. Nobody wants to be blamed. But everybody wants to solve the problem, whether you like it or not. If there is a solution to it, everybody will accept. The problem is, there is resistance in yourselves. You do not agree upon a thing. Discuss it. The Bgy. Capt. insisted that she don't like. Now, on your part, try to make things for the solution. That can not be resolved, if there is no dialogue.

Kagawad Renato Avenir, Jr. : We have done everything to solve the problem in the barangay. We elevated the matter to the DILG. The DILG Officer herself told the Bgy. Capt. to sign the resolution. Then, why did she insisted not to sign.

SB Member Henry T. Bagallon : Okay, continue.

Capt. Catalina Panugan : She is quarrelsome.

SB Member Elpidio M. Go, M.D. : There is reason to it.

Kagawad Renato Avenir, Jr. : She don't like her anymore. She wanted another treas. This is quite disgusting.

Capt. Catalina Panugan : I don't like her anymore.

SB Member Henry T. Bagallon : So, you don't like her.

Capt. Catalina Panugan : I don't like her. I called her at 11:00 a.m. Then at 3:00 pm. She did not reply. She don't replied me where she was. I said go to BIR. I beg BIR to certify the paper because, we already have the TIN. That's it. When we go back, only to process.

Mrs. Cresle Isoreran : She did not like, that we will go to DILG.

SB Member Eugenio A. Ching, Jr. : I will ask the treas., why did you not make a reply.

Ms. Cresle Isorena : She said to me to go to BIR. I got the forms there., but she arrived earlier than me. Before I go to Ormoc I went there for a quick time. When I went to BIR, the In charge told me that I already given the forms to your Bgy. Capt. She said also to me, that your Bgy. Capt. had asked for a TIN. So, I wonder why. I told the In Charge, "Ma'am it is not for the TIN but COR. But I already got the forms from Ormoc. So, once the resolution is signed, we can go back to Ormoc BIR, once we get the papers. But, she never signed the resolution.

SB Member Eugenio A. Ching, Jr. : You only failed once.

SK Jade Luster Jalipa : On that day, when she refused to sign the resolution, we went to their house together with the secretary. I asked the Bgy. Capt. to sign that resolution for BIR. So that, in the morning of the following day, we will just come to our Bgy. Hall earlier so that we can all sign together there, and that our Treas. can go directly to BIR. I expected that. Then, for me, I can have also open my account with Land Bank. But, our Treas. texted me that the Bgy. Captain did not agree. The Bgy. Captain refused to sign. Then, all the papers should be returned from our Bgy. Treas. including checks. She said, "she is no longer agree to make her the Treas. . So, for what reason. It was already okay, because in the evening, we have agreed about it. We're going to the Bgy. Hall for our signatures of that resolution. But, the following day she changed her mind because she said that our old treas. should be back to withdraw cash.

SB Member Henry T. Bagallon : When was that?

SK Jade Luster Jalipa : Last week of Sept. After that incident, because she refused to sign, we went to the DILG Office. That's the start of our quarrel.

SB Member Henry T. Bagallon : So, 5 months, no transactions until now.

Capt. Catalina Panugan : She instructed the Sec. to send the conduct pass for signature.

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AIDA Q. LABAYIC  
Vice-Chairman

HENRY T. BAGALLON  
Chairman

SK Chairman Jade Luster Jalipa : The day after, we're called at the DILG Office.

SB Member Henry T. Bagallon : You have an agreement that you will go on travel?

Capt. Catalina Panugan : None.

SK Jade Luster Jalipa : After that, we were called by the DILG Officer. Why is it Capt, that you refused to sign. She said, she don't like. That is why, the DILG Officer asked her why she refused to sign it. She said that is was only a conduct pass. Why conduct pass, when we explained already to her, about this & that. We had agreed on that time.

SB Member Henry T. Bagallon : So, it's clear Capt., that you refused to sign her concurrence paper .

Capt. Catalina Panugan : I signed already the checks, believing we're okay to withdraw cash. The checks issued were at the possession of the new treas. I've already signed, believing we can withdraw there. But we lacked papers there. We were only delayed.

SB Mmeber Hnery T. Bagallon : So, no transactions. Hon. Casas.

ABC Pres. Alfredo M. Casas :What I can say is this. I am loved by so many people in Calubian. Everyone of you has complaint, because you are all here. We are here to investigate, everyone should talk.

SB Member Diomedes D. Carlos : Can we let everyone speaks to clear out things.

SB Member Henry T. Bagallon : Okay, granted. Let every one talk. So, after the Bgy. Captain, who is next?, one by one. Okay.

Kagawad Mamerto Capin : My complaint is, this is all about our electricity. Why it had reached 10 bills already. But it's not yet paid. According to her, she already paid. During our assembly, we invited Estelita ( old treas.) so that she can answer why it had reached 10 months unpaid. There, it was deferred because the Mayor was there. After the Mayor had left, that's the time they questioned. I requested receipts. There was a commotion. She said, she paid already last March , the payment was for Jan. to March . She said, that she already paid two months.

SB Member Henry T. Bagallon : It is stated here in the complaint. He said it was paid.

Kagawad Mamerto Capin : Not paid. The receipt from LEYECO is for Dec. 2019 & Nov. 2019. When she said the payment for Feb. & March, that is the date of her payment. Payment made in Feb. & March 2020. But the previous bills that covered were for Nov. & Dec. bills. She lied there that she already paid. Every month, there is a corresponding checks. During our session, I asked, " Te, every month, there is a check for electricity & she said to me "Yes." Where is it? She said , "in my possession". So, why is it that a big amount for the unpaid bills, if there is payment.

SB Member Henry T. Bagallon : Who paid the electricity ?

Kagawad Mamerto Capin : The old treas..

SB Member Henry T. Bagallon : What month did she resigned?

Kagawad Mamerto Capin : June or July 2020.

SB Member Henry T. Bagallon : So, for Jan. to June, she has the transactions.

SK Jade Luster Jalipa : But there was no payment.

SB Member Diomedes D. Carlos : Is it true Capt., that there is already checks issued for the payment?

Capt. Catalina Panugan : Yes. The check is issued in her name.

Kagawad Mamerto Capin : Yes, I asked her, " Is it not that you issued check every month? She said, " yes." Then, where is that? Where is that money? She said, " it is with me."

SB Member Henry T. Bagallon : So, in the name of the old Treas.?

Capt. Catalina Panugan : Yes.

SB Member Henry T. Bagallon : Do you have documents to it?

Capt. Catalina Panugan : The checks were at the old Bgy. Treas.

Kagawad Mamerto Capin : We invited the Treas, but came only right after our session.

SB Member Eugenio A. Ching,Jr. : In your bank, is there release for such amount?

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Capt. Catalina Panugan : None

Kagawad Mamerto Capin : She said, "she already paid."

SB Member Henry T. Bagallon : Do you have a summary of unpaid bills, from Jan. to Nov?

Kagawad Mamerto Capin : We have, sir.

SB Member Henry T. Bagallon : Can we have a look at it?

Ms. Cresle Isorena : The receipt is dated Feb. 4, but only covered for Dec. 2019. This is the receipt she showed to me. But that was for last year. But for now, she showed no receipt paid.

Kagawad Renato Avenir Jr. : She resigned by June.

Capt. Catalina Panugan : She was still able to withdraw by June. Every month is the bill.

Kagawad Renato Avenir, Jr. request. : We request for the reproduction of the receipts, but she denied to give our

SB Member Henry T. Bagallon : In your answer Capt., you mentioned that you paid the electricity, because the Contractor shared payment to it.

Capt. Catalina Panugan : Yes, Yuga Construction.

Kagawad Renato Avenir, Jr. : Where is the money given there?

SB Member Henry T. Bagallon : Also, it is stated here, Jundy Villagonzalo, the foreman.

Kagawad Renato Avenir, Jr. (old). : They were paying money for electricity, by no receipt was issued by the treas.

Capt. Catalina Panugan : She has the receipt to it for Yuga Construction.

SB Member Henry T. Bagallon : Capt., in the signatories of the checks, are the Bgy. Treas. & the Bgy. Capt. How come, she was able to transact for the electricity, without your knowledge. Did you?

Capt. Catalina Panugan : We issued checks for the honorarium, travel & bills. After the issuance, that's the time to pay.

SB Member Henry T. Bagallon : In your bills, it is included in your honorarium. So, it is not monthly paid.

Capt. Catalina Panugan : Monthly is the check issuance. But it is cash out during the honorarium.

Ms. Cresle Isorena : Quarterly is the honorarium.

Capt. Catalina Panugan : It was included cash out in June.

SB Member Henry T. Bagallon : You don't have the Statement of Account from LEYECO? So that it will be determined, whether the bgy. has paid the electricity bills to LEYECO.

Capt. Catalina Panugan : I don't know. The receipt is with the Treas. Checks were already issued for it.

SB Member Henry T. Bagallon : You unpaid bills is P 25,281.00 as of Nov. 2020. 10 months unpaid.

SK Jade Luster Jalipa : For July, Aug. & Sept.- no turn over yet.

SB Member Henry T. Bagallon : Your treas. had resigned by June. So, July, Aug. & Sept., no transactions until today, 5 months. Your unpaid bills is 10 months. So, June to Nov., no payment. But, are you sure that the Bgy. Capt. had issued check for it.

Capt. Catalina Panugan : It is shown at the Bgy. Bookkeeper, the transaction of the barangay.

Kagawad Renato Avenir, Jr. : We can not ask questions to the Bgy. Bookkeeper.

SB Member Henry T. Bagallon : So, that is part of your duty.

SB Member Eugenio A. Ching, Jr. : We will call the Bgy. Bookkeeper to secure a copy of the receipts.

SB Member Henry T. Bagallon : What about the copy of the checks issued? There is duplicate to it. That is very dangerous. We are elected officials, so we are accountable for it any time. We are not lawyers. We only asked from you. We rely on your presentation. But if you lied, we can secure the data. Like what you said, pending are your transactions. Why not, you help her. The Bgy. Kagawads like her. Then, you got the checks in your hands.

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She is now ready as your Bgy. Treas. Only, there is one lapses. Like now, on your part, the transaction was pending because, there was no understanding between the Bgy. Capt. & the Bgy. Treas. Why is that, it takes too long?

Capt. Catalina Panugan : I don't trusted her.

SB Member Henry T. Bagallon : Only a small requirement lacking, it will be approved. There are lapses, Capt. First, you demand the papers for your new treas., when she is not yet your treas., because you refused to sign.

SB Member Eugenio A. Ching, Jr. : The only lacking is your signature for the resolution.

SB Member Henry T. Bagallon : The resolution was not signed. In the first place, you have appointed her. That is the problem. You are the head of the barangay. So, you are questioned by them. So, this caused delay. The lengthy time of delay, caused the transactions pending. You treated personally the transaction of the barangay. You attended seminars. The 5 months time of delay, is quite long to perform your responsibility to the barangay. The complaint against you is quite long, abuse of authority, gross neglect, dereliction of duty, violation of R.A. 6713 or Code of Conduct of Govt. Officials & Employees, so, this will not reach up to this point in time, the conflict with your Bgy. Treas. But, here is it. It happened already. So, 5 months, that you failed your duties and responsibilities. That is a normal complaint. Based on your answer, there were O.R. Numbers. Can we secure this copy of O.Rs?

Capt. Catalina Panugan : It is in the hands of the old Treas.

SB Member Henry T. Bagallon : Even though, she resigned already. She is still accountable. Now, if these documents are still with her, it's your responsibility to secure these receipts. If she will not turn-over to you, you can file a case against her. Based in your answer, you paid the bills. Then, you failed to show the receipts. Second, why reached up to this lengthy period of delay. You don't cooperate with your Bgy. Council and settle only within the barangay. That is quite lengthy time.

Capt. Catalina Panugan : Every session, I always ask for their concurrence, that I will appoint a new Bgy. Treas. But, they don't hear my suggestion. I asked them, because I don't like her anymore. I want Mrs. Generalo.

Kagawad Renato Avenir, Jr. : I don't like her also, because of her attitude, very short of comprehension. She wanted to get back Mrs. Generalo.

SB Member Henry T. Bagallon : If you council will not favor your choice, then try not to consider them.

Capt. Catalina Panugan : Mrs. Generalo is okay for me.

SB Member Henry T. Bagallon : You should agree with your council, as appointing officer, as long as it will be in accordance with law. Even if you want to appoint a Bgy. Teas., whether you like it or not, it's your liability, if you will not concur. When we say in accordance with law, it means, at least, within the 3<sup>rd</sup> degree of affinity or consanguinity. That is the law. What we hear now, is that big problem. What you like, is not their choice. Her choice is not your choice. That's it. Okay.

SK Jade Luster Jalipa : We gave her a chance, when she appointed the old Treas. We agreed with her because she was the Bgy. Capt. Since the day she was appointed as our Bgy. Treas., we always had quarrels in the barangay. That is why, we opted our own choice. The new Treas. is our choice for the good of our bgy. She has personal reasons when she terminated the new treas.. It's only a small lapses when compared to the old Bgy. Treas. who had plenty of big faults.

Capt. Catalina Panugan : She already resigned.

SK Jade Luster Jalipa : Eve if she resigned, she has big liability to settle in our barangay. For the latest Bgy. Treas., she has not yet any liability at all.

Capt. Catalina Panugan : With regards to LEYECO, it's the liability of the Bgy. Treas.

SB Member Henry T. Bagallon : So, the Bgy. Council demanded from her.

SK Jade Luster Jalipa : To turn over.

SB Member Diomedes D. Carlos : For your old Bgy. Treas., as of now, she has so many back lags.

SK Jade Luster Jalipa : When we asked the Bgy. capt., she always replied, "She don't know."

SB Member Henry T. Bagallon : I will ask, the resignation letter of the Bgy. Treas., was it approved by you?  
Was it signed?

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Capt. Catalina Panugan : Yes. No problem with the project, the problem is the LEYECO.

SB Member Diomedes D. Carlos : We are all Bgy. captains here. May be, the oldest Bgy. Treas. in Calubian, is my Bgy. Treas. The Bgy. Bookkeeper even told me, to let him go, because he is very old already. Remember, our alter ego is our Bgy. Treas. & the Bgy. Sec.. We have the appointing power. How many treasurers then that you have replaced? Then, you appoint a new one, then you quarreled again. It's very difficult. The most problematic work they have, is their anomalies.

Capt. Catalina Panugan : Every session, I requested them.

Kagawad Mamerto Capin : The old treas. has now good relations with her now. That is why.

SB Member Henry T. Bagallon : Okay, Hon. Ching.

SB Member Eugenio A. Ching, Jr. : It really good to hear a Bgy. captain who will bow down.

Capt. Catalina Panugan : We won't agree with each other.

SB Member Henry T. Bagallon : Based on the complaint of your council, are you aware of this Capt.? Abuse of Authority, grave misconduct, dereliction of duty, ignorance of the law, violation of R.A. 6713, are you aware of this?

SB Member Aida Q. Labtic : You will be terminated with this kind of complaint.

SB Member Henry T. Bagallon : According to SB Member Aida Labtic, the complaint is heavy. If they will file at the Ombudsman or in Court, it will be hard to answer. This dereliction of duty, this is because, it is a lengthy time of delay already. Then, this is now the time for all you, facing with each other. In your part, try to reconcile with your council. In our findings, your problem is on the appointment of a treas. But, we are counting the time to resolve. To give honorarium for them is a big liability. The one who will solve this problem, is yourself. We can't even help you. You're the LCE in your barangay who is blessed, you are the Executive, the Legislative & the Judiciary. So, how come it had reach to this point?

Capt. Catalina Panugan : I asked them every session so that we can have our honorarium.

SB Member Diomedes D. Carlos : Mr. Chairman, let us ask them. What are their position?

SB Member Henry T. Bagallon : No, direct the question. My point is, for them to voice out. If not, the Council can not do otherwise.

Kagawad Renato Avenir, Jr. : This problem is quite hard because we have no money. But we are challenged because they said, "Hin o la an mahubsan ( Who will be the one to have short of resources ). We were called for an emergency session at 4:00 pm. of Oct. 5. We are after the Affidavit of Loss. We attended our emergency session. We, the bgy. council came at 4:30 p.m. We were there. The Bgy. Captain did not come. She walked out before 4:30 p.m. because, she said she had a meeting in town.

Capt. Catalina Panugan : When I came, they were not around.

SK Jade Luster Jalipa : We held an emergency session. The meeting is not at 4:00 pm. Our agenda is the appointment of the new Bgy. Treasurer.

Kagawad Renato Avenir, Jr. : She defended that she has other meeting outside of the barangay.

SB Member Henry T. Bagallon : There must be notice first.

Kagawad Renato Avenir, Jr. : Here is the statement of the Bgy. Sec. xxx The agenda of session is the Bgy. Treas.. Also, the money of the SK Chairman.

Capt. Catalina Panugan : That Bgy. Treas. is discourteous. It's a problem of politics.

SB Member Elpidio M. Go, M.D. : All of you are presuming to solve the problem. But, if all of you will not cooperate, the problem can not be solved. Everybody must sacrificed for the betterment of the barangay. If you will cooperate/ understand with each other, that problem can be solved. If for example, you will be cooperate. If there is wrong, this is not for personal gains. This is your work. Remember, there are people affected, that there is a recipient. My advice is, to everyone, we are not perfect. No one likes fault, because there is one resisting.

SB Member Diomedes D. Carlos : If they can not be settled, what shall we do?

SB Member Elpidio M. Go, M.D. : We are the mun. council. Even if we are politicians, they knew that we are

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councilors. We can give advice. Like studying, there are two kind of students.

SB Member Aida Q. Labtic : Sometimes, we encounter problems. There must be no pressure. Whoever will be at the top must go down.

SB Member Luz M. Aseveros : I have to say this to the Bgy. Captain. How many months that you don't have your honorarium? 5 months. If ever, you, the new Bgy. Treas., your must also cooperate. This can not be solved. Remember, Bgy. Captain, this is for the good of everybody, Bgy. Officials, Bgy. Tanods, tec., are also affected. Your should be the first to lower your pride. Just continue with her appointment, only one document is lacking, so that you can obtain your honorarium. It is not easy to face a case. All your Bgy. Kagawads complained against you. You have to bow down.

SK Jade Luster Jalipa : We defended our new Treas.. Last January, our old Treas. wanted to resigned, but she was accommodated back by June. We understand that, we still accept her for the good of the barangay. If the new Treas., has one failure, she should consider her, because it is only a minor fault, when compared to the old Bgy. Treas., she had big faults. The old treas. resigned, but she should be re-appointed. But the bank reconsider her back.

SB Member Eugenio A. Ching, Jr. : My suggestion is, please bow down Bgy. Capt.

Capt. Catalina Panugan : I want Mrs. Generalo. For Cresle, we can not agree with each other.

SB Member Luz M. Aseveros : Only work, not personal gain.

SB Member Eugenio A. Ching, Jr. : To agree with everybody, try to work with them.

Kagawad Renato Avenir, Jr. : She considers the barangay as if it is her hacienda. If she don't like, she will terminate immediately & replace. Our Chief Tanod before, he was terminated because he is a Senior Citizen. He was replaced by her husband. There was no concurrence from us Bgy. Officials on his appointment. She also told us "Pagka Kapitan anay kamo."

SB Member Henry T. Bagallon : Is he the Chief Tanod?

Mrs. Catalina Panugan : Yes, my husband.

Kagawad Narcisco Malig-on : The Chief Tanod is her adviser always.

SK Jade Luster Jalipa : Personal interest is considered over and above. Always with personal interest.

SB Member Henry T. Bagallon : As long as it is not within the 3<sup>rd</sup> degree of affinity or consanguinity.

SB Member Elpidio M. Go, M.D. : For me, that problem will be solved, you have hesitation to solve. Solve the problem, one at a time.

SB Member Diomedes D. Carlos : How much is your quarterly honorarium?

Kagawad Renato Avenir, Jr. : P 19,000.00 plus.

SB Member Diomedes D. Carlos : Today is pandemic & then Christmas season, that honorarium should be released supposedly. Now, try not to consider your pride above other things.

SB Member Luz M. Aseveros : We are just advising.

Kagawad Renato Avenir, Jr. : The choice of her ( Ms. General) had been in quarrel with her in the past.

SB Member Luz M. Aseveros : Mr. Chair, based on my experience, if we are the Bgy. Captain, we are transparent. Whatever is our transaction of any amount, we are transparent. As of now, I've noticed that there is corruption. Our suggestion is in favor with you. If you will bow down, so that your Bgy. Tanods, DCW, BHW, etc. can also receive their honorarium. If you would not listen to us, it is up to you. You must lower down your pride.

Capt. Catalina Panugan : I have already requested them.

SB Member Diomedes D. Carlos : If there is no amicable settlement, it's up to you.

SB Member Henry T. Bagallon : You will not be resolved until December.

Kagawad Renato Avenir, Jr. : Even if she will bow down herself, we will continue to fight for the case. Nobody could stop us. They challenge us.

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SB Member Luz M. Aseveros : We can not do otherwise.

SB Member Diomedes D. Carlos : In Court, even if you have plenty of money, the Judge will decide to you.

SB Member Elpidio M. Go, M.D. : If their honorarium is given, they will not counter you.

Kagawad Renato Avenir, Jr. employees. : We want her suspended so that our salary can be released & so with other

Capt. Catalina Panugan : I want Mrs. Generalo as our Treas. I've always requested them every session.

Kagawad Renato Avenir, Jr. : We don't like Mrs. Generalo also.

SB Member Diomedes D. Carlos : Is that Mrs. Generalo who had a case?

Capt. Catalina Panugan : That is the old treas. in the past during the time of Capt. Bong Avenir.

Kagawad Renato Avenir, Jr. : She also made a dirty job with her.

Capt. Catalina Panugan : No. Don't say that.

Kagawad Renato Avenir, Jr. : We will proceed with the case.

SB Member Eugenio A. Ching, Jr. : It's a bad reflection on your part being affected and to the people. For me, the most important is reconciliation, because it is Christmas.

SB Member Diomedes D. Carlos : Now, if both of you, can not settle, we will make our decision. We will be questioned also, if we will not decide.

SB Member Aida Q. Labtic : We are asking you to reconcile, and start anew. We have here evidences presented. If you won't lower your pride, then you will be held liable.

SB Member Henry T. Bagallon : I asked you awhile ago, if you have officials receipt on the bills of LEYECO. You said none. How come, that you are in possession of it that you got it.

Capt. Catalina Panugan her papers. : I took it from the old Bgy. Treas., I want Mrs. Generalo. She is now processing

SB Member Henry T. Bagallon : You just appointed Cresle Isorena. How come that you terminated her right away, when she did not function yet as a Bgy. Treas.

SK Jade Luster Jalipa : When we were at the DILG, she was given an option to appoint, but with the concurrence of the council. That is why on that afternoon, she gave the termination order without concurrence from us. She gave it to our Bgy. Sec.

Capt. Catalina Panugan : The secretary received the termination order.

SB Member Aida Q. Labtic : The new Bg. Treas. has not yet functioned. She was right away terminated.

SK Jade Luster Jalipa to the DILG. : That termination order must also be concurred by the Bgy. Council according

Capt. Catalina Panugan : We are quarreling already.

SK Chairman Jade Luster Jalipa Land Bank & torn out into pieces. : The problem now, the appointment papers of the new Treas. was taken out at

Capt. Catalina Panugan : It was not true. I did not tear it into pieces. The papers are there.

SK Jade Luster Jalipa : You were the ones saying that, we are not.

SB Member Luz M. Aseveros you. : It's hard for a Bgy. Capt., when all your Bgy. Kagawads will not agree with

SB Member Diomedes D. Carlos : Why & how had happened, when they elevated the problem to us here? Why? Based on our investigation here, Capt., it is you who did not like reconciliation & settlement. Can you accept their demand?

SK Jade Luster Jalipa : That is lacking in our council.

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- Capt. Catalina Panugan : According to the DILG, the old Treas. can be back.
- SB Member Henry T. Bagallon : Why is it that they refused to accept, since she said she will be up to Dec. only.  
That's it.
- SB Member Eugenio A. Ching, Jr. : If I have the money, I will lend money to you.
- SK Jade Luster Jalipa : Our concern is our Bgy. Tanods who borrowed money from outside. No assurance yet for our honorarium release.
- SB Member Henry T. Bagallon : Complainants, if the Bgy. Capt. will agree, just to solve, the big problem, so that the giving of your honorarium can be answered? Is there time, that we can give her a chance?
- Kagawad Renato Avenir, Jr. : No chance anymore.
- SK Jade Luster Jalipa : That chance was already given in the past. We had also arguments/ conflict last December. We forgave her because she was new. Next time, I will not. So, we gave her the chance. But now, she let that chance forsaken. Now, she is not worthy of the second chance. We cooperated before.
- SB Member Diomedes D. Carlos : We can't do nothing, because she insisted on with her stand.
- SB Member Eugenio A. Ching, Jr. : Give them a chance, so that you can receive your honorarium.
- SB Member Henry T. Bagallon : What is the comment of the Chairman, Committee on Barangay Affairs on this?
- SB Member Luz M. Aseveros : The people have the right to question the money of the government.
- SB Member Elpidio M. Go, M.D. : The money is specific. The money for Pedro is for Pedro. As a mother or a father, they have many children. What did they do to make their children happy? Wait for them in return, if they give their parents a reward. It's a matter of give and take principle. Not that, give & give nor take & take. That can not be.
- Kagawad Renato Avenir, Jr. : We have a fund for the project, Stage in 2019 in the amount of P 130,000.00, but it was not implemented. Now, there is another fund for the same stage project, this year 2020 in the same amount. The fund is double funded. But the fund disbursement was not concurred.
- Capt. Catalina Panugan : There was no money in the bank.
- SB Member Henry T. Bagallon : But It's included in the budget plan for 20% LDF. That was allocated.
- Capt. Catalina Panugan : There was no money in the bank when we withdrew there.
- SB Member Henry T. Bagallon : This is the reason, why it was not yet implemented. By 2020, the same fund for the same project. It was yet implemented also.
- Capt. Catalina Panugan : It was implemented already.
- Kagawad Renato Avenir, Jr. : For 2019, it was already withdrawn. Now for 2020, we will borrow the 2021 fund.
- SK Jade Luster Jalipa : We approved Supplemental Budgets, we signed. We asked if there are funds. We believed that there was money because there is a balance shown.
- SB Member Henry T. Bagallon : There must be a Realignment procedure. We will see it. The AIP, the projects will be included there. It is not implemented, then there must be realignment. Capt., let us hear your final words regarding the complaint.
- Capt. Catalina Panugan : I was asking to reconsider another Treas. I can't work with her anymore.
- SB Member Henry T. Bagallon : That would be another delay.
- Capt. Catalina Panugan : I don't like her. I want Mrs. Generalo.
- SB Member Elpidio M. Go, M.D. : What is the problem with you?
- Mrs. Cresle Isorena : She shouted at me always. If there are questions to be answered, I asked the Bgy. Council. But she got mad at me, with I asked the help from the Bgy. Council.
- Capt. Catalina Panugan : I want Mrs. Generalo.

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Kagawad Renato Avenir, Jr.

: We don't like Mrs. Generalo also . But we want Cresle to continue.

SK Jade Luster Jalipa

Generalo, she will terminate her again. : We want Cresle Isorena as our Bgy. Treas. If she is not in harmony with

SB Member Henry T. Bagallon

: Thank you Capt. for your message.

Kagawad Renato Avenir, Jr.

: We want her suspended, so that we can have our honorarium

SB Member Henry T. Bagallon

: There must be reasons. She don't like the Bgy. Treas. she appointed. That is her obligation to appoint in the barangay. So, let us wait for the decision of the Council. We will submit our findings first. If ever, she will found guilty, she can be suspended. I even asked, how come your honorarium was not released at this point in time. Of all the risks in the barangay, you are held liable. All of you have the hearts & minds. So, good luck. But, I don't hear the sounds of Kagawad Cabalhin.

Mr. Rogelio Cabalhin

: I have a separate complaint with the Ombudsman against our Bgy. Captain. But, why is it that there was no action yet from the Ombudsman?

Capt. Catalina Panugan

: I already replied to the Ombudsman.

SB Member Henry T. Bagallon



: The complaint seems heavy. If they are going to the Ombudsman or to the Court, you will find it hard to answer, like: dereliction of duty for 5 months inaction in office. Quite long, with no transaction. No treasurer appointed. The decision of the Bgy. Council is to retain the new Treas. The decision of the Bgy. Capt. is to terminate the Bgy. Treas. .So, we've done everything Bgy. Captain. So, good luck. Thank you for coming to the SB hearing. Good afternoon every one.



There being no further business matters being taken, the committee hearing/ investigation was adjourned. Adjourned at exactly 4:00 p.m.

CERTIFIED CORRECT:

  
NORMINDA R. RAAGAS  
Municipal Secretary

ATTESTED :

  
HENRY T. BAGALLON  
Chairman  
  
LUZ M. ASEVEROS  
Member

  
AIDA C. LABTIC  
Vice-Chairman  
  
EUGENIO A. CHING, JR.  
Chairman

  
ALFREDO M. CASAS  
Chairman  
  
ELPIDIO M. GO, M.D.  
Member



Republic of the Philippines  
Province of Leyte  
Municipality of Calubian  
-OOO-  
Office of the Sangguniang Bayan

Annex "B"

SB Committee Report No. 2020- 78 A  
Dec. 7, 2020

SUBMITTED BY : COMMITTEES ON BARANGAY AFFAIRS, PEACE & ORDER & GOOD GOVERNANCE, ETHICS & ACCOUNTABILITY  
SUBJECT : Adm. Complaint of Kagawad Rogelio M. Cabalhin against Punong Barangay Catalina C. Panugan of Bgy. Cabalhin/ Herrera, Calubian, Leyte.  
SPONSORED BY : HON. BAGALLON, LABTIC, ASEVEROS, CHING, GO & A. CASAS  
SUBMITTED TO : HON. GILBERT S. PONCE, MUN. VICE MAYOR & PRES. OFFICER

The undersigned Chairman & Members of the COMMITTEES ON BARANGAY AFFAIRS, PEACE & ORDER & GOOD GOVERNANCE, ETHICS & ACCOUNTABILITY, respectfully submit to the Honorable August Body, the following Committee findings:

1. Kagawad Rogelio M. Cabalhin, et.al., Complainants had filed an Adm. Complaint ( marked as Adm. Case No. 2020- 03 ) dated Nov. 6, 2020 before the Office of the Sangguniang Bayan against Punong Barangay Catalina C. Panugan of Bgy. Cabalhin/ Herera, Calubian, Leyte for " Abuse of Authority; Grave Misconduct; Gross Ignorance of the Law; Gross Negligence, Dereliction of Duty and Violation of R.A. 6713 " and that complaint was received by the office on Nov. 12, 2020 ( Administrative Complaint is hereto attached );
2. The respondent, Punong Barangay Catalina C. Panugan submitted his Counter- Affidavit on dated Nov. 24, 2020 to the Office on Nov. 27, 2020 denying all the allegations contained in the complaint ( Answer to the Administrative Complaint is hereto attached );
3. The COMMITTEES ON BARANGAY AFFAIRS, PEACE & ORDER & GOOD GOVERNANCE, ETHICS & ACCOUNTABILITY conducted a Committee Investigation/ Hearing on Dec. 1, 2020 at the SB Session Hall, wherein the Respondent and the Complainants attended;
4. The Punong Barangay Catalina C. Panugan insisted her stand that don't like & has no trust and confidence on the newly appointed Bgy. Treasurer, Cresle R. Isorena, despite having appointed her in July 2020 & duly concurred by the Sangguniang Barangay; thus failed to sign other related documents pertaining to the processing of authority as to the official signatory of the financial transaction of the barangay as per requirement by the Office of BIR in Ormoc City and LBP at Naval, Biliran;
5. In the statement of Mr. Jundy Villagonzalo, Foreman of Yuga Construction ( as attached to the Complaint Affidavit) dated Feb. 11, 2020, the same had given a total sum of money to Mrs. Estelita Pecajas, previous Bgy. Treasurer of Bgy. Cabalhin, Calubian, Leyte with no corresponding Official receipts given by the said Bgy. Treasurer, and stated as follows:
  1. Cash of P 1,118.00 on Oct. 2019;
  2. Cash of P 6,200.00 on Nov. 2019;
  3. Cash of P 4,566.00 on Dec. 2019; and
  4. Cash of P 1,927.00 on Jan. 2020;
6. Records in the Office of the Sangguniang Bayan, in the 2019 Annual Budget of Bgy. Cabalhin/ Herrera, Calubian, Leyte, an annual allocation of P 30,00.00 is allocated for Lights & Power Expenses of the barangay. If ever Yuga Construction shared its payment in the electricity of the barangay for Oct. 2019 until Dec. 2019, an allocation is added thereof amounting to P 11,884.00 & no reason that for the last quarter of 2019, the electricity bills to LEYECO V could not be settled.
7. Likewise, records in the Office of the Sangguniang Bayan, in the 2020 Annual Budget of Bgy. Cabalhin/ Herrera, Calubian, Leyte, an annual allocation of P 30,00.00 is allocated for Lights & Power Expenses of the barangay. If ever Yuga Construction shared also its payment in the electricity of the barangay for Jan. 2020, an allocation is added thereof amounting to P 1,927.00 & no reason that for the month of Jan. 2020 until Nov. 2020, the electricity expenses to LEYECO V could not be settled.
8. Kagawad Mamerto Capin handed down during the committee hearing, a Statement of Account of Bgy. Cabalhin/ Herrera, Calubian, Leyte at LEYECO V, Ormoc City as of Dec. 2, 2020. The statement of account showed that the latest bill of the barangay as of Dec. 2, 2020 is P 2,108.17 plus the 10 months unpaid bills amounting P 25,281.00. Meaning, from Jan. 2020 until Nov. 2020, there was no payment of electricity usage of the barangay to LEYECO V.
9. In the Answer to the Complaint of Punong Barangay Catalina C. Panugan, she enclosed therein 3 official receipts of payment by Yuga Construction, as stated below:
  1. Oct. 29, 2019 - P 1,118.00 as per O.R. No. 4048643;
  2. Nov. 24, 2019 - P 6,200.00 as per O.R. 4048644; and
  3. Dec. 10, 2019 - P 4,566.00 as per O.R. No. 4048645;

In this same Answer, it was stated that the last payment was made on Feb. 4, 2020 for the consumption of Dec. 2019. Meaning, starting Jan. 2020 up to Nov. 2020, there was no payment made by the Bgy. Treasurer nor the Punong Barangay. The Official receipts issued in series by former Bgy. Treasurer Estelta Pecajas seemed questionable and misleading, because every month transaction of the barangay is only covered with one official receipt, how about the other financial transactions of the barangay?;

10. The Punong Barangay, Catalina C. Panugan and the Bgy. Treasurer manipulated the funds entrusted by the people of the barangay in the payment of its electricity uses to LEYECO V & the same is tantamount to malversation of funds;

11. Bgy. Kagawad Renato C. Avenir, Jr. relayed into the hearing/ investigation that the appointed Chief Barangay Tanod is Mr. Danilo Panugan, who is the husband of the Punong Barangay and for being such, afforded to utter words to him and rest of the members of the Bgy. Council with this "Kun ako Mapungot, pakaunon ko hin Puibura." This statement is supported by a Police Blotter at the Calubian PNP dated Oct. 15, 2020;

12. Kagawad Rogelio M. Cabalhin revealed also during the committee hearing that he also filed a separate complaint before the Office of the Ombudsman last Jan. 2019 against Punong Barangay Catalina C. Panugan. This separate complaint was attached in his Adm. Complaint filed to the Office of the SB;

13. In the answer of Punong Barangay Catalina C. Panugan to the Complaint filed against her which was received to the Office on Nov. 27, 2020, she stated therein that she allowed the resigned Bgy. Treasurer to issue checks and withdraw cash at LBP Naval, Biliran without knowledge of the Bgy. Council on the premise that such cash withdrawal will be used to pay the honorarium of the Barangay Officials & employees, electricity bills and payment for a completed project. But, the Sangguniang Barangay Members of Bgy. Cabalhin/ Herrera (complainants) disclosed that they never received honorarium for the 3<sup>rd</sup> & last quarter of the current year 2020, and no payment of electricity was made as for the months of Jan. until Nov. 2020; and


14. The on going conflict of the Punong Barangay and the Sangguniang Barangay of Bgy. Cabalhin/ Herrera, Calubian, Leyte will hamper & trigger the delivery of public services, particularly to the people of the barangay.

WHEREFORE, we shall look forward for the approval of this committee report and recommend to put Punong Barangay, Catalina C. Panugan, respondent, GUILTY of the following offenses, and shall be penalized for suspension of (six) months effective immediately, to wit:

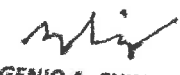
1. Abuse of authority as Punong Barangay ;
2. Dishonesty ;
3. Malversation of funds in violation of the Anti Graft & Corrupt Practices Act;

  
HENRY T. BAGALLON  
Chairman

  
AIDA Q. LABTIC  
Vice-Chairman

  
ALFREDO M. CASAS  
Chairman

  
LUZ M. ASEVEROS  
Member

  
EUGENIO A. CHING, JR.  
Chairman

  
ELPIDIO M. GO, M.D.  
Member



Republic of the Philippines  
Province of Leyte  
Municipality of Calubian  
-OO-

Annex "C"

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALUBIAN, LEYTE HELD ON DEC. 07, 2020 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

Res. No. 2020- 225

RESOLUTION APPROVING COMMITTEE REPORT NO. 2020- 78 A DATED DEC. 7, 2020 OF THE COMMITTEES ON BARANGAY AFFAIRS, PEACE & ORDER & GOOD GOVERNANCE, ETHICS & ACCOUNTABILITY ON THE ADMINISTRATIVE COMPLAINT FILED BY BGY. KAGAWAD ROGELIO M. CABALHIN, ET.AL., ( COMPLAINANTS ) OF BGY. CABALHIN/ HERRERA, CALUBIAN, LEYTE AGAINST THEIR PUNONG BARANGAY CATALINA C. PANUGAN ( RESPONDENT ) FOR " ABUSE OF AUTHORITY; GRAVE MISCONDUCT; GROSS IGNORANCE OF THE LAW; GROSS NEGLIGENCE, DERELICTION OF DUTY AND VIOLATION OF R.A. 6713 , ALSO KNOWN AS THE CODE OF CONDUCT AND ETHICAL STANDARDS FOR PUBLIC OFFICIALS AND EMPLOY EES."


On motion of SB Member Aida Q. Labtic ; duly seconded by SK Fed. Pres. Alyza F. Nierras ;


RESOLVED, as it is hereby resolved, to approve Committee Report No. 2020- 78 A dated Dec. 7, 2020 of the Committees on Barangay Affairs, Peace & Order & Good Governance, Ethics & Accountability on the Administrative Complaint ( marked as Adm. Case No. 2020- 03 of the Sangguniang Bayan ) filed before the Office of the Sangguniang Bayan of Calubian, Leyte by Bgy. Kagawad Rogelio M. Cabalhin, et. al. ( Complainants ) of Bgy. Cabalhin/ Herrera, Calubian, Leyte against their Punong Barangay Catalina C. Panugan ( Respondent ) for " Abuse of Authority; Grave Misconduct; Gross Ignorance of the Law; Gross Negligence, Dereliction of Duty and Violation of R.A. 6713, also known as " Code of Conduct and Ethical Standards for Public Officials & Employees". Copy of the said SB Committee Report is hereto attached.

Unanimously approved.

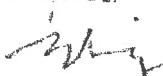
I HEREBY CERTIFY to the correctness of the foregoing resolution.

ATTESTED:

  
SILBERT S. PONCE  
Mun. Vice Mayor  
Presiding Officer

  
NORMINDA R. RAAGAS  
Mun. Secretary

ELPIDIO M. GO, M.D.  
SB Member




JOSEPH C. AVENIR  
SB Member  
( inhibited )

  
DIOMEDES D. CARLOS  
SB Member

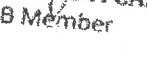
EUGENIO A. CHING, JR.  
SB Member



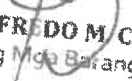
  
LUZ M. ASEVEROS  
SB Member

  
ALYZA F. NIERRAS  
SK Fed. President

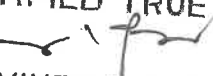
VIVENCIA V. CASAS  
SB Member



  
AIDA Q. LABTIC  
SB Member

  
ALFREDO M. CASAS  
Liga ng Mga Barangay Pres.

CERTIFIED TRUE COPY:

  
NORMINDA R. RAAGAS  
MUN. SECRETARY



Republic of the Philippines  
Province of Leyte  
Municipality of Calubian  
-OoO-

OFFICE OF THE SANGGUNIANG BAYAN

Annex "D"

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALUBIAN, LEYTE HELD ON DEC. 07, 2020 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

Res. No. 2020- 226

RESOLUTION APPROVING THE DECISION ON THE ADMINISTRATIVE COMPLAINT ( MARKED AS ADM. CASE NO. 2020- 03 OF THE SANGGUNIANG BAYAN ) FILED BY BGY. KAGAWAD ROGELIO M. CABALHIN, ET.AL., ( COMPLAINANTS ) OF BGY. CABALHIN/ HERRERA, CALUBIAN, LEYTE AGAINST THEIR PUNONG BARANGAY CATALINA C. PANUGAN ( RESPONDENT) FOR " ABUSE OF AUTHORITY; GRAVE MISCONDUCT; GROSS IGNORANCE OF THE LAW; GROSS NEGLIGENCE, DERELICTION OF DUTY AND VIOLATION OF R.A. 6713 , ALSO KNOWN AS THE CODE OF CONDUCT AND ETHICAL STANDARDS FOR PUBLIC OFFICIALS AND EMPLOYEES."

On motion of SB Member Aida Q. Labtic ; duly seconded by SB Member Eugenio A. Ching, Jr. ;

RESOLVED, as it is hereby resolved, to approve the DECISION on the Administrative Complaint ( marked as Adm. Case No. 2020- 03 of the Sangguniang Bayan ) filed before the Office of the Sangguniang Bayan of Calubian, Leyte by Bgy. Kagawad Rogelio M. Cabalhin, et. al. ( Complainants ) of Bgy. Cabalhin/ Herrera, Calubian, Leyte dated Nov. 6, 2020 against their Punong Barangay Catalina C. Panugan ( Respondent) for " Abuse of Authority ; Grave Misconduct; Gross Ignorance of the Law; Gross Negligence, Dereliction of Duty and Violation of R.A. 6713, also known as " Code of Conduct and Ethical Standards for Public Officials & Employees", whereby Respondent, Punong Barangay Catalina C. Panugan is found GUILTY of the following offenses, and shall be penalized for suspension of Six ( 6 ) months to hold office, to wit:

1. Abuse of Authority;
2. Dishonesty; and
3. Malversation of funds in violation of Article 217 of the Revised Penal Code.

Copy of the full text of the said DECISION is hereto attached.

Unanimously approved.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

ATTESTED:

GILBERT S. PONCE  
Mun. Vice Mayor  
Presiding Officer

NORMINDA R. RAAGAS  
Mun. Secretary

ELPIDIO M. GO, M.D.  
SB Member

JOSEPH C. AVENIR  
SB Member  
( inhibited )

DIOMEDES D.C. ARLOS  
SB Member

EUGENIO A. CHING, JR.  
SB Member

LUZ M. ASEVEROS  
SB Member

MYRA F. TIERRAS  
SK Fed. President

VIVENCIA V. CASAS  
SB Member

AIDA Q. LABTIC  
SB Member

ALFREDO M. CASAS  
Liga ng Mga Barangay Pres.

VERIFIED TRUE COPY:

NORMINDA R. RAAGAS  
MUN. SECRETARY

Annex "E"



Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Calubian

-oOo-  
OFFICE OF THE SANGGUNIANG BAYAN

BGY. KAGAWAD ROGELIO M.  
CABALHIN, et. al,

Complainants,

versus

ADM. Case No. 2020- 03  
(FOR ABUSE OF AUTHORITY,  
MISCONDUCT, GROSS  
IGNORANCE OF THE LAW,  
GROSS NEGLIGENCE,  
DERELICTION OF DUTY; &  
VIOLATION OF R. A. NO.  
6713)

PUNONG BARANGAY CATALINA C.  
PANUGAN,

Respondent

x-----t  
x

DECISION

On November 12, 2020, the Office of the Sangguniang Bayan of the Municipality of Calubian received a complaint filed by Kagawads Rogelio M. Cabalhin, Leopoldo M. Salut, Mamerto D. Capin, Jr., Renato C. Avenir, Jr., Narciso R. Malig-on, Arnel S. Baronda, SK Chair Jade Luster E. Jalipa, and Treasurer Crisle R. Isorena (hereinafter collectively called "COMPLAINANT" for brevity) against Punong Barangay Catalina C. Panugan of Bgy. Cabalhin/Herera, Calubian, Leyte (hereinafter called "RESPONDENT" for brevity) for Abuse of Authority; Grave Misconduct; Gross Ignorance of the Law; Gross Negligence Dereliction of Duty, and Violation of R.A. 6713. The complaint is docketed as Administrative Case No. 2020-03 entitled Kagawad Rogelio M. Cabalhin, et.al. vs. Punong Barangay Catalina C. Panugan for Abuse of Authority; Grave Misconduct; Gross Ignorance of the Law; Gross Negligence Dereliction of Duty, and Violation of R.A. 6713.

On December 1, 2020, the Committees on Barangay Affairs, Peace & Order, and Good Governance, Ethics and Accountability conducted a Committee Investigation/Hearing at the SB Session Hall. Both Complainant and Respondent were present during said hearing.

CERTIFIED TRUE COPY:

NORMINDA R. RAAGAS  
MUN. SECRETARY

*Handwritten notes and signatures on the left margin:*  
Bgy. Cabalhin  
Appointed  
Panugan  
[Signature]  
[Signature]  
[Signature]



THE FACTS

*The Complaint*

In their Complaint-Affidavit, Complainant alleged that herein Respondent failed to settle the barangay electric bills and even received Notice of Disconnection from LEYECO V for repeated non-payment of electric bills covering the periods of February 1, 2020, March 7, 2020, and September 29, 2020 despite allocation of barangay monthly funds for the same. While there was a surge of electric consumption for the months of October 2019 to January 2020 caused by electric tapping of Yuga Construction (Contractor) for its on-going project in the barangay, according to Complainant, this increase cannot be made a reason for non-payment because the Contractor paid for its proportionate share to Brgy. Treasurer Estelita Pecajas. However, despite knowledge of such payment, Respondent failed to provide receipt and demand its turn-over from the Pecajas in order to settle the dues. Accordingly, this inaction on her part put the barangay and its constituents in danger.

Complainant also alleged that Respondent unjustly refused to sign the Resolution necessary to process for BIR Certification with BIR Ormoc City. This refusal on the part of Respondent resulted to non-compliance with Landbank and BIR Ormoc City requirements which caused non-payment of honorariums of the Complainants as well as the non-payment of dues and obligations of the barangay.

Complainant likewise alleged that Respondent walked out at a Special Session on October 5, 2020 at Barangay Hall and that her action was uncalled for, inappropriate and disrespectful. They also alleged that Respondent illegally terminated the appointed Barangay Treasurer Cresle R. Isorena.

According to Complainant, the Respondent is liable for abuse of authority, grave misconduct, gross ignorance of the law, gross negligence, dereliction of duty, and violation of R.A. 6713.

*The Answer*

On the other hand, in her Answer dated November 24, 2020, the Respondent denied all allegations against her. She argued that the barangay has never been disconnected with the electricity. The bills for the months after March 2020 were not paid because Estelita Pecajas resigned on May 25, 2020 and that Kagawad Rogelio Cabalhin kept the electric bills and were not turned over to her.

Respondent also averred that she did not sign the Resolution authorizing the Punong Barangay and Barangay Treasurer to transact with BIR Ormoc City

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NORMINDA R. RAAGAS  
MUN. SECRETARY

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because she lost trust and confidence over the newly appointed Bgy. Treasurer Cresle R. Isorena (Isorena) because of her disrespect and dishonesty. Respondent maintained that she purposely did not sign the resolution as a gesture of terminating Isorena as Barangay Treasurer.

Lastly, she asserted that she cannot be held liable for abuse grave misconduct and dishonesty because she is only exercising her discretion and own judgment to effectively govern the barangay.

### ISSUE

- I. WHETHER OR NOT RESPONDENT IS GUILTY OF ABUSE OF AUTHORITY, GRAVE MISCONDUCT, GROSS IGNORANCE OF THE LAW, GROSS NEGLIGENCE, DERELICTION OF DUTY, AND VIOLATION OF R.A. 6713.

### RULING

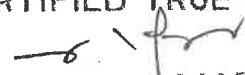
**Respondent committed grave misconduct and abuse of authority**

The Respondent in her Answer admitted that she did not sign the Resolution authorizing the Punong Barangay and Barangay Treasurer to transact with BIR Ormoc City because she "lost trust and confidence" over the newly appointed Bgy. Treasurer Cresle R. Isorena (Isorena). According to her, Isorena displayed disrespect and dishonesty towards her. To our mind, this loss of trust and confidence is not a valid ground to unilaterally revoke Isorena's appointment that she herself appointed last July 2020 and duly concurred by the Sangguniang Barangay. It must be stressed that appointment or replacement of barangay treasurer needs the approval of majority of all members of the sangguniang barangay. Particularly, Section 389 paragraph b (5) of the Local Government Code provides:

*"Upon approval by a majority of all the members of the sangguniang barangay, appoint or replace the barangay treasurer, the barangay secretary, and other appointive barangay officials."*

Thus, Respondent cannot arbitrarily revoke Isorena's appointment as the new barangay treasurer and to re-appoint the already resigned Treasurer Estelita Pecajas without the approval of the majority of the members of the barangay council. Here, it is clear that Respondent took advantage of her position as punong

CERTIFIED TRUE COPY:

  
NORMINDA R. RAAGAS  
MUN. SECRETARY

Isorena  
Respondent  
Applicant  
Secretary  
Clerk  
Barangay Captain

barangay to revoke Isorena's appointment with clear intent to violate the law and utter disregard of the established rules. The action of Respondent action is sufficient to warrant **grave misconduct**. Misconduct is defined as a transgression of some established and definite rule of action, more particularly, unlawful behavior or gross negligence by a public officer. Misconduct is considered grave if accompanied by corruption, a clear intent to violate the law, or a flagrant disregard of established rules, which must all be supported by substantial evidence. (Lagoc v. Malaga, 738 Phil. 623, 640 (2014.))

Moreover, it was also revealed that Respondent allowed the resigned Treasurer Estelita Pecajas to issue checks and withdraw cash at LBP Naval Biliran without knowledge of the barangay council on the guise that such cash withdrawal will be used to pay the honorarium of the Barangay Officials & employees, electricity bills, and payment for a completed project. But, Complainants disclosed that they never received honorarium for the 3<sup>rd</sup> & last quarter of the current year 2020, and no payment of electricity was made as for the months of January until November 2020.

Respondent even admitted in her Answer that **purposely refused to sign**, as the official signatory for financial transactions, the second Resolution as required by BIR Ormoc City simply because she does not like Isorena. This act was conduct unbecoming of a Punong Barangay and was committed in excess of her power or authority conferred to her by law. To us, this whimsical and inexcusable behaviour of the Respondent is tantamount to **abuse of authority**, and did not only deprive the Complainants their monthly honorariums but ultimately placed the barangay and its constituents in grave danger.

Unpaid electric bills and malversation of funds

In the statement of Mr. Jundy Villagonzalo, Foreman of Yuga Construction (as attached to the Complaint Affidavit) dated Feb. 11, 2020, the same had given a total sum of money to Mrs. Estelita Pecajas, previous Bgy. Treasurer of Bgy. Cabalhin, Calubian, Leyte with no corresponding Official receipts given by the said Bgy. Treasurer, and stated as follows:

1. Cash of P 1,118.00 on Oct. 2019;
2. Cash of P 6,200.00 on Nov. 2019;
3. Cash of P 4,566.00 on Dec. 2019; and
4. Cash of P 1,927.00 on Jan. 2020.

CERTIFIED TRUE COPY:

NORMINDA P. RAAGAS  
MUN. SECRETARY

Records in the Office of the Sangguniang Bayan, in the 2019 Annual Budget of Bgy. Cabalhin/ Hererra, Calubian, Leyte, an annual allocation of P 30,00.00 is allocated for Lights & Power Expenses of the barangay. If ever Yuga Construction shared its payment in the electricity of the barangay for October 2019 until December 2019, an allocation is added thereof amounting to P 11,884.00 & no reason that for the last quarter of 2019, the electricity bills to LEYECO V could not be settled.

Likewise, records in the Office of the Sangguniang Bayan, in the 2020 Annual Budget of Bgy. Cabalhin/ Hererra, Calubian, Leyte, an annual allocation of P 30,000.00 is allocated for Lights & Power Expenses of the barangay. If ever Yuga Construction shared also its payment in the electricity of the barangay for January 2020, an allocation is added thereof amounting to P1,927.00, and no reason that for the month of Jan. 2020 until Nov. 2020, the electricity expenses to LEYECO V could not be settled.

Kagawad Mamerto Capin handed down during the committee hearing, a Statement of Account of Bgy. Cabalhin/ Herrera, Calubian, Leyte at LEYECO V Ormoc City as of Dec. 2, 2020. The statement of account showed that the latest bill of the barangay as of Dec. 2, 2020 is P2,108.17 plus the 10 months **unpaid bills amounting P 25,281.00**. Meaning, from Jan. 2020 until Nov. 2020, there was no payment of electricity usage of the barangay to LEYECO V.

In the Answer to the Complaint of Punong Barangay Catalina C. Panugan, she enclosed therein 3 official receipts of payment by Yuga Construction, as stated below:

1. Oct. 29, 2019 – P 1,118.00 as per O.R. No. 4048643;
2. Nov. 24, 2019 – P 6,200.00 as per O.R. 4048644; and
3. Dec. 10, 2019 – P 4,566.00 as per O.R. No. 4048645;

In this same Answer, it was stated that the last payment was made on Feb. 4, 2020 for the consumption of Dec. 2019. Meaning, starting Jan. 2020 up to Nov. 2020, there was no payment made by the Bgy. Treasurer nor the Punong Barangay. The Official receipts issued in series by former Bgy. Treasurer Estelta Pecajas seemed questionable and misleading, because every month of transaction of the barangay is only covered with one official receipt, how about the other financial transactions of the barangay?

To us, it is concluded that the Punong Barangay herein Respondent Catalina C. Panugan and the former Barangay Treasurer manipulated the funds

CERTIFIED TRUE COPY:

  
NORMINDA N. RAAGAS  
MUN. SECRETARY

entrusted by the people of the barangay in the payment of its electricity uses to LTYECCOV & the same is tantamount to malversation of funds;

Bgy. Kagawad Renato C. Avenir, Jr. relayed into the hearing/ investigation that the appointed Chief Barangay Tanod is Mr. Danilo Panugan, who is the husband of the Punong Barangay and for being such, afforded to utter words to him and rest of the members of the Bgy. Council with this "Kun ako mapungot, pakauon ko hin Pulbura". This statement is supported by a Police Blotter at the Calubian PNP dated Oct. 15, 2020;

Kagawad Rogelio M. Cabalhin revealed also during the committee hearing that he also filed a separate complaint before the Office of the Ombudsman last Jan. 2019 against Punong Barangay Catalina C. Panugan. This separate complaint was attached in his Adm. Complaint filed to the Office of the SB:

The on going conflict of the Punong Barangay and the Sangguniang Barangay of Bgy. Cabalhin/ Herrera, Calubian, Leyte will hamper & trigger the delivery of public services, particularly to the people of the barangay.

Both parties ( Complainants & Respondent ) could not even reach to a compromise via conduct of a Special Session in the Barangay Hall as requested by the Punong Barangay, Catalina C. Panugan on Oct. 3, 2020, in connection with the compliance of other pertinent documents so that the newly appointed & concurred Barangay Treasurer, Ms. Cresle R. Isorena could start its official duties and functions in the barangay.

*WHEREFORE* in light of the foregoing premises, this council finds the Respondent Catalina C. Panugan **GUilty** of the following offenses:

1. Abuse of authority as Punong Barangay.
2. Dishonesty;
3. Malversation of funds in violation of Article 217 of the Revised Penal Code.


Respondent shall be penalized for suspension of (six) months.


APPROVED, this 7<sup>th</sup> day of December 2020 at Calubian, Leyte.


HEREBY CERTIFY to the correctness of the foregoing DECISION.


**CERTIFIED TRUE COPY:**


  
**NORMINDA R. RAAGAS**  
MUN. SECRETARY












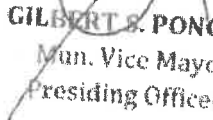





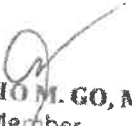




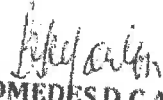
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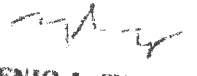
  
GILBERT S. PONCE  
Mun. Vice Mayor  
Presiding Officer

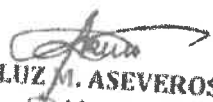
  
NORMINDA R. RAAGAS  
Mun. Secretary


  
ELPIDIO M. GO, M.D.  
SB Member


JOSEPH C. AVENIR  
SB Member  
( inhibited )


  
DIOMEDES D. CARLOS  
SB Member


  
EUGENIO A. CHING, JR.  
SB Member

  
LUZ M. ASEVEROS  
SB Member

  
ALYHA F. NIERRAS  
SKF President

  
VIVENCIA V. CASAS  
SB Member

  
AIDA Q. LABTIC  
SB Member

  
ALFREDO M. CASAS  
Liga ng Mga Barangay Pres.



CERTIFIED TRUE COPY:

  
NORMINDA R. RAAGAS  
MUN. SECRETARY



Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Calubian  
-000-

OFFICE OF THE MUNICIPAL SECRETARY



Annex "F"

Dec. 15, 2020

Hon. Marciano A. Batiancela, Jr.  
Mun. Mayor  
Calubian, Leyte

Dear Sir :

We are forwarding herewith SB Res. No. 2020- 225 and its attached SB Committee Report dated Dec. 7, 2020 and SB Res. No. 2020- 226 and its attached DECISION dated Dec. 7, 2020 on the Administrative Complaint ( marked as Adm. Case No. 2020- 03 ) dated Nov. 6, 2020 filed before the Office of the Sangguniang Bayan against Punong Barangay Catalina C. Panugan ( Respondent ) of Bgy. Cabalhin/ Herrera , Calubian, Leyte for " Abuse of Authority; Grave Misconduct; Gross Ignorance of the Law; Gross Negligence, Dereliction of Duty and Violation of R.A. 6713, for your information, perusal and appropriate action.

Kindly acknowledge receipt hereof.

Thank you .


Very truly yours,

  
NORMINDA R. RAAGAS  
Mun. Secretary

Enc:

1. SB Committee Report No, 2020- 78 A of the Sangguniang Bayan of Calubian, Leyte;
2. Decision dated Dec. 7, 2020 of the Sangguniang Bayan of Calubian, Leyte;
3. Adm. Complaint filed by Bgy. Kagawad Rogello M. Cabalhin, et.al. to the Office of the SB;
4. Answer submitted by Punong Barangay Catalina C. Panugan on the Adm. Complaint filed against her;
5. Notice to Answer Adm. Complaint sent to the respondent Punong Barangay Catalina C. Panugan;
6. Notice of Hearing on the Adm. Complaint filed for both parties;
7. Xerox Copy of Statement of Account of the Bgy. Cabalhin/Herrera, Calubian, Leyte from LEYECO V of Ormoc City;
8. Xerox Copy of Statement of Income & Expenditures of Bgy. Cabalhin/ Herrera, Calubian, Leyte for C.Y. 2019;
9. Xerox Copy of Statement of Income & Expenditures of Bgy. Cabalhin/ Herrera, Calubian, Leyte for C.Y. 2020;
10. SB Res. No. 61- 2019 of the Sangguniang Bayan of Calubian, Leyte ( Amended Internal Rules of SB); and
11. Attendance during the Committee Hearing/ Investigation.

CERTIFIED TRUE COPY:

  
NORMINDA R. RAAGAS  
MUN. SECRETARY



Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Calubian  
-000-

OFFICE OF THE MUNICIPAL SECRETARY

Annex 'G'

12/15/2020  
J. Raagas  
Dec. 15, 2020

Ms. Jessica Josol  
MLGOO  
DILG  
Calubian, Leyte

Dear Madam :

We are furnishing you herewith SB Res. No. 2020- 225 and its attached SB Committee Report dated Dec. 7, 2020 and SB Res. No. 2020- 226 and its attached DECISION dated Dec. 7, 2020 on the Administrative Complaint ( marked as Adm. Case No. 2020- 03 ) dated Nov. 6, 2020 filed before the Office of the Sangguniang Bayan against Punong Barangay Catalina C. Panugan ( Respondent ) of Bgy. Cabalhin/ Herrera , Calubian, Leyte for " Abuse of Authority; Grave Misconduct; Gross Ignorance of the Law; Gross Negligence, Dereliction of Duty and Violation of R.A. 6713, for your information, guidance & perusal.

Kindly acknowledge receipt hereof.

Thank you .

Very truly yours,

  
NORMINDA R. RAAGAS  
Mun. Secretary

Enc:

1. SB Committee Report No, 2020- 78 A of the Sangguniang Bayan of Calubian, Leyte;
2. Decision dated Dec. 7, 2020 of the Sangguniang Bayan of Calubian, Leyte;
3. Adm. Complaint filed by Bgy. Kagawad Rogelio M. Cabalhin, et.al. to the Office of the SB;
4. Answer submitted by Punong Barangay Catalina C. Panugan on the Adm. Complaint filed against her;
5. Notice to Answer Adm. Complaint sent to the respondent Punong Barangay Catalina C. Panugan;
6. Notice of Hearing on the Adm. Complaint filed for both parties;
7. Xerox Copy of Statement of Account of the Bgy. Cabalhin/Herrera, Calubian, Leyte from LEYECO V of Ormoc City;
8. Xerox Copy of Statement of Income & Expenditures of Bgy. Cabalhin/ Herrera, Calubian, Leyte for C.Y. 2019;
9. Xerox Copy of Statement of Income & Expenditures of Bgy. Cabalhin/ Herrera, Calubian, Leyte for C.Y. 2020;
10. SB Res. No. 61- 2019 of the Sangguniang Bayan of Calubian, Leyte ( Amended Internal Rules of SB); and
11. Attendance during the Committee Hearing/ Investigation.





REPUBLIC OF THE PHILIPPINES  
**OFFICE OF THE OMBUDSMAN (VISAYAS)**  
Department of Agriculture RO-7 Compound, M. Velez St., Guadalupe, 6000 Cebu City

ITEM NO. 04  
DATE 15 JUL 2022

INDORSEMENT  
IC-OVT-21-0034  
Cebu City

MAY 26 2022

SANGGUNIANG PANGKALAHARAN  
11 JUL 2022  
1:43 pm Vilink  
PROVINCE OF LEYTE

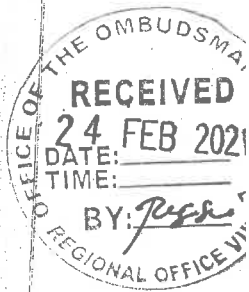
Respectfully forwarded to **HONORABLE CARLO P. LORETO**, Provincial Vice Governor/Presiding Officer, Office of the Sangguniang Panlalawigan, Province of Leyte, Tacloban City, **for appropriate action**, the attached complaint of **CATALINA C. PANUGAN**, Barangay Cabalhin, Calubian, Leyte, against **GILBERT S. PONCE**, Vice Mayor, Municipality of Calubian, Leyte, ET AL., with the request that the Honorable Provincial Vice Governor/Presiding Officer or an authorized representative please acknowledge receipt hereof and promptly notify this Office and the concerned parties of the action taken on the matter.

*Paul Elmer M. Clemente*  
**PAUL ELMER M. CLEMENTE**  
Deputy Ombudsman for Visayas

Cc:  
MS. CATALINA C. PANUGAN  
Barangay Cabalhin, Calubian  
6534 Leyte

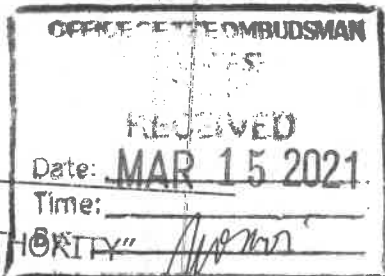
IC-OVT-31-0034

Republic of the Philippines  
OFFICE OF THE OMBUDSMAN (VISAYAS)  
Department of Agriculture RO-7 Compound  
M. Velez St., Guadalupe, Cebu City



CATALINA C. PANUGAN,  
Complainant,

Case No. \_\_\_\_\_



-versus-

For: "GRAVE ABUSE OF AUTHORITY"

**HON. GILBERT S. PONCE**

(Municipal Vice Mayor,  
Calubian, Leyte)  
Members of the Sangguniang  
Bayan of Calubian, Leyte

Namely:

HON. ELPIDIO M. GO,  
HON. DIOMEDES D. CARLOS,  
HON. EUGENIO A. CHING, JR.  
HON. LUZ M. ASEVEROS,  
HON. VIVENCIA V. CASAS,  
HON. AIDA Q. LABTIC,  
HON. HENRY T. BAGALLON,  
HON. ALFREDO M. CASAS, and  
HON. ALYZA F. NIERRAS,  
Respondents,

x-----x

**AFFIDAVIT-COMPLAINT**

I, CATALINA C. PANUGAN, of legal age, Filipino, married, and residing at Brgy. Cabalhin, Calubian, Leyte, Philippines, after having been sworn to in accordance with law, depose and say:

1. That I am filing this case against GILBERT S. PONCE, of legal age, Filipino, and with office address at Office of the Municipal Vice Mayor, Legislative Building, Calubian, Leyte, in his official capacity as Municipal Vice Mayor of Calubian, Leyte with Salary Grade 25, ELPIDIO M. GO, of legal age, Filipino, and presently residing at Brgy. Veloso, Calubian, Leyte, in his official capacity as Sangguniang Bayan Member of Calubian, Leyte with Salary Grade 24, DIOMEDES D. CARLOS, of legal age, Filipino, married, and residing at Brgy. Tagharigue, Calubian, Leyte, in his official capacity as Sangguniang Bayan Member of Calubian, Leyte with Salary Grade 24, EUGENIO A. CHING, JR., of legal age, Filipino, married, and residing at Brgy. Poblacion, Calubian, Leyte, in his official capacity as Sangguniang Bayan Member of Calubian, Leyte with Salary Grade 24, LUZ M. ASEVEROS, of legal age, Filipino, married, and with office address at Sangguniang Bayan, Legislative Building, Calubian, Leyte, in her official capacity

as Sangguniang Bayan Member of Calubian, Leyte with Salary Grade 24, VIVENCIA V. CASAS, of legal age, Filipino, married, and residing at Brgy. Cristina, Calubian, Leyte, in her official capacity as Sangguniang Bayan Member of Calubian, Leyte with Salary Grade 24, AIDA Q. LABTIC, of legal age, Filipino, married, and residing at Brgy. Gutosan, Calubian, Leyte, in her official capacity as Sangguniang Bayan Member of Calubian, Leyte with Salary Grade 24, HENRY T. BAGALLON, of legal age, Filipino, married, and with office address at Sangguniang Bayan, Legislative Building, Calubian, Leyte with Salary Grade 24, ALFREDO M. CASAS, of legal age, Filipino, married, and residing at Brgy. Cristina, Calubian, Leyte, in his official capacity as *ex-officio* member of the Sangguniang Bayan of Calubian, Leyte being the ABC President with Salary Grade 24, and ALYZA F. NIERRAS of legal age, Filipino, single, and with office address at Sangguniang Bayan, Legislative Building, Calubian, Leyte in her official capacity as *ex-officio* member of her Sangguniang Bayan of Calubian, Leyte being the SK Federation President with Salary Grade 24, where they can be served with Subpoena and other legal processes of the Office of the Ombudsman for the Visayas:

2. That the above-named officials are sued for Grave Abuse of Authority;
3. That the pertinent facts that leads to the filing of this complaint are narrated hereunder. I am the duly elected Barangay Captain of Brgy. Cabalhin, Calubian, Leyte;
4. That on November 12, 2020, I was charged by Rogelio M. Cabalhin, Leopoldo M. Salut, Mamerto D. Capin, Jr., Renato C. Avenir, Jr., Narcisio R. Malig-on, Arnel S. Baronda, Jade Luster E. Jalipa and Crisle R. Isorena, in a Complaint-Affidavit they filed before the Sangguniang Bayan of Calubian, Leyte, for Abuse of Authority, Grave Misconduct, Gross Ignorance of the Law, Gross Negligence, Dereliction of Duty, Violation of R.A No. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees. Certified copy of the Affidavit Complaint and its annexes are hereto attached as **Annex "A" and series** and made an integral part of this petition;
5. That a Notice to Answer Complaint dated November 16, 2020 was received by me on same date, signed by Hon. Gilbert S. Ponce, Municipal Vice Mayor of Calubian, Leyte, directing me to file my Answer with fifteen (15) days from receipt thereof. In compliance with the said directive, on November 27, 2020, I filed my Answer before the Sangguniang Bayan of Calubian, Leyte, certified copy of the Answer and its annexes are hereto attached as **Annex "B" and series** and made an integral part of this petition;
6. That on December 01, 2020, the Sangguniang Bayan of Calubian, Leyte through its Committees on Barangay Affairs, Peace and Order and Good Governance, Ethics and Accountability, called what it called and conducted a Committee Investigation/Hearing at the SB Session Hall, wherein complainants were in attendance, as well as, me as respondent, but I was not represented or assisted by counsel during that proceeding;
7. That to my surprise, on December 07, 2020, and without informing me that my case is already submitted for Decision, a Decision dated December 07, 2020 was promulgated by the Sangguniang Bayan of Calubian, Leyte with the composition of the above-named respondents, which I received on December 15, 2020, the dispositive portion of which reads, as follows, to wit:

"WHEREFORE, in light of the foregoing premises, this council finds the Respondent Catalina C. Panugan GUILTY of the following offenses:

1. Abuse of authority as Punong Barangay;
2. Dishonesty;
3. Malversation of funds in violation of Article 217 of the Revised Penal Code;

Respondent shall be penalized for suspension of six (6) month.

Approved this 7<sup>th</sup> day of December, 2020 at Calubian, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing DECISION.

SO ORDERED."

Attached are certified copies of Resolution No. 2020-225, SB Committee Report No. 2020-78 A, Resolution Approving the Decision (Resolution No. 2020-226) the Decision, as **Annexes "C", "D" "E" and "F"**, respectively, and made an integral part of this petition;

8. That the Decision of the Sangguniang Bayan of Calubian, Leyte was done hastily without the observance of proper due process, by not giving the me full opportunity to be heard by myself and by counsel, I was not given an opportunity to confront my accusers and their witnesses before the council, and to examine the authenticity of the documents presented before it. I was not given a chance to argue my side before the council, the minimum of which is at least the submission of position papers, before arriving at a conclusion;
9. That under Rule VIII, Section 6 of the Amended Internal Rules of Procedures of Honorable Sangguniang Bayan of Calubian, Leyte, it provides that:

**"SECTION 5. Rights of Respondent** – The respondent shall be accorded full opportunity to appear and defend himself in person or by counsel, to confront and cross-examine the witnesses against him, and to require the attendance of witnesses and the production of documentary evidence in favor through the compulsory process of subpoena or subpoena duces tecum."

Certified copy of the Amended Internal Rules of Procedures of the Honorable Sangguniang Bayan of Calubian, Leyte is hereto attached as **Annex "G"** and series and made an integral part of this petition;

10. That the said rule which is copied verbatim from Section 65 of the Local Government Code of 1991 was not observed by the Sangguniang Bayan of Calubian, Leyte when it treated the administrative case filed before it against me, but instead proceeded in promulgating a Decision hastily by conducting only one committee hearing on December 01, 2020. The questioned Decision was not promulgated based on the merits of the case by assessing and appreciating the weight of evidence submitted before it of whether it is substantial enough to convict the me, because allegations alone is not considered proof, but instead the respondent Sangguniang Bayan proceeded in deciding the case based on political affiliation, wherein I was caught on cross fire, as the husband of my

opponent during the barangay elections which I won, is a member of the Sangguniang Bayan of Calubian, Leyte, Hon. Joseph C. Avenir. Although the latter took no part in the deliberation and in the promulgation of the questioned Decision, but he can influenced the other members to vote for my conviction, who are all his party mates;

11. That under Section 68 of the Local Government Code of 1991, it provides that:

"SEC. 68. *Execution Pending Appeal.* – An appeal shall not prevent a decision from becoming final or executory. The respondent shall be considered as having been placed under preventive suspension during the pendency of an appeal in the event he wins such appeal. In the event an appeal results in an exoneration, he shall be paid his salary and such other emoluments during the pendency of the appeal."


Construing such provision of the Local Government Code of 1991, any decision promulgated by the Sangguniang Bayan whether it is fair or unjust can be executed even if respondent will take an appeal of such decision;

12. That the act of respondent Sangguniang Bayan of Calubian, Leyte through the membership of respondent members of the said council in promulgating a Decision of the administrative case against me without giving me the full opportunity to be heard, in convicting me of the offenses of Abuse of Authority as Punong Barangay, Dishonesty, and Malversation of Funds in violation of Article 217 of the Revised Penal Code, without a clear and substantial evidence to support it, constitute grave abuse of authority, which is defined as the use or misuse of one's authority in a wantonly and capriciously excessive or extravagant manner contrary to the natural or legal rules for its use;

13. That in deciding hastily the case against me filed before the Sangguniang Bayan of Calubian, Leyte wherein the respondents are the members thereof, without giving me an opportunity to confront my accusers and their witnesses before the council, and to examine the authenticity of the documents presented before it, they violated legal rules, and that is Rule VIII, Section 6 of the Amended Internal Rules of Procedures of Honorable Sangguniang Bayan of Calubian, Leyte which is copied from Section 65 of the Local Government Code of 1991;

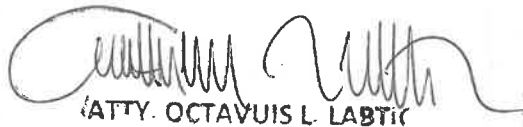
14. That I am voluntarily executing this affidavit-complaint to attest the foregoing facts to be true and correct, and to support the administrative and criminal investigation of the respondents and for whatever legal purpose this may serve;

IN WITNESS WHEREOF, I have hereunto set my hand this 16 day of FEB 2021, 2021, in the Municipality of San Isidro, Province of Leyte, Philippines.

  
CATALINA C. PANUGAN  
Affiant/Complainant

16 FEB 2021

SUBSCRIBED AND SWORN to before me this 16 day of FEB 2021, in the Municipality of San Isidro, Province of Leyte, Philippines. Affiant exhibited to me her Competent Proof of Identity using her VIN Card with photograph bearing No: 3713-0017A-D2970CCP20000, issued by the Commission on Elections.



ATTY. OCTAVUIS L. LABTIC  
NOTARY PUBLIC  
UNTIL JUNE 30, 2021  
ROLL NO 44, 913  
PTR NO. 5143296 01/04/21  
IBP NO 148908 - 01/06/21  
MCLE COMPLIANCE CERT. NO VI  
001-38-08/03/18  
NC NO.ADM 18-079

Doc. No. 368  
Page No. 74  
Book No. LXII  
Series of 2021

I HEREBY CERTIFY that I have personally examined the affiant and I am satisfied that she voluntarily executed and understood the contents of her affidavit-complaint.

**VERIFICATION AND CERTIFICATION OF NON-FORUM SHOPPING**


I, CATALINA C. PANUGAN, after being duly sworn hereby depose and states that:

I am the complainant in the above-affidavit-complaint; I cause the preparation of the same; I read and understood the allegations therein; and that the same are true and correct of my own knowledge and based on authentic documents;

I further states that I have not heretofore commenced any action or filed any case or claim involving the same issues in any court, tribunal or quasi-judicial agency and to the best of my knowledge, no such other action or claim is pending therein, except, that I filed a Special Civil Action for Certiorari with Prayer for Issuance of Temporary Restraining Order (TRO) and/or Writ of Preliminary Injunction, at the Regional Trial Court (RTC), Branch 11, Calubian, Leyte and I filed a Notice of Appeal of the Decision of the Sangguniang Bayan of Calubian, Leyte to te Sangguniang Panglalawigan of Leyte, which as of the execution of this Affidavit-Complaint, remains pending and unacted by the court;

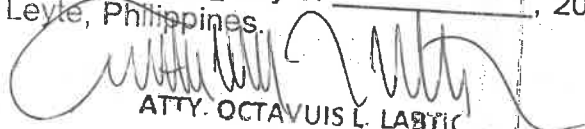
If I could thereafter learn that the same or similar action or claim has been filed or pending, I shall report that fact within five (5) days therefrom to the court wherein I aforesaid complaint or initiatory pleading has been filed.

IN WITNESS WHEREOF, I have hereunto set my hand, the day, year and place above-written.

  
CATALINA C. PANUGAN  
Affiant

16 FEB 2021

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, in the Municipality of San Isidro, Province of Leyte, Philippines.



ATTY. OCTAVUIS L. LABTIC  
NOTARY PUBLIC  
UNTIL JUNE 30, 2021  
ROLL NO 44, 913  
PTR NO. 5143296 01/04/21  
IBP NO 148908 - 01/06/21  
MCLE COMPLIANCE CERT. NO VI  
001-38-08/03/18

Doc. No. 369  
Page No. 74  
Book No. LXII  
Series of 2021  
5 | Page

The Receiving Clerk  
Office of the Deputy Ombudsman for the Visayas  
M. Velez St., Guadalupe, Cebu City

Greetings:

Please submit my Affidavit-Complaint to the Honorable Office of the Ombudsman (Visayas), for its consideration, immediately upon receipt hereof. It is hereby requested that an investigation shall be conducted on the matter against respondents herein.

  
CATALINA C. PANUGAN  
Complainant

Republic of the Philippines  
**OFFICE OF THE SANGGUNIANG BAYAN**  
Municipality of Calubian  
Province of Leyte  
-oOo-

RECEIVED  
11/12/2024  
9:12 A.M.

**ROGELIO M. CABALHIN;** SB ADMIN CASE NO. \_\_\_\_\_  
**LEOPOLDO M. SALUT;**  
**MAMERTO D. CAPIN JR.;**  
**RENATO C. AVENIR JR.;**  
**NARCISO R. MALIG-ON;**  
**ARNEL S. BARONDA; JADE**  
**LUSTER E. JALIPA and**  
**CRISLE R. ISORENA**

COMPLAINANTS,

-versus-

**HON. CATALINA C.**  
**PANUGAN**

RESPONDENT.

X-----X

For: **ABUSE OF AUTHORITY;**  
**GRAVE MISCONDUCT;**  
**GROSS IGNORANCE OF THE**  
**LAW; GROSS NEGLIGENCE;**  
**DERELICTION OF DUTY;**  
**VIOLATION RA NO. 6713 OR THE**  
**CODE OF CONDUCT AND**  
**ETHICAL STANDARDS FOR**  
**PUBLIC OFFICIALS AND**  
**EMPLOYEES**

**ANNEX "A"**

**COMPLAINT AFFIDAVIT**

[With Prayer for Immediate Issuance of Preventive Suspension]

**WE, Kgw. ROGELIO M. CABALHIN; Kgw. LEOPOLDO M. SALUT; Kgw. MAMERTO D. CAPIN JR.; Kgw. RENATO C. AVENIR JR; Kgw. NARCISO R. MALIG-ON; Kgw. ARNEL S. BARONDA ; SK Chairwoman JADE LUSTER E. JALIPA and Brgy Treasurer CRISLE R. ISORENA, all of legal ages, Filipinos, married and residents of Brgy. Cabalhin, Municipality of Calubian, Province of Leyte under oath depose and state: THAT --**

**NATURE OF THE COMPLAINT**

This is an Administrative complaint against Barangay Chairman Catalina C. Panugan of Brgy Cabalhin, of this Municipality lodged before this Office of the Sangguniang Bayan of Calubian, Leyte having the disciplinary power over elective Barangay officials within its territorial jurisdiction, in consonance with the provision of Section 61 (c) of Republic Act (R.A.) No. 7160 or the Local Government Code of 1991

**PARTIES**

Complainants are Elected Barangay Kagawad, Sk Chairman and Brgy Treasurer respectively and meanwhile, respondent is the Barangay Chairwoman, all are residents of Brgy. Cabalhin, Municipality of



the money given by the contractor goes, worst as to why respondent had not acted upon the demands from the electric provider despite repeated demands for disconnection. Truly this action of respondent is beyond man's common perception that only respondent can understand. Such action placed the barangay in shame, question and put the safety of the constituents in near danger and the basic service of putting light in the street at near darkness.

### [Unjustified Non signing of Resolution]

6. After the resignation of former Brgy Treasurer Estilita Pecajas, respondent **appointed**<sup>5</sup> Crisle R. Isorena as the new treasurer on July 18, 2020, the same was concurred also by the Counsels and was forwarded to the Department of Interior and Local Government for information.
7. As the newly appointed treasurer and the fact that there has been no transaction concerning our Honorarium since July 10, 2020. Respondent and complainant Isorena went to Land Bank Naval Branch on September 24, 2020 to inquire as to the processes so that financial transactions of the barangay would continue.
8. In the Land Bank, complainant Isorena after her inquiry were handed the list of **requirements**<sup>6</sup> and one of those is a **[1] a notarized resolution** of authorized signatories and their extent of authority. Complainant Isorena secured the rest of the requirements.
9. The required **resolution**<sup>7-8</sup> was signed by the kagawads and respondent [although the date was inadvertently incorrect].
10. When now processing with BIR Ormoc for the BIR Certification required also by Land Bank, the BIR told me [affiant Isorena] that a COR was released already to the Barangay, but as we informed the officer that we cannot locate the same in the barangay, she just give a **list**<sup>9</sup> of the requirements to be comp-

5-Annex E- Machine copy of Appointment Certificate of Crisle R. Isorena

6- Annex F- Machine copy of the LBP list of requirement for change of accounts/authorized signatories.

7-Annex- Machine Copy of RESOLUTION AUTHORIZING HON. CARATALINA C. PANIGAN, PUNONG BARANGAY AND CRISLE R. ISORENA, BRGY TREASURER OF BRGY CABALIHON, CALUBIAN LEYTE AS SIGNATORIES AT THE LAND BANK OF THE PHILIPPINES NAVAL, BRANCH.

8-Annex H- RESOLUTION AUTHORIZING HON. CARATALINA C. PANIGAN, PUNONG BARANGAY AND CRISLE R. ISORENA, BRGY TREASURER OF BRGY CABALIHON, CALUBIAN LEYTE AS SIGNATORIES AT THE LAND BANK OF THE PHILIPPINES NAVAL, BRANCH CONCERNING THE APPOINTMENT OF CRISLE R. ISORENA NEWLY APPOINTED BRGY. TREASURER AND THE RESIGNATION OF ESTELITA A. PECAJAS AS BRGY TREASURER OF BRGY CABALIHON, CALUBIAN, LEYTE.

-plied that include an Affidavit of Loss for the missing BIR Certificate of Registration (COR) and another set of Resolution to be passed and signed also by complainants and respondent.

11. Thus a **resolution**<sup>10</sup> was made, and other requirements were secured also. **HOWEVER**, on September 29, 2020 when the signature of respondent was solicited for the Resolution **she refused to sign** saying that she will just sign it in the Brgy Hall on the next day 8 o'clock in the morning, September 30, 2020 and untoward incident even transpired in her house.

12. On September 30, 2020 complainant Isorena waited in the Brgy. Hall but respondent never appeared without sending any notice. Rather, I complainant received a note from respondent thru the husband of the Brgy. Secretary demanding the return of the checks and prohibiting me from going to the book keeper.

13. Having no other recourse, on October 1, 2020 all of us went to the Office of the **DILG Municipal Local Government Operation Office (MLGOO) Miss Jessica J. Josol** to inquire and to seek help to solicit the signature for respondent to the resolution so that transaction with the BIR would push trough and for us complainants to secure our Honorarium [including respondents own honorarium also] and pay other barangay transactions/obligations [ including remaining electric bills] that has been pending for quite long time.

14. When respondent was invited at that session, she again refused to sign without again forwarding any justification. As a matter of fact the MLGOO officer told her that it is her function and office to sign such resolution being the Barangay Chairman, and the same is mandated from her. In fact the exact words from Miss Josol to respondent were "**an pag pirma imu obligation, diri bug at, sayun la pag pirma, kun diri ka gud pumirma, kamu SB pag file huin kaso ha SB laban sa iya [respondent]**" But respondent did not heed such statement of Miss Josol, and rather told us and Miss Josol to give her time until October 3, 2020 regular session to think it over.

15. Hoping that respondent would at least be enlightened and realized that such signature of hers is vital for the continued operation of the barangay, we agreed.

9-Annex I- Machine copy of Handwritten requirements from BIR Ormoc

10-Annex J- Machine copy of RESOLUTION AUTHORIZING HON. CARATALINA C. PANUGAN, PUNONG BARANGAY AND CRISLE R. ISORENA, BRGY TREASURER OF BRGY. CABALIHIN, CALUBIAN LEYTE TO TRANSACT OFFICIAL BUSINESS AT BIR ORMOCCITY.

Calubian, Leyte were they can be served with of all pertinent summons and notices of this Honorable Body. Parties has the capacity to sue and be sued.

### THE COMPLAINED ACTS

#### [Non-Payment of Electric Bills]

1. The Barangay Officers together that of respondent, has been in receipt on February 1, 2020<sup>1</sup>, March 07, 2020<sup>2</sup> and recently this September 29, 2020<sup>3</sup> of **Notice of Disconnection** with demand to settle the obligation issued by the General Manager of LEYECO V for **repeated non-payment of electric bills** consumed by the Barangay since last year. This despite the appropriate allocated monthly funds for the payment of the bills that was given to the respondent and treasurer.
2. Even the surge of the consumption from October 2019 to January 2020 cannot be given as a reason why respondent cannot pay the bills for beside the fact that it was duly allocated and funded, the foreman of the contractor who at that time tapped to the barangay hall for its electrical consumption for its ongoing project manage to pay for his proportionate consumption. Machine Copy of the letter handed to the Barangay is hereto attached as **Annex D** for reference.
3. In the letter, the money was given to then Barangay Treasurer Estelita Pecajas. Despite payment of this and awareness with this transaction failed to provide receipt and demand the money from the Treasurer to set off the bills due. Putting on the edge of darkness and a safety not just the Barangay Hall but the streets of our barangay thereby putting into danger our constituents or even respondent herself.
4. Moreover, granting that the money for the payment was handed to the Brgy. Treasurer for the payment of bills, respondent as the chairman exercises control and supervision to the affairs of the Barangay and having the knowledge of numerous unpaid monthly bills can mandate and order to pay the bills and likewise, demand explanation from her Treasurer to justify non payments of bills despite the allocation. This was not done and was just ignored by the respondent.
5. With these circumstances, unexplained, with out action taken from respondent, complainants are with resounding question as to where the funds for those monthly bills are, and as to where

1- Annex A-Notice of Disconnection dated Feb. 1, 2020

2- Annex B-Notice of Disconnection dated March 7, 2020

3- Annex C- Notice of Disconnection dated September 29, 2020

16. However comes October 3, 2020 regular session, when respondent was asked as to her decision of whether or not she will affix her signature to the resolution as the same is important for BIR transactions she countered by saying viz;

"Bisan ug utruhun ito dire ako mo pirma hito nga resolution.  
Magkuha ko ug lain nga Treasurer.

Kay amu la gihapon dire kami pwedi mag kaupod"

17. The rest of the conversations and material events that transpired were reduced into writing by the Brgy. Secretary hereto attached and marked as **Annex K** and the words of respondent as transcribed is hereto emphasized with color and marked as **Annex K-1**.

18. Thus with such refusal we were left with no other options and by such until today no transaction and compliance with Land Bank and BIR was completed hence complainant and respondent has not received our respective honorarium and pay the dues and obligations incurred by the Barangay.

19. In addition, on the evening of September 29, 2020 and in the course of securing the signature of respondent and the other required requirements for BIR and thinking that the missing COR might just be in the possession of former Brgy. Treasurer. Complainants specifically affiant Cabalhin, Malig-on Sr.; Capin Jr; Salut; Avenir; Baronda; SK Jalipa went to respondents house to request for her signature and inquire about the COR, yet respondent told us that she will not sign the same and she does not know the whereabouts of the said COR and perhaps the same could be still in the possession of former Brgy. Treasurer Estelita Pecajas.

20. In the course of the conversation with respondent and to ascertain if the COR could still be with the former Treasurer, we demand from respondent to secure all other documents including the COR from Estelita but to our dismay respondent replied that it is no longer her problem and that Estelita cannot be forced already as she is no longer part of the Barangay.

21. That we complainant insisted that she can do the same being the chairman and has the absolute right to demand its return the same being government properties so that transactions with Land bank would pursue. However to our shock, respondents husband Danilo Panugan who is also the Chief Tanod of barangay intervened and uttered threatening words of "**AKO MAPUNGOT, WARAY AKO PIPILION**" and continued "**PAPAKAONON KO HIN PULBURA**".

22. This were uttered by Danilo in front of us including his wife respondent and the same were made in loud voice. Feeling frightened of the utterances, the serious face of Danilo and the ambiance inside the premises of respondent we immediately left. And on October 2, 2020 realizing the serious threat towards our life we caused the same to be reported. Machine Copy of the Polcie Blotter with Entry No. 33473 is hereto attached as **Annex L**.

23. The refusal of respondent to sign the resolution despite its [1]necessity, the same being her [2]function and ministerial duty, the same being [3] demanded by authority [BIR], the same being [4] appraised by MLGOO has resulted to the non compliance from the both BIR and Land Bank thus causing major set backs to the transactions of the barangay, to their own salary and in responding to the urgent monetary needs of involved transactions and obligations, to the great prejudiced of their constituents.

**[Walked out at special Session]**

24. In one occasion just this October, respondent informed us that she is calling for an special session to be conducted on October 5, 2020 at 4:00 in the afternoon at Barangay Hall concerning her intention for the replacement of the just newly appointed Brgy Treasurer-complainant Crisle R. Isorena.

25. Before 4'oclock, and prior to the arrival of other remaining Brgy Kagawad, respondent was already in the Barangay Hall ahead of us. Around 4:30, for no apparent reason and despite the presence already of majority, respondent left the barangay hall. We stayed their for another 1 hour hoping that she will return but all to our dismay. Machine copy of the Minutes of the Special Session is hereto attached as **Annex M**.

26. That such action of respondent is **uncalled for**, that is to say **inappropriate**, worst a **show of her dis respect towards us** and to the session that she herself has called for. Further she did not offer any justification on the next regular session that we had as to her reason she left the halls of Barangay and before us.

**[Illegal termination of respondents appointed Brgy Treasurer]**

27. As mentioned earlier, upon the resignation of former Brgy Treasurer Estileta Pecajas on June 10, 2020, Crisle R. Isorena was appointed by respondent and concurred by the Brgy. Counsel on July 2020 as evidenced by hereto attached machine copy of DILG-MLGOO **Certification** as **Annex N**.

28. Complainant Isorena immediately performed her office and function as Treasurer and that includes the processing before the Land Bank and BIR for the continuance of Transactions so that they will received their respective honorariums and pay the dues and obligations of the barangay.

29. However, September 29, 2020 just after the incident that transpired at respondents house, she sent a note to me [affiant Isorena] demanding the return of the Checks and Officials Receipts. Machine copy of the letter note is hereto attached as **Annex O** for reference.

30. However I refused to obliged the same for the said demand was illegal and had no basis.

31. On October 1, 2020, affiant Isorena learned that respondent sent a letter to the barangay stating therewith my termination as Brgy. Treasurer forwarding the contention of lack of trust and confidence but not mentioning the factual basis thereof. On this point alone affiant Isorena cannot fathom as to why would respondent lost her confidence to me and her trust when in fact no transaction was yet completed by me, and the reason for the derailment of the same is respondent herself. Thus the basis for my termination is without basis and merely an exercise of her caprices and whims. Machine copy of the letter is hereto attached as **Annex P**.

32. Later we complainants learned that respondent is intending to reappoint the former Brgy. Treasurer Pecajas that has records of illegal participation's to the actions and activities of respondent and has pending case also with the Office of Ombudsman Visayas. As matter of fact, both respondent and Pecajas went to Land Bank Naval branch to secure the documents and specimens that Affiant Isorena has already submitted and both respondent and Pecajas represented therein that she [Pecajas] is now the Brgy Treasurer.

33. The acts of respondent in unilaterally terminating affiant Isorena position as Brgy Treasurer without the concurrence of the Brgy Counsel runs counter to Sections 389 [e] Chapter 3 and Section 395, Chapter 5 of the Local Government Code of the Philippines and DILG MEMORANDUM CIRCULAR NO. 2002-150 which instructs that the appointment and removal of treasure must be with concurrence of the Brgy. Counsel.

The acts of respondents of her failure to pay the electric bills despite the appropriated funds as alleged constitutes **ABUSE OF AUTHORITY DISHONESTY and GRAVE MISCONDUCT AND EVEN MISSAPPROPRIATION OF PUBLIC FUNDS.**

SECOND, the acts of respondent like her utter stubborn and unyielding acts in not signing the Resolution constitutes **ABUSE OF AUTHORITY, GRAVE MISCONDUCT, DERELICTION OF DUTY, GROSS IGNORANCE OF THE LAW and VIOLATION RA NO. 6713 OR THE CODE OF CONDUCT AND ETHICAL STANDARDS FOR PUBLIC OFFICIALS AND EMPLOYEES** for her failure to perform her duties and obligations in good faith and utmost regard to her oath in connection to her functions and demands set forth by law, circulars, memorandums, and duly constituted authorities.

THIRD, the acts of respondent in walking out or not participating without valid reason in the special session that she called for constitutes **ABUSE OF AUTHORITY, GRAVE MISCONDUCT and DERELICTION OF DUTY.**

FOURTH, the acts of respondent unilaterally terminating duly appointed Brgy. Treasurer and allowing a non-qualified, non-appointed person to perform official functions and appears as such before the barangay and government agencies/officer constitutes **ABUSE OF AUTHORITY** and **GRAVE MISCONDUCT.**

That based on the foregoing facts and allegations as substantiated by hard and overwhelming documentary pieces evidence, that would prove respondents administrative liability and illegal actions/activities and also for the information of this body the pending **case<sup>17</sup>** filed by complainant Kagawad Rogelio Cabihin before the office of the Ombudsman Visayas on other illegal transactions perpetrated and orchestrated also by respondent and cohort Estelita Pecajas **THERE IS A NEED TO PREVENTIVELY SUSPEND RESPONDENT for SIXTY (60) DAYS,** for her continuance in office could and surely would influence the witnesses or pose a threat to the safety and integrity of the records and other piece evidence as her continued function and authority in the Barangay would in a way or another be an avenue for respondent to alter, influence, destroy, amend or correct the foregoing evidence and other relevant evidence that could be secured by complainant or this investigating authority when the investigation would pursue.

Considering that prima facie case exists, it is prayed that this complaint be expeditiously considered and taken into against the respondents

**IN WITNESS WHEREOF,** I have hereunto set my hand this 6<sup>th</sup> November 2020 at Naval, Biliran, Philippines.

<sup>17</sup>- Annex Q- Machine copy of Complaint Affidavit filed with office of the Ombudsman Visayas dated January 15, 2019.

*[Signature]*  
**ROGELIO M. CABALHIN**  
Affiant/Complainant  
OSCA ID NO.: 1151

*[Signature]*  
**MAMERTO D. CAPIN JR.**  
Affiant/Complainant  
BIR TIN ID NO. 721-522-558

*[Signature]*  
**MARCISO R. MALIG-ON**  
Affiant/Complainant  
LTO ID NO. HT0-19-001516

*[Signature]*  
**JADE LUSTERA JALIPA**  
Affiant/Complainant  
PHILHEALTH ID NO. 12-051250906

*[Signature]*  
**LEOPOLDO M. SALUT**  
Affiant/Complainant  
BIR TIN ID NO. 726-180-149

*[Signature]*  
**RENATO C. AVENIR JR**  
Affiant/Complainant  
LTO ID NO. HO7-03-005470

*[Signature]*  
**ARNEL S. BARONDA**  
Affiant/Complainant  
VIN ID NO. 3713-0017B-D0384ASB10000

*[Signature]*  
**CRISLE ISORENA**  
Affiant/Complainant  
BIR TIN ID NO. 768-542-107

**SUBSCRIBED AND SWORN TO** before me this 6<sup>th</sup> of November 2020 at Municipality of Naval, Province of Biliran, Philippines by the above affiant, who showed to their respective proof of identification as their competent evidence of identity, personally known to me, who are the same person who personally signed before me the foregoing complaint affidavit and acknowledged that they executed the same; and I hereby CERTIFY that I have personally examined the affiant-complainant and I am satisfied that they voluntarily executed and understood their complaint affidavit.

P.C. NO. 258  
PAGE NO. 37  
PAGE NO. IV  
SERIES OF 2020

*[Signature]*  
**ATTY. ROBIE CHARLES D. PASCUAL**  
NOTARY PUBLIC  
N.C. 04-2019-UNTIL DEC. 31, 2020  
ROLL NO. 67672  
ICP Lifetime Member No. 017311  
P. No. 2814001, Naval Biliran, 01-17-20  
ICP Compliance No. VI-00077



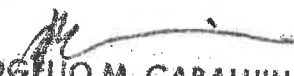
**VERIFICATION AND CERTIFICATION  
OF NON-FORUM SHOPPING**


WE, **ROGELIO M. CABALHIN** (married); **LEOPOLDO M. SALUT** (married);  
**MAMERTO D. CAPIN JR.** (married); **RENATO C. AVENIR JR** (married); **NARCISO R.  
MALIG-ON** (married); **ARNEL S. BARONDA** (married); **JADE LUSTER E. JALIPA**  
(married) and **CRISLE R. ISORENA** (married) all of legal ages, filipinos and residents  
of Brgy. Cabalhin, Municipality of Calubian, Province of Leyte, under oath state:

We are the complainant in the above-entitled administrative  
complaint; that we have caused the preparation of this complaint; We  
have read this complaint and that the allegations herein are true and  
correct of our own personal knowledge and based on authentic  
records/documents; That this complaint is not merely intended to  
embarrassed the respondent but solely based on reasonable and  
substantiated grounds.


We have not theretofore commenced any action or filed any  
criminal, administrative or civil case involving the same issues in any  
other court, tribunal or quasi-judicial agency and, to the best of my  
knowledge, no such other action or claim is pending therein; Except the  
pending administrative/criminal complainant filed by Rogelio M.  
Cabalhin before the office of the Ombudsman Visayas that deals  
although with the same respondent but involves different issues; and if I  
should thereafter learn that the same or similar action or claim has been  
filed or pending in any other court, tribunal or quasi-judicial agency, we  
shall report that fact within 5 days therefrom to this Honorable Court.


**IN WITNESS WHEREOF**, we have hereunto set our hand this 6<sup>th</sup> November 2020  
at Naval, Biliran Philippines.


  
**ROGELIO M. CABALHIN**  
Affiant/Complainant  
OSCA ID NO.: 1151

  
**LEOPOLDO M. SALUT**  
Affiant/Complainant  
BIR TIN ID NO. 726-180-149

  
**MAMERTO D. CAPIN JR.**  
Affiant/Complainant  
BIR TIN ID NO. 721-522-558

  
**RENATO C. AVENIR JR**  
Affiant/Complainant  
LTO ID NO. HO7-03-005470

  
**NARCISO R. MALIG-ON**  
Affiant/Complainant  
LTO ID NO. H10-19-001516

  
**ARNEL S. BARONDA**  
Affiant/Complainant  
VIN ID NO. 3713-0017B-D0384ASB10000

*J*  
**JADE LUSTER E. JALIPA**  
Affiant/Complainant  
PHILHEALTH ID NO. 12-051250906

*C. Isorena*  
**CRISLEA ISORENA**  
Affiant/Complainant  
BIR TIN ID NO. 768-542-107

**SUBSCRIBED AND SWORN** to before me this this 6<sup>TH</sup> November 2020 at Naval, Biliran, Philippines, by above affiants who are identified by me through competent evidence above shown, to be the same person who personally signed before me the foregoing Verification and Certification of Non-Forum Shopping, and acknowledged that they have the authority to sign the same.

BOOK NO. 257  
PAGE NO. 58  
BOOK NO. IV  
SERIES OF 2020

**ATTY. ROBERTO D. PALLASAL**  
NOTARY PUBLIC  
N.C. 04-2019-UNIT 01-31-2020  
ROLL NO. 6672  
IBP Lifetime Member No. 017311  
JTS No. 2814001, Naval Biliran, 01-17-20  
MCLC Compliance No. VI-00072

**ANNEX "A"**

STATE DEPARTMENT OF REVENUE  
DIRECTOR  
COLUMBIA, MO

**NOTICE OF DISCONNECTION**

1947

The State has your unpaid electric bills in the amount of \$140.00. If you do not pay these bills by the 15th day of the month, your electric service will be disconnected. You will be responsible for any bills you incur after the date of disconnection. If you wish to pay your bills, you should contact the electric company at once. If you wish to dispute the bills, you should contact the electric company at once.

Thank you for your cooperation.

Very respectfully,  
Director

State Department of Revenue  
Columbia, Mo.  
1947

Director

ANNEX "B"



LEYTE V ELECTRIC COOPERATIVE, INC.  
(LEYECO V)  
Ormoc City

**NOTICE OF DISCONNECTION**

Mar 07, 2020

Cabalhin Brq. Hall  
0909060620 / E0199508  
Cabalhin, Calubian

This refers to your unpaid electric bills in the amount of **P11,539.87**

Relative thereto, you are hereby notified that electric service to your residence/establishment will be disconnected after forty-eight (48) hours from your receipt hereof or anytime thereafter unless you settle your obligation to our authorized Collector or at our designated Collection Centers.

Please disregard this notice if you have already made payments and present the official receipts to our main office or to our authorized representative for final settlement on your account.

Please be guided accordingly. Thank you for your cooperation.

Very truly yours,

  
ATTY. JANNIE ANN J. DAYANDAYAN, CPA  
Acting General Manager

Sec. 19 of 45

For complaints and clarification:

MAIN OFFICE ORMOC  
(053) 561-4075-7  
255-7211  
255-8499  
Infotxt 09088659575

PALOMPON OFFICE  
(053) 555-9036  
TABANGO OFFICE  
(053) 551-9787  
2:35 PM

No. of Unpaid Bills: 3

Disco Date:

LEYTE V ELECTRIC COOPERATIVE, INC.  
(LEYECO V)  
Ormoc City

NOTICE OF DISCONNECTION

Sep 29, 2020

Cabalhin Brgy. Hall  
0909060620 / E0199508  
Cabalhin, Calubjan

This refers to your unpaid electric bills in the amount of P21,035.89

Relative thereto, you are hereby notified that electric service to your residence/establishment will be disconnected after forty-eight (48) hours from your receipt hereof or anytime thereafter unless you settle your obligation to our authorized Collector or at our designated Collection Centers.

Please disregard this notice if you have already made payments and present the official receipts to our main office or to our authorized representative for final settlement on your account.

Please be guided accordingly. Thank you for your cooperation.

Very truly yours,

  
ATTY. IANNIE ANJO J. DAYANDAYAN, CPA  
Acting General Manager

Seq. 85 of 149

For complaints and clarification

MAIN OFFICE ORMOC  
(053) 561-4075-7  
255-7211  
255-8499  
Infotxt: 09088659575

PALOMPON OFFICE  
(053) 555-9036  
TABANGÓ OFFICE  
(053) 551-9787  
2:37 PM

No. of Unpaid Bills: 9

Disco Date \_\_\_\_\_



ANNEX E 17

Republic of the Philippines  
OFFICE OF THE PUNONG BARANGAY  
Barangay CABALMIN, Calubian, Leyte

TO: CRAIG R. ISORENA

**APPOINTMENT**

Pursuant to the provision of the Sec. 398, paragraph (a) of the Republic Act 7160, otherwise known as the Local Government Code of 1991, you are hereby appointed as Barangay TREASURER effective upon taking your oath of office.

Done this 18th day of JULY, 20 20 Dat Calubian, Leyte.

NON CATALINA C. PANUGAN  
Punong Barangay

Republic of the Philippines  
OFFICE OF THE BARANGAY COUNCIL  
Barangay CABALMIN, Calubian, Leyte  
RESOLUTION NO. \_\_\_\_\_  
Series of 2020

A Resolution confirming the appointment of MRS CRISTIE R. ISORENA, Barangay CABALMIN, Calubian, Leyte.

By virtue of Sec. 390, paragraph (a) of the Republic Act 7160 otherwise known as the Local Government Code of 1991, be it.

RESOLVED, as it hereby resolved, to appoint as it is hereby appointed CRAIG R. ISORENA as Barangay TREASURER of Brgy. CABALMIN, Calubian, Leyte.

Unanimously Approved: JULY 18, 2020

CERTIFIED CORRECT:  
LIEZEL B. ARANAS  
Barangay Secretary

CONCURRED:

MON. ROBERTO M. CABALMIN JR.  
Sanggunian Barangay Member  
MON. LEOPOLDO M. SALUD JR.  
Sanggunian Barangay Member

MON. MARCO R. MALIGON JR.  
Sanggunian Barangay Member  
MON. MARICAR S. DELACRUZ  
Sanggunian Barangay Member

MON. MARICEL D. GABIN JR.  
Sanggunian Barangay Member  
MON. RENATO C. TURAN JR.  
Sanggunian Barangay Member

MON. ARNOLD C. BARONDA  
Sanggunian Barangay Member

NONWADE LUSTE E. VALIAH  
SK Chairman

APPROVED:

NON CATALINA C. PANUGAN  
Punong Barangay

Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Calubian  
Barangay CABALHIN  
-oCo-

OFFICE OF THE SANGGUNIANG BARANGAY

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BARANGAY OF BARANGAY CABALHIN, CALUBIAN, LEYTE, HELD AT BARANGAY SESSION HALL, ON JULY 18, 2020.  
PRESENT:

- |                             |           |
|-----------------------------|-----------|
| HON. CATALINA C. PANUGAN    | Presiding |
| HON. ROGELIO M. CABALHIN    | Members   |
| HON. NARCISO R. MALIG-ON    | Members   |
| HON. LEOPOLDO M. SALUT, SR. | Members   |
| HON. MARICAR S. DELA CRUZ   | Members   |
| HON. RENATO A. AVENIR, JR.  | Members   |
| HON. MAMERTO D. CAPIN, JR.  | Members   |
| HON. ARNEL S. BARONDA       | Members   |
| HON. JADE LUSTER E. JALIPA  | Members   |
- ABSENT: NONE

Res. No. \_\_\_\_\_

RESOLUTION AUTHORIZING HON. CATALINA C. PANUGAN, PUNONG BARANGAY AND CRISLE R. ISORENA, BRGY. TREASURER OF BRGY. CABALHIN, CALUBIAN, LEYTE AS SIGNATORIES AT THE LAND BANK OF THE PHILIPPINES NAVAL BRANCH.

WHEREAS, the Barangay Council decide to authorize the Punong Barangay and the Treasurer as signatories of all transactions the the Land Bank of the Philippines, Naval Branch for the good of the constituents;

WHEREAS, the Barangay Council agreed to Authorized Hon. Catalina C. Panugan, Punong Barangay, Crisel R. Isorena, Brgy. Treasurer of Brgy. Cabalhin, Calubian, Leyte as signatories at the Land Bank of the Philippines Naval Branch.

NOW THEREFORE

On motion of Barangay Kagawad Leopoldo M. Salut, Sr. duly seconded by kagawad Arnel Baronda

RESOLVED as it is hereby resolved, to Authorized Hon. Catalina C. Panugan, Punong Barangay, and Crisel R. Isorena, Brgy. Treasurer of Brgy. Cabalhin, Calubian, Leyte as signatories at the Land Bank of the Philippines, naval brach.

APPROVED, this 18<sup>th</sup> day of July, 2020 at the Barangay Cabalhin, Calubian, Leyte.

CERTIFIED CORRECT

LIEZL B. ARANAS  
Brgy. Secretary

ATTESTED

HON. CATALINA C. PANUGAN  
Presiding Officer

ROGELIO M. CABALHIN  
Kagawad

NARCISO R. MALIG-ON  
Kagawad

LEOPOLDO M. SALUT, SR.  
Kagawad

MARICAR S. DELA CRUZ  
Kagawad

RENATO A. AVENIR, JR.  
Kagawad

MAMERTO D. CAPIN, JR.  
Kagawad

ARNEL S. BARONDA  
Kagawad

JADE LUSTER E. JALIPA  
SK Chairman

APPROVED:

HON. CATALINA C. PANUGAN  
Barangay Captain

CALUBIAN, LEYTE

Subscribed and Sworn to before me this \_\_\_\_\_ 2020 at \_\_\_\_\_  
Philippines.

24 JULY 2020  
ATTY. MARION J. MELCHOR, JR.  
NOTARY PUBLIC  
Until December 31, 2020  
Brgy. Pobocion, Calubian, Leyte and



MARICAR S. DELA CRUZ  
Kagawad

RENATO C. AVENIR, JR.  
Kagawad

MAMERTO D. CAPIN, JR.  
Kagawad

ARNEL S. BARONDA  
Kagawad

JADE LUSTER E. JALIPA  
SK Chairman

APPROVED

HON. CATALINA C. PANUGAN  
Barangay Captain

Subscribed and Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 2020 at  
Philippines

ANNEX " I "

Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Calubian  
Barangay CABALHIN  
-oOo-

OFFICE OF THE SANGGUNIANG BARANGAY.

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BARANGAY OF BARANGAY CABALHIN CALUBIAN, LEYTE, HELD AT BARANGAY SESSION HALL ON JULY 18, 2020 PRESENT.

|                            |           |
|----------------------------|-----------|
| HON. CATALINA C. PANUGAN   | Presiding |
| HON. ROGELIO M. CABALHIN   | Members   |
| HON. NARCISO R. MALIG-ON   | Members   |
| HON. LEOPOLDO M. SALUT, SR | Members   |
| HON. MARICAR S. DELA CRUZ  | Members   |
| HON. RENATO A. AVENIR, JR  | Members   |
| HON. MAMERTO D. CAPIN, JR. | Members   |
| HON. ARNEL S. BARONDA      | Members   |
| HON. JADE LUSTER E. JALIPA | Members   |

ABSENT: NONE

Res No. \_\_\_\_\_

RESOLUTION AUTHORIZING HON. CATALINA C. PANUGAN, PUNONG BARANGAY, AND CRISLE R. ISORENA, BARANGAY TREASURER OF BRGY. CABALHIN, CALUBIAN, LEYTE TO TRANSACT OFFICIAL BUSINESS AT BIR ORMOC CITY.

WHEREAS the barangay council decide to authorize the Punong Barangay and the Treasurer TO transact at the BIR Ormoc City for the good of the constituents

WHEREAS the Barangay Council agreed to Authorized Hon. Catalina C. Panugan, Punong barangay, Crisle R. Isorena, Brgy. Treasurer of Brgy. Cabalhin, Calubian, Leyte to transact official business at BIR Ormoc City.

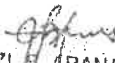
NOW THEREFORE

On motion of Barangay Kagawad Leopoldo M. Salut Sr. duly seconded by kagawad Arnel Baronda

RESOLVED as it is hereby RESOLVE, to AUTHORIZE Hon. Catalina C. Panugan, Punong Barangay, and Crisle R. Isorena, Brgy. Treasurer of Brgy. Cabalhin, Calubian, Leyte to Transact Official Business at BIR Ormoc City


APPROVED: this 18<sup>th</sup> day of July, 2020 at the Barangay Cabalhin, Calubian, Leyte

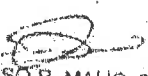
CERTIFIED CORRECT:


  
LIEZL B. ARANAS  
Brgy. Secretary

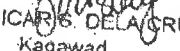
ATTESTED:


HON. CATALINA C. PANUGAN  
Presiding Officer


  
ROGELIO M. CABALHIN  
Kagawad


  
NARCISO R. MALIG-ON  
Kagawad

  
LEOPOLDO M. SALUT, SR.  
Kagawad

  
MARICAR S. DELA CRUZ  
Kagawad

  
RENATO C. AVENIR, JR.  
Kagawad

  
MAMERTO D. CAPIN, JR.  
Kagawad

  
ARNEL S. BARONDA  
Kagawad

  
JADE LUSTER E. JALIPA  
SK Chairman

OCT. 3, 2020

MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BARANGAY, BARANGAY CAGALAN, CALUBIAN, LEGITE, HELD ON OCTOBER 3, 2020 AT THE BARANGAY SESSION HALL AT 8:30 IN THE MORNING.

g-...  
V.M.  
any

PRESENT

- PLANO BARANGAY - HON. CATAUNK C. PANUGAN
- KASABUD - HON. ROBERTO M. CAGALAN SR.
- " - HON. MARCO R. MALIGON SR.
- " - HON. MAXMERTO D. CAPIAN JR.
- " - HON. LEOPOLDO M. SALUT SR.
- " - HON. MARKAR S. DELACRUZ
- " - HON. RENATO C. XUVENIR JR.
- " - HON. ARNEL S. BARRONDA
- SK CHAIRMAN - HON. JADE LUSTER E. SAUPE
- TREAS - CRISTIE R. ISORONA
- SECRETARY - LIEZU B. ARANS

sig.  
also  
D.  
nan

sig

no

1

PITUNING ANTHEM

PRAYER

ROLL CALL

READING PREVIOUS MINUTES

AGENDA:

Abante sa buhaton, die gubhon any daon nga buhaton may proyekto sa mga...  
 mga buhaton any may proyekto...  
 sa mga atong buhaton may gubhon kita sa...  
 UDF para sa pag purchase ug bato, aron...  
 nang mabuhayan sa proyekto.  
 P.B. Oct. 20, any budgeting...  
 recorded: Hon. Leopoldo Galat...  
 Treas. may report sa ngayong cost on bank...  
 any pagpapatay sa buhaton any buhaton...  
 sa mga gila buhaton sa town.  
 P.B. Cagalandagan sa mga atong...  
 ...

Wag si James?

H.A. Co bay oron mabibilik ang 6 ka tuba sa Texas.

H. Golub: Iwade ba magpapinapan

Note: Maghahanap ang mga binangay official nga dili pa ibarok ang kalinda nga sukop sa prop right bagay usap sa spec. abto mo- lunda sa lathalahe nga lathalahe sa dili nga adlar.

Secretary, Reading of Resolution P.R. Promotion P.B. Biron ug ibarok ito due also mo- pinan hito nga resolution.

Maghahanap usap sa mga treasurer. Magay amo ka glibon due lathalahe maghahanap.

Maghahanap ang kapitan nga iya ibibilik sa Myra Alexander.

H.M. Maghahanap ang kapitan nga iya terminate, ok ba lathalahe?

H.A. Ug magpili lathalahe ang pa- Para sa ahon pagpagan nato sa kcal.

H.M. Anong ba ang dyslexia ngano na- magay dili lathalahe.

H.C. Reading recognition of Maricar S. Dela Cruz Emotional

October 17, June 1969.

Graci dili maha - ATTORNEY 10:00 AM

honorary ug lathalahe - on ang budget sa

OK - bongbong

Maha - open maha, magpili sa mga lathalahe.

Wa- lathalahe usap sa lathalahe nga maghahanap. Ito nang maghahanap, ka- kalantad nang ang uban.

ANNEX K



Republic of the Philippines  
NATIONAL POLICE COMMISSION  
PHILIPPINE NATIONAL POLICE  
LEYTE POLICE PROVINCIAL OFFICE  
CALUBIAN POLICE STATION  
Calubian, Leyte



**CERTIFICATION**

**TO WHOM IT MAY CONCERN:**

October 15, 2020

This is to certify that the following is the true, correct and honest reproduction from the original of the Police blotter of Calubian Police Station, Calubian, Leyte to wit:

|               |                          |
|---------------|--------------------------|
| ENTRY NUMBER  | 33473                    |
| PAGE NUMBER   | 0355                     |
| TIME AND DATE | 11:45 AM October 2, 2020 |
| RECORDED BY:  | PMSa Hydas R Y. Ilaga    |

Rogelio Cabalin Jr. (Brgy. Kagawad), Narciso Maidan Sr. (Brgy. Kagawad), Mamerto Capin Jr. (Kagawad), Leopoldo Salut Sr. (Brgy. Kagawad), Renato Avenir (Brgy. Kagawad), Ariel Baranda (Brgy. Kagawad) and Jade Luster Jalipa (Sk Chairperson) personally appeared this office and all of them requested to put into record that sometime on September 20, 2020 (Wednesday) at about 8:00 pm. During the confrontation between Jade Jalipa, Leopoldo Salut Sr., Rogelio Cabalin Sr and Sk Kagawad, Jerby Philander De la Cruz, while they were at the house of Catalina Panugan situated at Brgy. Cabalin, Calubian, Leyte, and having a conversation/confrontation regarding the (COR) Certificate of Registration which was allegedly lost thru, in the course of the conversation, the husband of the Brgy. Captain, Danto Panugan intoned and uttered the following words: "AKO MAPUNSGOT WAGAY AKO PAMILON" "RAIGLONON KO MIN PULBURA"

*[Signature]*  
**PCPT RUBEN A. RECILLA**  
 Acting Chief of Police

O R NO. 46510/14  
 Issued at Calubian, Leyte  
 Issued on October 15, 2020

No. \_\_\_\_\_  
Date: OCT. 5, 2020

MINUTES OF THE (REGULAR) SPECIAL SESSION OF THE  
MAGSAYSAY BARANGAY, BARANGAY CANTON, CALUBIAN  
DISTRICT. HELD ON OCT. 5, 2020 AT THE BARANGAY SESSION  
HALL AT EXACTLY 4:00 PM.

PRESENT:

PROVINCIAL BARANGAY HEAD CATHY C. PANGGAYAN

- KAGWANAN HON. ROBERTO M. CABALAN SR. *[Signature]*
- " HON. MARCO R. MAUGEN JR. *[Signature]*
- " HON. MAXIMILIO D. CAYAN JR. *[Signature]*
- " HON. LEOPOLDO M. SALLIT SR. *[Signature]*
- " HON. \_\_\_\_\_ *[Signature]*
- " HON. RONALD O. XUENIR JR. *[Signature]*
- " HON. ARNEL S. BARONDA *[Signature]*

SK CHAIRPERSON HON. VANCE LUSTER B. VALERA *[Signature]*

TREAS: \_\_\_\_\_

SECRETARY - LIEZL B. ARANAS *[Signature]*

AGENDA: ANG FUNDING BARANGAY HINGLAT ALAS 1430 SA  
MAYON.

AGENDA: REPLACEMENT OF CRISIS RELIEF APPOINTMENT OF MRS.  
MYRNA L. GENERALIS RETURNED 5:18 PM.

*[Signature]*  
LIEZL B. ARANAS  
PROV. SECRETARY 10/5

CERTIFIED TRUE COPY  
*[Signature]*  
LIEZL B. ARANAS  
PROV. SECRETARY



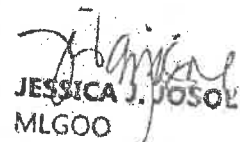
Republic of the Philippines  
**DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT**  
MUNICIPAL LOCAL GOVERNMENT OPERATIONS OFFICE  
Calubian, Leyte

## CERTIFICATION

THIS IS TO CERTIFY that per records of this office, **CRISLE R. ISORENA**, a bona fide resident of Barangay **CABALHIN, Calubian, Leyte** is a newly appointed **Barangay Treasurer** of the same barangay as per her appointment dated July 18, 2020. Her appointment is due to the resignation of the former Barangay Treasurer, Ms. Estelita A. Pecajas, whose resignation from her position took effect on June 10, 2020.

This certification is being issued as a requirement in the processing for the change in the authorized signatories of the barangay account at the Land Bank of the Philippines - Naval Branch, Naval, Biliran.

Issued this 24<sup>th</sup> day of September 2020 at Calubian, Leyte, Philippines.

  
JESSICA J. JOSOL  
MLGOO

01/11/2000  
 (1) ...  
 ...  
 ...  
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 ...



ANNEX " P " "

Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Calubian  
BARANGAY CABALHIN


-000-

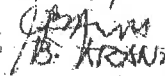
OFFICE OF THE PUNONG BARANGAY

TO: CRESLE RAAGAS ESORENA  
SUBJECT: Termination of Appointment as Barangay Treasurer

You are hereby terminated as Barangay Treasurer of Barangay CABALHIN, this municipality effective October 1, 2020 for lack of trust and confidence.

This 1<sup>st</sup> day of October 2020.

  
HON. CATALINA PANUGAN  
Punong Barangay  
Brgy. Cabalhin, Calubian, Leyte

RECEIVED BY  
  
VIERZ B. ARANAS  
BARANGAY SECRETARY  
OCT. 1, 2020

ANNEX Q 77



Republic of the Philippines )  
Municipality of Naval )  
Province of Biliran ) SS

**COMPLAINT-AFFIDAVIT**

KNOW ALL MEN BY THESE PRESENTS:

I, **ROGELIO M. CABALHIN SR.**, 67 years old, of legal age, Filipino citizen, and a resident of Brgy. Cabalhin, Calubian, Leyte after having been sworn to in accordance with the law do hereby depose and state:

1. That I am currently a Barangay Kagawad of Brgy. Cabalhin, Calubian, Leyte, having been elected as such in the last barangay election;
2. That I am executing this Complaint-Affidavit against Hon. Catalina C. Panugan, the incumbent barangay Chairman (hereinafter referred to as Chairman Panugan) and Mrs. Estelita A. Pecajas, the appointed Barangay Treasurer (hereinafter referred to as Treasurer Pecajas) for irregularities and for abuse of authority;

**1<sup>st</sup> Complaint**

3. That on September 17, 2018, I went to withdraw my honorarium from Treasurer Pecajas;
4. As a Barangay Kagawad, I am entitled to an honorarium of P15, 325.00. However, I only received the amount of P7,075.00;
5. I requested Treasurer Pecajas and Chairman Panugan for a certified true copy of the Third Quarter Payroll for the year 2018 so I could find out for myself the amount of the deduction and the reason for the deduction;
6. Treasurer Pecajas and Chairman Panugan however did not heed my request;
7. On September 26, 2018, I went to the Office of the Deputy Ombudsman for the Visayas in Tacloban City in order to request for an assistance in securing a certified true photocopy of the Third Quarter Payroll for the year 2018 in the records of our barangay;
8. The Office of the Deputy Ombudsman notified the Treasurer Pecajas and Chairman Panugan regarding my request for assistance. It was only then wherein the two complied to my request;
9. Suspiciously, it was only on December 6, 2018—two months after I made the request, that the two were able to comply;

10. When I finally got the copy of the Third Quarter Payroll for 2018, I found out that Treasurer Pecajas had deducted P7,075.00 from my honorarium as payment for a loan I previously incurred;
11. However, I realized that I am entitled to an amount of P8,250.00 considering that P15,325.00 subtracted by P7,075 equals to P8,250.00. Yet, I only received P7,075.00 when I withdrew my honorarium;
12. It dawned upon me that Treasurer Pecajas did not gave me the full amount in which I was entitled to receive. Without my consent and any explanation, she had withheld from me the remaining balance of P1,175.00;
13. When I examined the payroll, I found out that the figures beside my signature falling under the column Net Amount Due were altered to make it appear that I received P8,250.00 when in fact I have not. I am attaching herein the payroll with the alteration on the figures and marked as Annex A;

**2<sup>nd</sup> Complaint**

14. That sometime on July 7, 2018, during regular session of the barangay officials, I was appointed as the Chairman for the Committee on Infrastructure;
15. That sometime in August 4, 2018, during a regular session of the barangay officials, Chairman Panugan presented to the entire body a blank or incomplete resolution and urged us to sign. The resolution stated:

REPUBLIC OF THE PHILIPPINES  
PROVINCE OF LEYTE  
MUNICIPALITY OF CALUBIAN  
BARANGAY CABALHIN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE  
SANGGUNIANG PAMBARANGAY OF BARANGAY CABALHIN, CALUBIAN,  
LEYTE HELD AT THE BARANGAY SESSION HALL ON \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_  
Series 2018

RESOLUTION AUTHORIZING THE BARANGAY TO WITHDRAW THE  
FOLLOWING:

- A.
- B.
- C.
- D.
- E.

WHEREAS THE BARANGAY COUNCIL AGREED TO AUTHORIZED THE  
BARANGAY TREASURER TO WITHDRAW THE FOLLOWING TRANSACTIONS  
STATED ABOVE.

ADOPTED, this \_\_\_\_ day of \_\_\_\_\_ 2018 and on motion of HON. NARCISO MALIG-ON duly seconded by HON. ARNEL BARONDA.

ATTESTED:

HON. CATAINA C.  
PANUGAN  
Punong Barangay

PREPARED BY:

LIEZL ARANAS  
Brgy. Secretary

ROGELIO CABALEHIN SR.  
Kagawad

NARCISO MALIG-ON  
Kagawad

MAMERTO CAPIN JR.  
Kagawad

LEOPOLDO SALUT, SR.  
Kagawad

MARICAR DELA CRUZ  
Kagawad

RENATO C. AVENIR, JR.  
Kagawad

ARNEL BARONDA

16. That we refused to sign the blank resolution because we found the same to be suspicious;
17. That sometime on August 13, 2018, we had celebrated Barangay Night. During the said evening and while the Sanggunian members had their attention the celebration, there were several documents presented to us requiring our immediate signature. These documents already contained urgent resolutions. When I asked, I was told this refers to the repair of the stage and road-widening;
18. Unknown to the Sanggunian, there was a resolution sneaked underneath the documents allowing for a conversion of funds. This could have referred to the blank resolution which was previously presented to us for signing;
19. That I later on found out that the resolution would later on be intended to make it appear that we approved that the funds allocated for the realignment of the perimeter fence be converted to be used for the repair of the basketball court floor (colloquially known as "topping");
20. During the previous administration, the Barangay was allocated with funds worth more than P182,000 intended to be used for the realignment and repair of the concrete perimeter fence. However, the funds were not put into use because at the time it was made available, there was already the prohibition put into effect by reason of the election period. After the election period, the funds became available again for use;
21. When the repair of the concrete floor of the basketball court began, I, acting as the Chairman for the Committee on Infrastructure questioned the source of the funds to pay for the materials and the labor;
22. I also question as to why this project was started without my notice and consent;

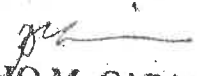
23. I was told that the money came from the funds initially intended for the perimeter fence. This was supposedly approved during a barangay session held on August 18, 2018;
24. I then remembered the blank resolution that was asked from us to sign. I requested for a certified true copy of the blank resolution, and the resolution cancelling the realignment of the perimeter fence. I also requested a copy of the minutes of the August 18, 2018 session, the program of work, receipts, documents regarding the canvassing for the materials, and similar documents showing that the project for the repair of the basketball court flooring was approved by the majority of the Sangguniang Barangay;
25. Chairman Panugan and Treasurer Pecajas did not heed my request;
26. In September 28, 2018, I sent a letter to Cristina O. Alijandrino, the MLGOC, of Calubian, Leyte for assistance. She in turned notified Treasurer Pecajas. A copy of my letter is herein attached as Annex B;
27. On October 11, 2018, Treasurer Pecajas replied through a letter stating that she is merely following orders from Chairman Panugan and had not been authorized to furnish such copy. A copy of her reply is herein attached as Annex C;
28. In a Barangay Assembly held on October 20, 2018, I was shocked when Arnel Baronda was called as the Chairman for the Committee on Infrastructure. I was replaced without my knowledge and my consent. I then asked for a certified true copy of the minutes of the July 7, 2018 session wherein I was appointed as the Chairman for the Committee on Infrastructure;
29. When I was furnished with the copy of the minutes by our Barangay Secretary, I found out that the designation of "Infrastructure" beside my name was crossed out. In its place was written the word "Womens". While beside Arnel Baronda's name, the designation of "Womens" was crossed out and a new word, "Infrastructure", was written on it. I am attaching a copy of the said document herein as Annex D;
30. Aside from being replaced as Chairman on the Committee on Infrastructure without my knowledge and consent, I also discovered that the P182,000 funds that was initially allocated for the realignment of the perimeter fence was diverted and used in the repair of the basketball court flooring;
31. When I asked around, I was told that during the session held on August 18, 2018, the sanggunian had approved for the Barangay Treasurer to withdraw P182,000 in the form of a barangay check;
32. I was then told that the barangay check was given Chairman Panugan where she (Chairman Panugan) was able to encash it. Chairman Panugan held the cash and did not gave the same to Treasurer Pecajas;

33. I approached Treasurer Pecajas and asked what Chairman Panugan did with the money. Treasurer Pecajas told me that Chairman Panugan used the money to buy the construction materials for the repair of the basketball court flooring;
34. As far as I could recall, there was no bidding and there was no canvassing for the supplier of the construction materials used for the repair of the basketball court flooring;
35. I went to the hardware store located near the house of Chairman Panugan to ask if Chairman Panugan and Treasurer Pecajas had bought any construction materials. The store-keeper or *sinalignan* confirmed that indeed there were materials that were bought;
36. The store-keeper also told me that Chairman Panugan also gave part of the money to Treasurer Pecajas so that the latter (Treasurer Pecajas) could go the hardware store at Brgy. Don Luis to buy cheaper construction materials;
37. During the repair of the basketball court flooring, I also observed that the husband and two sons of Treasurer Pecajas worked on the construction. As far as I am concerned, there was no list of the designated construction workers;
38. With persistence, I was able to finally see the record book containing the minutes of the August 18, 2018 session. I discovered that the pages containing minutes of the August 18, 2018 session were ripped off and could no longer be found. What remained was the last page;
39. In the last page, I found out that there was an opposition of the conversion of the funds intended to for the realignment of the perimeter fence to the repair of the basketball court flooring. The minutes contained my opposition to wit:
- "waray kami kalibutan na konseho nga nakuha na an kwarta sa realignment P182,000. Dapat dunay pasabot ang sakto mag reading sa res. Magdebate usa papirma -waray gamit ang konseho. "ONE MAN ROLE"
40. I am attaching a certified copy of the last page of the said minutes herein as Annex E;
- 4<sup>th</sup> Complaint**
41. I also found out that Chairman Panugan had committed several irregularities. I recently discovered that there exist blank or incomplete resolutions;
42. Based on the foregoing discussions, there were several attempts made by Chairman Panugan to persuade us to sign blank/incomplete resolutions

43. However, the purpose for withdrawing of the funds would not be stated in the resolution when presented before the Sanggunian. This will later on be filled up by either Chairman Panugan or Treasurer Pecajas;
  44. I was able to obtain one of these blank/incomplete resolutions made into a form. It is herein attached as Annex I;
  45. From the foregoing document, it can be seen that the handwriting matches that of the letter made by Treasurer Pecajas;
  46. I suspect that such resolution would be later on sneaked in with other documents and later signed by the Sanggunian without their knowledge and consent;
- 5<sup>th</sup> Complaint**
47. That sometime in July 2018, the entire barangay officials (except for Hon. Maricar De La Cruz) went to Ormoc City to get a TIN No. before the BIR;
  48. That after our trip from Ormoc, those that attended received their travel allowance from Treasurer Pecajas;
  49. However, I did not received any travel allowance although I also attended the said travel. I asked an explanation from Treasurer Pecajas. She (Treasurer Pecajas) told me that I am not entitled to a travel allowance because I rode on the van owned by Kagawad Renato Avenir, Jr.;
  50. Yet, Kagawad Renato Avenir Jr. also received a travel allowance;
  51. I suspected that I was singled out and my travel allowance was denied from me on purpose;

AFFIANT SAYETH NAUGHT.

IN WITNESS WHEREOF, I hereunto set out hand this 14th day of January 2019, Naval, Biliran.

  
ROGELJO M. CABALHIN SR.  
Senior Citizen's ID  
Control No. 1151  
Issued by the Office of the Senior Citizen's Affairs  
Calubian, Leyte  
Affiant

Republic of the Philippines  
Province of Leyte  
Municipality of Calubian  
oOo

RECEIVED  
Municipality of Calubian  
March 27 2020  
1:20 PM

OFFICE OF THE SANGGUNIANG BAYAN

ANNEX "B"

ROGELIO M. CABALHIN, SR.,  
LEOPOLDO M. SALUT,  
MAMERTO D. CAPIN, JR.,  
RENATO C. AVENIR, JR.,  
NARCISO R. MALIG-ON,  
ARNEL S. BARONDA,  
JADE LUSTER E. JALIPA and  
CRISLE R. ISORENA,  
Complainants;

Adm. Case No. \_\_\_\_\_

For: "ABUSE OF AUTHORITY,  
GRAVE MISCONDUCT,  
GROSS IGNORANCE OF THE  
LAW, GROSS NEGLIGENCE,  
DERELECTION OF DUTY, and  
VIOLATION OF R. A. 6713 or  
THE CODE OF CONDUCT AND  
ETHICAL STANDARDS FOR  
PUBLIC OFFICIALS AND  
EMPLOYEES."

-versus-

HON. CATALINA C. PANUGAN  
(Punong Barangay),

Respondent.

x-----x

ANSWER

COMES NOW, the respondent by the undersigned attorney, and unto this Honorable Court, most respectfully avers:

1. Respondent admits the allegation as to position and other personal circumstances of complainants;

In answer to the complained act of  
Non-Payment of Electric Bills

2. All electric bills of Brgy. Cabalhin, Calubian, Leyte are already paid from the billing period October 2019 up to February 2020. This is evidenced by Official Receipt Nos. 548662, 5582578, 5746850, 6119980, and 6050492, photo copy copies of which are hereto attached as Annexes "1", "2", "3", "4" and "5", respectively. The March 2020 bill was not paid, because the check was not processed due to lockdown due to COVID-19

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pandemic. While the succeeding monthly bills were not paid because the Barangay Treasurer, Mrs. Estelita A. Pecajas resigned on May 25, 2020. Besides that the electric bills from April 2020 up to September 2020 were kept and hidden by complainant Brgy. Kagawad Rogelio M. Cabalhin, Sr., and were not turned over to the Barangay Captain, Hon. Catalina C. Panugan;

3. Juga Construction, the contractor of the covered court, who uses and tapped in the electricity of the barangay paid its electrical consumption. Its payment were evidenced by Official Receipt Nos. 4048643, 4048644, and 4048645; photo copies of which are hereto attached as Annexes "6", "7", and "8", respectively;

4. it is not true that the Barangay Government of Brgy. Cabalhin, Calubian, Leyte has been disconnected with electricity by the Leyte Electric Cooperative V, Inc. (LEYECO). Until now the barangay has been provided with electricity by the cooperative;

5. When Barangay Treasurer, Estelita A. Pecajas resigned, a new Barangay Treasurer in the person of Crisle R. Isorena, was appointed, however, the latter was not able to process payment of monetary obligations of the barangay, or she was not able to function as Barangay Treasurer, because the Barangay Captain, the respondent herein, Hon. Catalina C. Panugan changed her position to continue Crisle R. Isorena as the Barangay Treasurer. The former did not sign the Resolution, authorizing Hon. Catalina C. Panugan, Punong Barangay and Crisle R. Isorena, Barangay Treasurer of Brgy. Cabalhin, Calubian, Leyte to transact official business at BIR Ormoc City. The reason why respondent changed her position was because, she lost trust and confidence of her newly appointed Barangay Treasurer, Crisle R. Isorena, the latter displayed or showed disrespect and dishonesty towards the Barangay Captain. The said display or showing of disrespect and dishonesty of Crisle R. Isorena happened when *first*, on September 22, 2020, Crisle R. Isorena was directed by Hon. Catalina C. Panugan, the Punong Barangay, to execute an Affidavit of Loss of the Barangay Certificate of Registration of BIR, at the Public Attorney's Office (PAO) at Calubian, Leyte. while Crisle R. Isorena was at the PAO, Hon. Catalina C. Panugan was waiting for her at the ABC Hall, and when called through cellphone by the latter in order to have an update of her execution of an Affidavit of loss, Crisle R. Isorena will not answer the call and when she was texted she did not reply the messages sent to her by the Barangay Captain. And on that occasion, she lied to Hon. Catalina C. Panugan that she went to the BIR office to ask for a form for BIR registration, when in truth and in fact, she never did. Worst, as a showing of disrespect towards the Barangay Captain, on same occasion, Crisle R. Isorena leave the former in the Municipal Hall without informing or updating her of the Barangay Treasurer's paper works which she has been directed to do.

8. Be it noted that under the Local Government Code of 1991, particularly Section 389, par. (b), sub. par. (5), the Punong Barangay has the power to replace the barangay treasurer. Although such power is not absolute as it needs the approval of the majority of all the members of the sangguniang barangay. The withholding of such approval can be construed as grave abuse of discretion, if it will ran counter for the efficient, effective and economical governance of the barangay. The continuance in office of Crisle R. Isorena is not efficient and effective in the governance of the barangay if she is not enjoying the trust and confidence of the Punong Barangay;

In answer to the complained act  
of Walking out at Special Session

9. It was true that there was a Special Session on October 05, 2020 scheduled at 4:00 o'clock in the afternoon. It was not true that Respondent walked out of that Special Session, the truth of the matter being that, the complainant members of the Sangguniang Barangay did not show up of that Special Session. Respondent arrived at 2:00 o'clock in the afternoon, she in fact, purposely left her meeting with ABC officials just to attend the Special Session she called on October 05, 2020. When there were no Kagawads in attendance, she left the barangay hall in order to go back in their ABC officers meeting. The Barangay Secretary can vouch or attest on this matter, copy of her Affidavit is hereto attached as Annex "15";

In answer to complained act of terminating  
the Barangay Treasurer, Crisle R. Isorena

10. The reason why respondent terminated Crisle R. Isorena as Barangay Treasurer has been already extensively discussed above, as it is intertwined with the other issues raised by complainants in their Complaint-Affidavit;

In refutation to the accusation of complainants that respondent is guilty of abuse of authority, dishonesty, grave misconduct, dereliction of duty, gross ignorance of the law and violation of RA No. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees.

"Misconduct generally means wrongful, improper or unlawful conduct motivated by a premeditated, obstinate or intentional purpose. It is intentional wrongdoing or deliberate violation of a rule of law, or standard of behavior and to constitute an administrative offense, the misconduct should relate to or be connected with the performance of the official functions and duties of a public officer. It is a transgression of some established and definite rule of action, more particularly, unlawful behavior or gross negligence by a public officer.

There are two (2) types of misconduct, namely: grave misconduct and simple misconduct. In grave misconduct, as distinguished from simple misconduct, the element of corruption, clear intent to violate the law, or flagrant disregard of an established rule must be manifested.

On the other hand, dishonesty, which is defined as the "disposition to lie, cheat, deceive, or defraud, untrustworthiness, lack of integrity."

12. Based on the above-definition of when can be a public officer be found guilty of misconduct and dishonesty, respondent Hon. Catalina C. Panugan could not be liable for misconduct and dishonesty, because nowhere in her act can be construed as an intentional wrongdoing or deliberate violation of a rule of law, or standard of behavior. Her non-signing of the Resolution authoring the Barangay Treasurer to transact at BIR Ormoc City and her revocation of the appointment of the latter is an exercise of her prerogative to replace the Barangay Treasurer, as respondent sees it difficult to work side by side with a person whom she lost trust and confidence. On the other hand, complainants could not point out what specific acts of respondent where she lie, cheat, deceive or defraud, which she can be held liable for dishonesty, likewise, respondent could not also be held liable for abuse of authority, for abuse of authority is defined in *Ma. Chedna Romero vs. Pacifico R. Villarosa, Jr.*, A.M. No. P-11-2913, April 12, 2011, where the Supreme Court said:

"Abuse of authority is defined as misdemeanor committed by a public officer, who under color of his office, wrongfully inflicts upon any person any bodily harm, imprisonment or other injury, it is an act of cruelty, severity, or excessive use of authority."

Now, based on the above-definition of what is abuse of authority, complainants cannot point out the specific act of respondent where she wrongfully inflicts upon the persons of the complainants any bodily harm, imprisonment or other injury, or act of cruelty, severity, or excessive use of authority. Her decision in terminating the Barangay Treasurer is her

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prerogative. The holding of Crisle R. Isorena for the position of Barangay Treasurer is only a privilege which may be withdrawn at any time. She is not protected by the so called security of tenure, as she is not a Civil Service employee.

Moreover respondent could not be held liable for dereliction of duty or neglect of duty. Neglect of duty is defined as the failure to give proper attention to a task expected of an employee because of carelessness or indifference. (Judge Florentino L. Labis, Jr. vs. Genaro Estafol, A.M No. P-07-2405, February 27, 2008). Again complainants cannot point out specifically what specific omission respondent did not do which under the law she is task to perform;

On the prayer for the Preventive Suspension of Respondent

12. There is no factual and legal basis to preventively suspend the respondent. Under Section 63, par. b) of the Local Government Code of 1991, it provides that:

"(b) Preventive suspension maybe imposed at any time after the issues are joined, when the evidence of guilt is strong, and given the gravity of the offence, there is great probability that the continuance in office of the respondent could influence the witnesses or pose a threat to the safety and integrity of the records and other evidence; Provided, That, any single preventive suspension of local elective officials shall not extend beyond sixty (60) days: Provided, further, That in the event that several administrative cases are filed against an elective official, he cannot be preventively suspended for more than ninety (90) days within a single year on the same ground or grounds existing and known at the time of the first suspension."

Under the above-quoted provision of law there are three (3) requirements before a preventive suspension can be imposed to a local elective officials facing an administrative complaint pursuant to the provisions of Section 60 of the Local Government Code, and they are:

1. The issues are already joined (meaning an answer has been filed by the respondent);
2. When the evidence of guilt of the respondent is strong;
3. That the continuance in office of the respondent could influence the witnesses or pose a threat to the safety and integrity of the records and other evidence;

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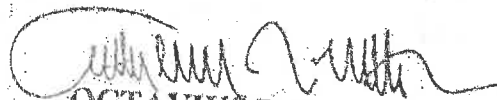
Lacking one of the above-enumerated requirements, the issuance of a preventive suspension has no legal and factual basis. A question will arise after issues are joined, *first*, is the evidence of guilt of the respondent is strong?. *Second*, is the continuance in office of respondent could influence the witnesses or pose threat to the safety and integrity of the records and other evidence? If those questions cannot be answered in the affirmative or if it cannot be determined without going to a full blown administrative investigation, a prevention suspension is not proper.

### PRAYER

WHEREFORE, it is respectfully prayed of the Honorable Sangguniang Bayan of Calubian, Leyte, to dismiss the above-entitled complaint of ROGELIO M. CABALHIN, SR., ET. AL. for lack of merit.

Other relief's that are just and equitable in the premises are also prayed for.

San Isidro, Leyte, Philippines, November 24, 2020



OCTAVIUS L. LABTIC  
Counsel for the Respondent  
Quezon, St., San Isidro, Leyte  
Roll No. 44,913  
PTR No. 4086114 -01/03/20  
IBP No. 108773 -01/09/20  
Leyte Chapter  
MCLE Compliance Cert. No. VI  
0011138 -08/03/18  
Email Address: [Atty.Labtic@gmail.com](mailto:Atty.Labtic@gmail.com)  
CP #09994761605


### VERIFICATION

I, CATALINA C. PANUGAN, of legal age, Filipino, and residing at Brgy. Cabalhin, Calubian, Leyte, Philippines, after having been duly sworn to in accordance with law, depose and say:

She is the respondent in the above-entitled case; she caused the preparation of the foregoing answer; she read and understood the allegations

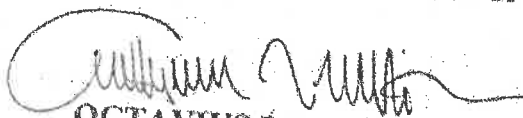
therein; and that the same are true and correct of her own personal knowledge and based on authentic documents/records.

IN WITNESS WHEREOF, I have hereunto set my hand this 24<sup>th</sup> day of November, 2020 in the Municipality of San Isidro, Province of Leyte, Philippines.

  
CATALINA C. PANUGAN  
Affiant

MR 3713-0017A-D2070UP 20000

SUBSCRIBED AND SWORN, to before me a Notary Public, for and in the Municipality of Calubian and San Isidro, Leyte, Philippines, this 24<sup>th</sup> day of November, 2020, in the Municipality of San Isidro, Province of Leyte, Philippines.



OCTAVIUS L. LABTIC  
Notary Public

Until Dec. 31, 2020

Roll No. 44,913

PTR No. 4086114 -01/03/20

IBP No. 108773 -01/09/20

Leyte Chapter

MCLE Compliance Cert. No. VI

0011138 -08/03/18

NC No. ADM. 18-079

Doc. No. 392

Page No. 79

Book No. LXI

Series of 2020

Copy furnished by registered mail:

Hon. Rogelio M. Cabalhin, Sr.  
Brgy. Cabalhin, Calubian, Leyte

Hon. Leopoldo M. Salut  
Brgy. Cabalhin, Calubian, Leyte

Hon. Mamerot D. Capin, Jr.  
Brgy. Cabalhin, Calubian, Leyte

Hon. Renato C. Avenir, Jr.  
Brgy. Cabalhin, Calubian, Leyte

Hon. Narciso R. Malig-on  
Brgy. Cabalhin, Calubian, Leyte

Hon. Arnel S. Baronda  
Brgy. Cabalhin, Calubian, Leyte

Hon. Jade Luster E. Jalipa  
Brgy. Cabalhin, Calubian, Leyte

Mrs. Crisle R. Isorena  
Brgy. Cabalhin, Calubian, Leyte

### AFFIDAVIT OF SERVICE

I, RAEEL P. BUSTRILLO, of legal age, Filipino, single, and residing at Brgy. Bawod, San Isidro, Leyte, Philippines, after having been duly sworn to in accordance with law, depose and say:

That I am the Clerk/Messenger in the Law Office of Atty. Octavius L. Labtic at Quezon St., San Isidro, Leyte;

That on November 26, 2020, I personally mailed through registered mail in a sealed envelope, a copy of the above-answer, and plainly addressed to the following:

a.) Hon. Rogelio M. Cabalhin, Sr., Brgy. Cabalhin, Calubian, Leyte, as evidenced by Registry Receipt No. RE17636797122, dated November 26, 2020;

b.) Hon. Leopoldo M. Salut, Brgy. Cabalhin, Calubian, Leyte, as evidenced by Registry Receipt No. RE17636798522, dated November 26, 2020;

c.) Hon. Mamerto D. Capin, Jr., Brgy. Cabalhin, Calubian, Leyte, as evidenced by Registry Receipt No. RE17636799922 dated November 26, 2020;

d.) Hon. Renato C. Avenir, Jr., Brgy. Cabalhin, Calubian, Leyte, as evidenced by Registry Receipt No. RE17636800522, dated November 26, 2020;

*o/m*


e.) Hon. Narciso R. Malig-on, Brgy. Cabalhin, Calubian, Leyte, as evidenced by Registry Receipt No. RE17636801922, dated November 26, 2020;

f.) Hon. Arnel S. Baronda, Brgy. Cabalhin, Calubian, Leyte, as evidenced by Registry Receipt No. RE17636802722, dated November 26, 2020;

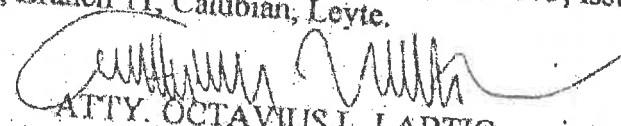
g.) Hon. Jade Luster E. Jalipa, Brgy. Cabalhin, Calubian, Leyte, as evidenced by Registry Receipt No. RE17636803622, dated November 26, 2020;

h.) Mrs. Crisle R. Isorena, Brgy. Cabalhin, Calubian, Leyte, as evidenced by Registry Receipt No. RE17636804022, dated November 26, 2020;

IN WITNESS WHEREOF, I have hereunto set my hand this day of 24 NOV 2020, 2020, in the Municipality of San Isidro, Province of Leyte, Philippines.

  
RAEL P. BUSTRILLO  
Affiant

SUBSCRIBED AND SWORN to before me, a Notary Public, for and in the Municipality of San Isidro, Province of Leyte, Philippines, this day of 24 NOV 2020, 2020, in the Municipality of San Isidro, Province of Leyte, Philippines. Affiant exhibited to me his Competent Proof of Identity using his Voters Identification No. 3742-0004A-H2093RPB100001, issued by the Commission on Election. With Commission/Serial No. 18-079, issued by the Regional Trial Court, Branch 11, Calubian, Leyte.

  
ATTY. OCTAVIUS L. LABTIC  
Notary Public

Until Dec. 31, 2020  
19-12-12 RTC Calubian, Leyte  
PTR No. 4086114 -01/03/20  
Roll No. 44,913  
IBP No. 108773 -01/09/20  
Leyte Chapter  
MCLE Compliance Cert. No. VI  
0011138 -08/03/18  
NC NO. ADM 18-079

Doc. No. 393  
Page No. 79  
Book No. LXI  
Series of 2020



**LEYTE V ELECTRIC COOPERATIVE, INC.**

Ormoc City, Leyte • VAT REG. TIN 005-383-333-000  
 Tel. No. (053) 853-2211 • 255-7211 • 255-04561 • 265-2615 | GLOBE (053) 561-4075 to 78  
 Fax No. (053) 561-4068 | Palompon Service Center 555 9036 | Tabango 551-9787  
 Calabian 530-7282 | Uye-Leyte 530-7281 | 02028629575 (not only) | 09228278356 (cell only)

**VAT OFFICIAL RECEIPT**

|  |  |  |
|--|--|--|
| Name: <b>ePayment</b><br>Address: <b>Palompon Branch</b><br>TIN: <b>005-383-333-000</b><br>Meter No.: <b>1000000000</b><br>Payments: <b>0000000000</b>   |  | GRAND TOTAL<br>VATable Sales<br>VAT-Exempt Sales<br>Zero-Rated Sales<br>VAT Amount<br>Total Sales<br>Less: VAT<br>Amount Net of VAT<br>Less: SC/PPWD Disc<br><b>TOTAL AMOUNT DUE</b><br>TOTAL AMOUNT PAYABLE<br>Amount Tendered<br>Change<br><input type="checkbox"/> Cash<br><input type="checkbox"/> Check No. |
| DESCRIPTION<br>Account No.: <b>001-0000-1000</b><br>Free Meter<br>Meter No.: <b>1000000000</b><br>Meter Reading: <b>0000000000</b><br>Meter Start Date: <b>00/00/00</b><br>Meter End Date: <b>00/00/00</b> |  | Amount<br>2,377.77<br>0.00<br>0.00<br>0.00<br>2,377.77<br>2,377.77<br>0.00<br>2,377.77<br>0.00<br>2,377.77<br>0.00<br>2,377.77<br>0.00<br>2,377.77   |
| SUBTOTAL <b>2,377.77</b>   |  | TELLER<br>Signature over Printed Name<br>No. A <b>548662</b>   |

\* This VAT Official Receipt shall be valid for five (5) years from date of ATP



# LEYTE V ELECTRIC COOPERATIVE, INC.

Ormoc City, Leyte • VAT REG. TIN 002-353-331-800  
Cebu Office: CHAYLAC (033) 255-7211 • 255-8899 • 255-2618 | GUPON (033) 561-4075 to 78  
Cebu Office: (033) 561-4668 | Palompon Service Center: 555-9335 | Talangay 563-5787  
Cebu Office: 530-7282 | Leyte-Leyte: 530-7281 | 02028539573 (text only) | 09-228-278956 call only

## VAT OFFICIAL RECEIPT

|   |  |   |
|---|--|---|
| <b>Name:</b> Cabalin Drox. Hall<br><b>Address:</b> Cabalin, Calubian<br><b>TIN:</b> NP<br><b>Meter No.:</b> ED199508<br><b>Payments:</b> IR - Electric Bill |  | <b>GRAND TOTAL:</b> 11/17/2019 08:49:43 AM<br><b>VATable Sales:</b> 2,446.47<br><b>VAT-Exempt Sales:</b> 2,188.73<br><b>Zero-Rated Sales:</b> 135.37<br><b>VAT Amount:</b> 122.37<br><b>Total Sales:</b> 2,311.10<br><b>Less: VAT:</b> 122.37<br><b>Amount Net of VAT:</b> 2,188.73<br><b>Less: SC/PWD Disc:</b> 0<br><b>TOTAL AMOUNT DUE:</b> 2,188.73<br><b>TOTAL AMOUNT PAYABLE:</b> 2,188.73<br><b>Amount Tendered:</b> 2,446.47<br><b>Change:</b> 2,500.00<br><b>59.58</b> |
| <b>Account No.:</b> 09-0906-0020<br><b>Pres Rdg.:</b> 19419<br><b>KWH Used:</b> 283<br><b>Period Covered:</b> Sep-19<br><b>Service Charge:</b> 80.00        |  | <input type="checkbox"/> Cash<br><input type="checkbox"/> Check No.   |
| <b>Subtotal:</b> 2,324.10<br><b>GenCharge:</b> 15.88<br><b>TransCharge:</b> 77.11<br><b>SystLoss:</b> 1.99<br><b>DistCharge:</b> 77.40                      |  | <b>Signature over Printed Name:</b> OCHER CALUBAN<br><b>No. A 5532578</b>   |

\* This VAT Official Receipt shall be valid for five (5) years from date of ATP

ANNEX 3



**LEYTE V ELECTRIC COOPERATIVE, INC.**

Ormoc City, Leyte • VAT REG. TIN 001-889-811-000  
 TEL Nos. CATELCO (853) 255.7211 • 255.0455 • 255.2615 | ILOILO (053) 561.4075 to 78  
 Fax Nos. (053) 583.4668 | Pulangin Service Center 555.9006 | Tubanga 551.9787  
 Cebu 530.7282 | Leyte-Leyte 530.7281 | 09088655675 text only | 09228274054 call only

**VAT OFFICIAL RECEIPT**

12/16/2019 00:32:45 AM

Name: Cabalid in Ecov. Nat.  
 Address: Cabalidan, Cebu  
 TIN: - NP  
 Meter No.: ED192903  
 Payments: THREE THOUSAND SIX HUNDRED EIGHT PESOS & 12/100 ONLY

|                             |          |
|-----------------------------|----------|
| <b>GRAND TOTAL</b>          | 3,608.12 |
| VATable Sales               |          |
| VAT Exempt Sales            | 3,225.10 |
| Zero-Rated Sales            | 216.67   |
| VAT Amount                  |          |
| Total Sales                 | 186.35   |
| Less: VAT                   | 3,391.45 |
| Amount Net of VAT           | 166.35   |
| Less: SC/PWD Disc.          | 3,225.10 |
| <b>TOTAL AMOUNT DUE</b>     | 0        |
| <b>TOTAL AMOUNT PAYABLE</b> | 3,225.10 |
| Amount Tended               | 3,608.12 |
| Change                      | 3,620.00 |
|                             | 11.88    |

| DESCRIPTION               | AMOUNT  |
|---------------------------|---------|
| Account No : 09-0906-0620 | 3,361.7 |
| Pre. Rdg : 19872          |         |
| KWH Used : 453            |         |
| Period Covered : Oct 19   |         |
| Service Charge :          | 80.00   |

|                      |         |
|----------------------|---------|
| 1 Unpaid bills found |         |
| <b>SUB-TOTAL</b>     | 3,441.7 |
| Gen.Charge           | 2.2     |
| Trans.Charge         | 44.4    |
| Sys.Loss             | 2.2     |
| Dist.Charge          | 17.42   |

Cash  
 Check No

**EXCEL CALIBIAN**  
 TELLER  
 Signature over Printed Name

**No. A 5746850**

This VAT Official Receipt shall be valid for five (5) years from date of ATR



# LEYTE V ELECTRIC COOPERATIVE, INC.

Ormoc City, Leyte • VAT REG. TIN 0011-383-331-000  
Tel. Nos. ORTBCO (053) 255-7211 • 255-8499 • 255-2635 | COOPC (053) 561-9075 • 561-9178  
Fax Nos. (053) 561-4868 | Palompon Service Center 535 9016 | Talibanga 551-9787  
Cebu City 530-7282 | Leyte-Leyte 530-7281 | 02920839575 (intl. only) | 09220270956 (cell only)

## VAT OFFICIAL RECEIPT

| Name                 |        | <b>GRAND TOTAL</b><br>VATable Sales<br>VAT-Exempt Sales<br>Zero-Rated Sales<br>VAT Amount<br>Total Sales<br>Less: VAT<br>Amount Net of VAT<br>Less: SC/PWD Disc.<br><b>TOTAL AMOUNT DUE</b><br><br><b>TOTAL AMOUNT PAYABLE</b><br>Amount Tended<br>Change |
|----------------------|--------|---|
| Address              |        |   |
| Title                |        |   |
| Meter No. / Payments |        |   |
| DESCRIPTION          | AMOUNT | <input type="checkbox"/> Cash<br><input type="checkbox"/> Check No.   |
|                      |        |   |
| <b>SUB-TOTAL</b>     |        | <b>TELLER</b><br>Signature Over Printed Name  |
|                      |        | No. A <b>6119980</b>  |

© This VAT Official Receipt shall be valid for five (5) years from date of ATP

ANNEX "5"



**LEYTE V ELECTRIC COOPERATIVE, INC.**  
 Ormoc City, Leyte • VAT REG. TIN 001-303-331-000  
 Tel. Nos. ORTELCO (053) 255-7211 • 255-8499 • 253-2615 | GLOBE (053) 561-4075 to 78  
 Fax No. (053) 561-4668 | Palompon Service Center 535-8006 | Talibanga 551-9787  
 CebuSan 530-7282 | Leyte-Leyte 530-7281 | 09088659575 text only | 09128778956 call only

**PAYMENT VAT OFFICIAL RECEIPT**

|   |  |  |  |
|---|--|--|--|
| Name: <i>[Handwritten]</i><br>Address: <i>[Handwritten]</i><br>TIN: <i>[Handwritten]</i><br>Meter No.: 60100502 |  | <b>GRAND TOTAL</b><br>VATable Sales<br>VAT-Exempt Sales<br>Zero-Rated Sales<br>VAT Amount<br>Total Sales<br>Less: VAT<br>Amount Net of VAT<br>Less: SG/PYD DTL<br><b>TOTAL AMOUNT DUE</b><br>TOTAL AMOUNT PAYABLE<br>Amount Tendered<br>Change |  |
| DESCRIPTION<br>Amount Due<br>Pre-Paid<br>Paid in Advance<br>Service Charge                                      |  | 8,295.80<br>15.10<br>10.00<br>80.00<br><b>8,295.80</b><br>15.10<br>10.00<br>80.00<br><b>8,295.80</b><br>8,295.80<br>8,295.80<br>7.10   |  |
| SUB-TOTAL<br>Cash<br>Check No.  |  | 8,295.80<br><input type="checkbox"/> Cash<br><input type="checkbox"/> Check No.  |  |
| General Charge<br>Transfer Charge<br>System<br>Other Charge   |  | SELLER<br>Signature over Printed Name<br>No. A 6050492   |  |

This VAT Official Receipt is valid for two (2) years from date of issue.

ANNEX "6"



**OFFICIAL RECEIPT**  
Republic of the Philippines  
**OFFICE OF THE TREASURER**  
Province of Leyte



Accountable Form No. 51  
Revised January 1992  
Per SP Res. no. 03-327

DUPLICATE

DATE

10/29/2019

NO. PL 4048643 B

PAYOR

San Isidro

Junga Construction

FUND

NATURE OF COLLECTION

ACCOUNT CODE

AMOUNT

| NATURE OF COLLECTION  | ACCOUNT CODE | AMOUNT   |
|-----------------------|--------------|--|
| Payment Electric Bill |              | 1,118.00   |
| TOTAL                 |              | 1,118.00   |
| AMOUNT IN WORDS       |              | One thousand one hundred and eighteen and 00/100 |

- Cash
- Check
- Money Order

DRAWER/BANK

NUMBER

DATE

Received the amount stated above

By:

COLLECTING OFFICER

NOTE: Write the number and date of this receipt on the back of check or money order received.



**OFFICIAL RECEIPT**  
 Republic of the Philippines  
 OFFICE OF THE TREASURER  
 Province of Leyte



ANNEX 7

Accountable Form No. 51  
 Revised January 1992  
 Per SP Res. no. 03-327

DATE *Nov 29 / 2019* DUPLICATE NO. PL 4048644 B

PAYOR *Sura Construction* FUND

| NATURE OF COLLECTION         | ACCOUNT CODE | AMOUNT                  |
|------------------------------|--------------|-------------------------|
| <i>Payment Electric Bill</i> |              | <i>16,200.00</i>        |
| <b>TOTAL</b>                 |              | <b><i>16,200.00</i></b> |
| AMOUNT IN WORDS              |              |                         |

- Cash
- Check
- Money Order

| DRAWN BY    | NUMBER | DATE |
|-------------|--------|------|
| <i>BANK</i> |        |      |

Received the amount stated above:

By: *[Signature]*  
 COLLECTING OFFICER

NOTE: Write the number and date of this receipt on the back of check or money order received.

**OFFICIAL RECEIPT**  
 Republic of the Philippines  
**OFFICE OF THE TREASURER**  
 Province of Leyte

Accountable Form No. 51  
 Revised January 1992  
 Per SP Res. no. 03-327

DUPLICATE

DATE: 12/10/2019

NO. PL 4748645 B

PAYOR: *Sugia Contracting*

FUND

| NATURE OF COLLECTION         | ACCOUNT CODE | AMOUNT                 |
|------------------------------|--------------|------------------------|
| <i>payment electric bill</i> |              | <i>4,566.12</i>        |
| <b>TOTAL</b>                 |              | <b><i>4,566.12</i></b> |
| AMOUNT IN WORDS              |              |                        |

- Cash
- Check
- Money Order

| DRAWN BY BANK | NUMBER | DATE |
|---------------|--------|------|
|               |        |      |

Received the amount stated above

By: *[Signature]*  
 COLLECTING OFFICER

NOTE: Write the number and date of this receipt on the back of check or money order received.



ANNEX "9"


Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Calublan  
BARANGAY CABALHIN  
-000-


**OFFICE OF THE PUNONG BARANGAY**

**TO: CRESLE RAAGAS ESORENA**  
**SUBJECT: Termination of Appointment as Barangay Treasurer**

You are hereby terminated as Barangay Treasurer of Barangay CABALHIN, this municipality effective October 1, 2020 for lack of trust and confidence.

This 1<sup>st</sup> day of October 2020.

  
**HON. CATALINA PANUGAN**  
Punong Barangay  
Brgy. Cabalhin, Calublan, Leyte

RECEIVED BY:  
  
1020 / B. RAAGAS  
PRM. SECRETARY  
OCT. 1, 2020

Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF CALUBIAN  
Barangay Cabalhin  
oOo

ANNEX "10"

October 20, 2020

Mrs. Cresle R. Isorena  
Barangay Treasurer  
Brgy. Cabalhin  
Calubian, Leyte

Dear Mrs. Isorena,

This is to inform you that I am revoking your appointment as Barangay Treasurer of Brgy. Cabalhin, Calubian, Leyte effective upon receipt of this letter. I am revoking your appointment because it will not be harmonious in the delivery of public services to the people of the barangay, as there are irreconcilable differences between you and the appointing officer, this is aside from your show of disrespect towards the undersigned. In view thereof, you are hereby directed to turn over to the undersigned all accountable forms, documents, and papers that came to your possession by virtue of your appointment.

Hoping for your kind consideration. Thank you.

Very truly yours,

HON. CATALINA O. PANUGAN  
Punong Barangay

Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF CALUBIAN  
Barangay Cabalhin  
oOo

OFFICE OF THE BARANGAY CAPTAIN

October 21, 2020 3:02 P  
[Signature]

ANNEX 11

October 21, 2020

Mrs. Jessica Josol  
MLGOO  
Department of the Interior and Local Government  
Calubian, Leyte

Madam;

This is to inform your good office that I revoked the appointment of Mrs. Cresle R. Isorena, as Barangay Treasurer of Brgy. Cabalhin, Calubian, Leyte effective on October 20, 2020. The reason for the revocation is due to irreconcilable differences between me as the appointing officer and the said Mrs. Cresle R. Isorena which the latter as a result show disrespect to me. It will not be harmonious in the delivery of public services to the people of the barangay if this will be the relationship between me and the Barangay Treasurer, that is why I am constrained to revoke her appointment. I already informed her about my decision in revoking her appointment through a letter addressed to her dated October 20, 2020, copy of which is hereto attached as Annex "A" of this letter. My Barangay Secretary served her with the said letter, but she refused to received, however, she was given a copy of the said revocation letter. I am still looking for a replacement which in due time I will inform your office.

Hoping that this matter will be noted by your office. Thank you.

Very truly yours,

[Signature]  
HON. CATALINA O. PANUGAN  
Barangay Captian

Republic of the Philippines  
Provincia of Leyte  
MUNICIPALITY OF CALUBIAN  
Barangay Cabalhin  
oOo

ANNEX "12"

OFFICE OF THE BARANGAY CAPTAIN

*Estelita A. Pecajas*

10:00 AM

October 17, 2020

Mrs. Estelita A. Pecajas  
Brgy. Cabalhin  
Calubian, Leyte

Dear Mrs. Pecajas,

May I request you as the former Barangay Treasurer of Cabalhin, Calubian, Leyte to reconsider your resignation, to hold it in abeyance and to continue in transacting or functioning as Barangay Treasurer, such as, to process the withdrawal of the Honorarium of the Barangay Officials for the third quarter of this year, payment of electricity bills and the payment of completed projects. Your functioning is limited only for the said purposes, for the meantime that the newly appointed treasurer will assume and can complete the requirements before he or she can transact in the bank for the purpose of withdrawing funds of the barangay. I am needing your services in order not to delay the said transactions or release of the said funds. I seek authorization from the Sangguniang Barangay for this purpose, however, they capriciously and without any valid reasons withheld the said permission, that is why I am requesting you to extend your services for the meantime.

Hoping that this request will be accorded due and favorable action. Thank you.

Very truly yours,

*Catalina C. Panugan*  
HON. CATALINA C. PANUGAN  
Barangay Captain

ANNEX "13"

October 17, 2020

11:00-AM

received by:  
Hon. Catalina C. Panugan  
Purogag bring

Hon. Catalina C. Panugan  
Barangay Captain  
Brgy. Cabalhin  
Calubian, Leyte

Dear Hon. Panugan,

This is in reply of your later dated October 17, 2020, requesting me to reconsider my resignation as Barangay Treasurer of Brgy. Cabalhin, Calubian, Leyte, by holding in abeyance of the same and to extend my service as Barangay Treasurer for a limited transaction pending the appointment and assumption of a new Barangay Treasurer where he or she can complete the requirements in transacting at the depository bank of the barangay. In answer with your request, I am granting it as services of the barangay in order not to delay some transactions which needs the disbursement of funds, but I am agreeing on it for the limited transactions you referred to in your letter.

Thank you.

Very truly yours,

ESTELITA A. PECAJAS

Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF CALUBIAN  
Barangay Cabalhin  
oOo

ANNEX 14

OFFICE OF THE BARANGAY CAPTAIN

October 17, 2020


Mrs. Crisle R. Isorena  
Brgy. Cabalhin  
Calubian, Leyte

Dear Mrs. Isorena,

May I request you to turn over to me immediately the Check Book of the Barangay, the Official Book Receipts, Bills of Electricity and all other official documents which came to your possession. The said documents are needed for the official continued operation of the barangay, hence, I am requesting you to turn over it to me within twenty four (24) hours from receipt of this letter.

Hoping that this request will be accorded due and favorable action. Thank you.

Very truly yours,

  
HON. CATALINA C. PANUGAN  
Barangay Captain

REPUBLIC OF THE PHILIPPINES )  
PROVINCE OF LEYTE )S.S.  
MUNICIPALITY OF SAN ISIDRO )

ANNEX "15"

AFFIDAVIT

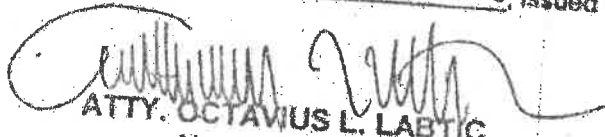
I, LIEZL B. ARANAS, of legal age, Filipino, married, and residing at Brgy. Cabalhin, Calubian, Leyte, Philippines, after having been duly sworn to in accordance with law, depose and say:

1. That I am the Barangay Secretary of Brgy. Cabalhin, Calubian, Leyte;
2. That last October 05, 2020 there was a special session called by the Barangay Captain and the time was in the afternoon;
3. That the special session was not push through because all of the Barangay Kagawads did not appear, only the Barangay Captain was present and me;
4. That I am voluntarily executing this Affidavit to attest the foregoing facts to be true and correct, and for whatever legal purpose this may serve.

IN WITNESS WHEREOF, I have hereunto set my hand this 24<sup>th</sup> day of November, 2020, in the Municipality of San Isidro, Province of Leyte, Philippines.

  
LIEZL B. ARANAS  
Affiant

SUBSCRIBED AND SWORN to before me, a Notary Public for and in the Municipality of San Isidro, Province of Leyte, Philippines, this 24<sup>th</sup> day of November, 2020, in the Municipality of San Isidro, Province of Leyte, Philippines. Affiant exhibited to me her Proof of Identity using her Valid ID Card No. Philhealth 13-20085768-0, issued by

  
ATTY. OCTAVIUS L. LABTIC  
Notary Public

Until Dec. 31, 2020  
PTR No. 4086114 1/03/20  
San Isidro, Leyte  
Roll No. 44,913  
IBP No. 108773 -01/09/20  
Leyte Chapter  
MCLE Compliance Cert. No. VI  
0011138 -08/03/18  
NC No. ADM. 18-079

Doc. No. 394  
Page No. 79  
Book No. LXI  
Series of 2020



Republic of the Philippines  
Province of Leyte  
Municipality of Calubian

ANNEX "C"

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALUBIAN, LEYTE HELD ON DEC. 07, 2020 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

Res. No. 2020-225

RESOLUTION APPROVING COMMITTEE REPORT NO. 2020- 78 A DATED DEC. 7, 2020 OF THE COMMITTEES ON BARANGAY AFFAIRS, PEACE & ORDER & GOOD GOVERNANCE, ETHICS & ACCOUNTABILITY ON THE ADMINISTRATIVE COMPLAINT FILED BY BGY. KAGAWAD ROGELIO M. CABALHIN, ET.AL., ( COMPLAINANTS) OF BGY. CABALHIN/ HERRERA, CALUBIAN, LEYTE AGAINST THEIR PUNONG BARANGAY CATALINA C. PANUGAN ( RESPONDENT) FOR " ABUSE OF AUTHORITY; GRAVE MISCONDUCT; GROSS IGNORANCE OF THE LAW; GROSS NEGLIGENCE, DERELICTION OF DUTY AND VIOLATION OF R.A. 6713 , ALSO KNOWN AS THE CODE OF CONDUCT AND ETHICAL STANDARDS FOR PUBLIC OFFICIALS AND EMPLOY EES."

On motion of SB Member Aida Q. Labtic ; duly seconded by SK Fed. Pres. Alyza F. Nierras ;

RESOLVED, as it is hereby resolved, to approve Committee Report No. 2020- 78 A dated Dec. 7, 2020 of the Committees on Barangay Affairs, Peace & Order & Good Governance, Ethics & Accountability on the Administrative Complaint ( marked as Adm. Case No. 2020- 03 of the Sangguniang Bayan ) filed before the Office of the Sangguniang Bayan of Calubian, Leyte by Bgy. Kagawad Rogelio M. Cabalhin, et. al. ( Complainants ) of Bgy. Cabalhin/ Herrera, Calubian, Leyte against their Punong Barangay Catalina C. Panugan ( Respondent) for " Abuse of Authority; Grave Misconduct; Gross Ignorance of the Law; Gross Negligence, Dereliction of Duty and Violation of R.A. 6713, also known as " Code of Conduct and Ethical Standards for Public Officials & Employees". Copy of the said SB Committee Report is hereto attached.

Unanimously approved.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

ATTESTED:

GILBERT S. PONCE  
Mun. Vice Mayor  
Presiding Officer

NORMINDAR RAAGAS  
Mun. Secretary

ELPIDIO M. GO, M.D.  
SB Member

JOSEPH C. AVENIR  
SB Member  
( inhibited )

DIOMEDES D. CARLOS  
SB Member

EUGENIO A. CHING, JR.  
SB Member

LUZ M. ASEVEROS  
SB Member

ALYZA F. NIERRAS  
SK Fed. President

VIVENCIA V. CASAS  
SB Member

AIDA Q. LABTIC  
SB Member

ALFREDO M. CASAS  
Liga ng Mga Barangay Pres.





PROVINCE OF LEYTE  
Municipality of Calubian  
-000-  
Office of the Sangguniang Bayan

SB Committee Report No. 2020- 78 A  
Dec. 7, 2020

ANNEX <sup>10</sup>

**SUBMITTED BY** : COMMITTEES ON BARANGAY AFFAIRS, PEACE & ORDER & GOOD GOVERNANCE, ETHICS & ACCOUNTABILITY  
**SUBJECT** : Adm. Complaint of Kagawad Rogelio M. Cabalhin against Punong Barangay Catalina C. Panugan of Bgy. Cabalhin/ Herrera, Calubian, Leyte.  
**SPONSORED BY** : HON. BAGALLON, LABTIC, ASEVEROS, CHING, GO & A. CASAS  
**SUBMITTED TO** : HON. GILBERT S. PONCE, MUN. VICE MAYOR & PRES. OFFICER

The undersigned Chairman & Members of the COMMITTEES ON BARANGAY AFFAIRS, PEACE & ORDER & GOOD GOVERNANCE, ETHICS & ACCOUNTABILITY, respectfully submit to the Honorable August Body, the following Committee findings:

1. Kagawad Rogelio M. Cabalhin, et.al., Complainants had filed an Adm. Complaint (marked as Adm. Case No. 2020- 03 ) dated Nov. 6, 2020 before the Office of the Sangguniang Bayan against Punong Barangay Catalina C. Panugan of Bgy. Cabalhin/ Herrera, Calubian, Leyte for "Abuse of Authority; Grave Misconduct; Gross Ignorance of the Law; Gross Negligence, Dereliction of Duty and Violation of R.A. 6713." and that complaint was received by the office on Nov. 12, 2020 ( Administrative Complaint is hereto attached );
2. The respondent, Punong Barangay Catalina C. Panugan submitted his Counter- Affidavit on dated Nov. 24, 2020 to the Office on Nov. 27, 2020 denying all the allegations contained in the complaint ( Answer to the Administrative Complaint is hereto attached );
3. The COMMITTEES ON BARANGAY AFFAIRS, PEACE & ORDER & GOOD GOVERNANCE, ETHICS & ACCOUNTABILITY conducted a Committee Investigation/ Hearing on Dec. 1, 2020 at the SB Session Hall, wherein the Respondent and the Complainants attended;
4. The Punong Barangay Catalina C. Panugan insisted her stand that don't like & has no trust and confidence on the newly appointed Bgy. Treasurer, Cresle R. Isorena, despite having appointed her in July 2020 & duly concurred by the Sangguniang Barangay; thus failed to sign other related documents pertaining to the processing of authority as to the official signatory of the financial transaction of the barangay as per requirement by the Office of BIR in Ormoc City and LBP at Naval, Biliran;
5. In the statement of Mr. Jundy Villagonzalo, Foreman of Yuga Construction ( as attached to the Complaint Affidavit) dated Feb. 11, 2020, the same had given a total sum of money to Mrs. Estelita Pecajas, previous Bgy. Treasurer of Bgy. Cabalhin, Calubian, Leyte with no corresponding Official receipts given by the said Bgy. Treasurer, and stated as follows: 1. Cash of P 1,118.00 on Oct. 2019; 2. Cash of P 6,200.00 on Nov. 2019; 3. Cash of P 4,566.00 on Dec. 2019; and 4. Cash of P 1,927.00 on Jan. 2020;
6. Records in the Office of the Sangguniang Bayan, in the 2019 Annual Budget of Bgy. Cabalhin/ Herrera, Calubian, Leyte, an annual allocation of P 30,00.00 is allocated for Lights & Power Expenses of the barangay. If ever Yuga Construction shared its payment in the electricity of the barangay for Oct. 2019 until Dec. 2019, an allocation is added thereof amounting to P 11,884.00 & no reason that for the last quarter of 2019, the electricity bills to LEYECO V could not be settled.
7. Likewise, records in the Office of the Sangguniang Bayan, in the 2020 Annual Budget of Bgy. Cabalhin/ Herrera, Calubian, Leyte, an annual allocation of P 30,00.00 is allocated for Lights & Power Expenses of the barangay. If ever Yuga Construction shared also its payment in the electricity of the barangay for Jan. 2020, an allocation is added thereof amounting to P 1,927.00 & no reason that for the month of Jan. 2020 until Nov. 2020, the electricity expenses to LEYECO V could not be settled.
8. Kagawad Mamerto Capin handed down during the committee hearing, a Statement of Account of Bgy. Cabalhin/ Herrera, Calubian, Leyte at LEYECO V, Ormoc City as of Dec. 2, 2020. The statement of account showed that the latest bill of the barangay as of Dec. 2, 2020 is P 2,108.17 plus the 10 months unpaid bills amounting P 25,281.00. Meaning, from Jan. 2020 until Nov. 2020, there was no payment of electricity usage of the barangay to LEYECO V.
9. In the Answer to the Complaint of Punong Barangay Catalina C. Panugan, she enclosed therein 3 official receipts of payment by Yuga Construction, as stated below:
  1. Oct. 29, 2019 - P 1,118.00 as per O.R. No. 4048643;
  2. Nov. 24, 2019 - P 6,200.00 as per O.R. 4048644; and
  3. Dec. 10, 2019 - P 4,566.00 as per O.R. No. 4048645;

In this same Answer, it was stated that the last payment was made on Feb. 4, 2020 for the consumption of Dec. 2019. Meaning, starting Jan. 2020 up to Nov. 2020, there was no payment made by the Bgy. Treasurer nor the Punong Barangay. The Official receipts issued in series by former Bgy. Treasurer Estrella Pecajas seemed questionable and misleading, because every month transaction of the barangay is only covered with one official receipt, how about the other financial transactions of the barangay?

10. The Punong Barangay, Catalina C. Panugan and the Bgy. Treasurer manipulated the funds entrusted by the people of the barangay in the payment of its electricity uses to LEVECO V & the same is tantamount to malversation of funds;

11. Bgy. Kagawad Renato C. Avenir, Jr. relayed into the hearing/ investigation that the appointed Chief Barangay Tonod is Mr. Danilo Panugan, who is the husband of the Punong Barangay and for being such, afforded to utter words to him and rest of the members of the Bgy. Council with this: "Kun ako Mapungot, pakausap ko hin Pulbura." This statement is supported by a Police Blotter at the Calubian PNP dated Oct. 15, 2020;

12. Kagawad Rogelio M. Cabalhin revealed also during the committee hearing that he also filed a separate complaint before the Office of the Ombudsman last Jan. 2019 against Punong Barangay Catalina C. Panugan. This separate complaint was attached in his Adm. Complaint filed to the Office of the SB;

13. In the answer of Punong Barangay Catalina C. Panugan to the Complaint filed against her which was received to the Office on Nov. 27, 2020, she stated therein that she allowed the resigned Bgy. Treasurer to issue checks and withdraw cash at LBP Naval, Bilibid without knowledge of the Bgy. Council on the premise that such cash withdrawal will be used to pay the honorarium of the Barangay Officials & employees, electricity bills and payment for a completed project. But, the Sangguniang Barangay Members of Bgy. Cabalhin/ Herrera (complainants) disclosed that they never received honorarium for the 3<sup>rd</sup> & last quarter of the current year 2020, and no payment of electricity was made as for the months of Jan. until Nov. 2020; and

14. The on going conflict of the Punong Barangay and the Sangguniang Barangay of Bgy. Cabalhin/ Herrera, Calubian, Leyte will hamper & trigger the delivery of public services, particularly to the people of the barangay.

WHEREFORE, we shall look forward for the approval of this committee report and recommend to put Punong Barangay, Catalina C. Panugan, respondent, GUILTY of the following offenses, and shall be penalized for suspension of (six) months, effective immediately, to wit:

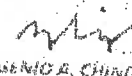
1. Abuse of authority as Punong Barangay;
2. Dishonesty;
3. Malversation of funds in violation of the Anti Graft & Corrupt Practices Act.

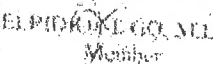
  
HENRY T. BAGALLON  
Chairman

  
AIDA C. LANTIERI  
Vice-Chairman

  
ALFREDO M. CASAS  
Chairman

  
LITO M. ASEVEROS  
Member

  
EUSEBIO A. CHING, JR.  
Chairman

  
ELPIDIO L. GO, MD  
Member



Republic of the Philippines  
Province of Leyte  
Municipality of Calubian  
-000-

ANNEX "E"

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALUBIAN, LEYTE HELD ON DEC. 07, 2020 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

Res. No. 2020- 226

RESOLUTION APPROVING THE DECISION ON THE ADMINISTRATIVE COMPLAINT ( MARKED AS ADM. CASE NO. 2020- 03 OF THE SANGGUNIANG BAYAN ) FILED BY BGY. KAGAWAD ROGELIO M. CABALHIN, ET.AL. ( COMPLAINANTS ) OF BGY. CABALHIN/ HERRERA, CALUBIAN, LEYTE AGAINST THEIR PUNONG BARANGAY CATALINA C. PANUGAN ( RESPONDENT) FOR " ABUSE OF AUTHORITY; GRAVE MISCONDUCT; GROSS IGNORANCE OF THE LAW; GROSS NEGLIGENCE, DERELICTION OF DUTY AND VIOLATION OF R.A. 6713 , ALSO KNOWN AS THE CODE OF CONDUCT AND ETHICAL STANDARDS FOR PUBLIC OFFICIALS AND EMPLOYEES."

On motion of SB Member Aida O. Labtic ; duly seconded by SB Member Eugenio A. Ching, Jr. ;

RESOLVED, as it is hereby resolved, to approve the DECISION on the Administrative Complaint ( marked as Adm. Case No. 2020- 03 of the Sangguniang Bayan ) filed before the Office of the Sangguniang Bayan of Calubian, Leyte by Bgy. Kagawad Rogelio M. Cabalhin, et. al. ( Complainants ) of Bgy. Cabalhin/ Herrera, Calubian, Leyte dated Nov. 6, 2020 against their Punong Barangay Catalina C. Panugan ( Respondent ) for " Abuse of Authority ; Grave Misconduct ; Gross Ignorance of the Law ; Gross Negligence, Dereliction of Duty and Violation of R.A. 6713, also known as " Code of Conduct and Ethical Standards for Public Officials & Employees", whereby Respondent, Punong Barangay Catalina C. Panugan is found GUILTY of the following offenses, and shall be penalized for suspension of Six ( 6 ) months to hold office, to wit:


1. Abuse of Authority;
2. Dishonesty; and
3. Malversation of funds in violation of Article 217 of the Revised Penal Code.


Copy of the full text of the said DECISION is hereto attached.

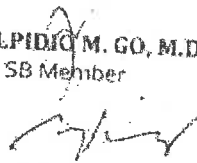
Unanimously approved.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

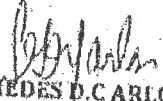
ATTESTED:

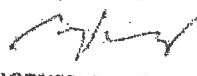
  
GILBERT PONCE  
Mun. Vice Mayor  
Presiding Officer


  
NORMINDA RAAGAS  
Mun. Secretary


  
ELPIDIO M. GO, M.D.  
SB Member

JOSEPH C. AVENIR  
SB Member  
( inhibited )


  
DIOMEDES D. CARLOS  
SB Member

  
EUGENIO A. CHING, JR.  
SB Member

  
LU M. ASEVEROS  
SB Member

  
MYRA F. MIERKAS  
SK Fed. President

  
VIVENCIA V. CASAS  
SB Member

  
AIDA O. LABTIC  
SB Member

  
ALFREDO M. CASAS  
Liga ng Mga Barangay Pres.



Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Calubian

ANNEX "F"

-oOo-  
OFFICE OF THE SANGGUNIANG BAYAN

BGY. KAGAWAD ROGELIO M. CABALHIN, et. al,

Complainants,

versus

ADM. Case No. 2020-03  
(FOR ABUSE OF AUTHORITY,  
MISCONDUCT, GROSS  
IGNORANCE OF THE LAW,  
GROSS NEGLIGENCE,  
DERELICTION OF DUTY; &  
VIOLATION OF R. A. NO.  
6713)

PUNONG BARANGAY CATALINA C. PANUGAN,

Respondent

-----  
x  
x

DECISION

On November 12, 2020, the Office of the Sangguniang Bayan of the Municipality of Calubian received a complaint filed by Kagawads Rogelio M. Cabalhin, Leopoldo M. Salut, Mamerto D. Capin, Jr., Renato C. Avenir, Jr., Narciso R. Malig-on, Arnel S. Baronda, SK Chair Jade Luster E. Talipa, and Treasurer Crisle R. Isorena (hereinafter collectively called "COMPLAINANT" for brevity) against Punong Barangay Catalina C. Panugan of Bgy. Cabalhin/Herera, Calubian, Leyte (hereinafter called "RESPONDENT" for brevity) for Abuse of Authority; Grave Misconduct; Gross Ignorance of the Law; Gross Negligence Dereliction of Duty, and Violation of R.A. 6713. The complaint is docketed as Administrative Case No. 2020-03 entitled *Kagawad Rogelio M. Cabalhin, et.al. vs. Punong Barangay Catalina C. Panugan for Abuse of Authority; Grave Misconduct; Gross Ignorance of the Law; Gross Negligence Dereliction of Duty, and Violation of R.A. 6713.*

On December 1, 2020, the Committees on Barangay Affairs, Peace & Order, and Good Governance, Ethics and Accountability conducted a Committee Investigation/Hearing at the SB Session Hall. Both Complainant and Respondent were present during said hearing.

*Handwritten notes and signatures on the left margin:*  
Babalhin  
Panugan  
Approved  
[Signature]  
[Signature]  
[Signature]  
[Signature]

*Handwritten initials or mark at the bottom left.*

THE FACTS

*The Complaint*

In their Complaint-Affidavit, Complainant alleged that herein Respondent failed to settle the barangay electric bills and even received Notice of Disconnection from LEYECO V for repeated non-payment of electric bills covering the periods of February 1, 2020, March 7, 2020, and September 29, 2020 despite allocation of barangay monthly funds for the same. While there was a surge of electric consumption for the months of October 2019 to January 2020 caused by electric tapping of Yuga Construction (Contractor) for its on-going project in the barangay, according to Complainant, this increase cannot be made a reason for non-payment because the Contractor paid for its proportionate share to Brgy. Treasurer Estelita Pecajas. However, despite knowledge of such payment, Respondent failed to provide receipt and demand its turn-over from the Pecajas in order to settle the dues. Accordingly, this inaction on her part put the barangay and its constituents in danger.

Complainant also alleged that Respondent unjustly refused to sign the Resolution necessary to process for BIR Certification with BIR Ormoc City. This refusal on the part of Respondent resulted to non-compliance with Landbank and BIR Ormoc City requirements which caused non-payment of honorariums of the Complainants as well as the non-payment of dues and obligations of the barangay.

Complainant likewise alleged that Respondent walked out at a Special Session on October 5, 2020 at Barangay Hall and that her action was uncalled for, inappropriate and disrespectful. They also alleged that Respondent illegally terminated the appointed Barangay Treasurer Cresle R. Isorena.

According to Complainant, the Respondent is liable for abuse of authority, grave misconduct, gross ignorance of the law, gross negligence, dereliction of duty, and violation of R.A. 6713.

*The Answer*

On the other hand, in her Answer dated November 24, 2020, the Respondent denied all allegations against her. She argued that the barangay has never been disconnected with the electricity. The bills for the months after March 2020 were not paid because Estelita Pecajas resigned on May 25, 2020 and that Kagawad Rogelio Cabalhin kept the electric bills and were not turned over to her.

Respondent also averred that she did not sign the Resolution authorizing the Punong Barangay and Barangay Treasurer to transact with BIR Ormoc City.

Vertical column of handwritten signatures and initials on the left margin, including names like Pecajas, Isorena, and others.

Handwritten signature or initials at the bottom of the page.

because she lost trust and confidence over the newly appointed Bgy. Treasurer Cresle R. Isorena (Isorena) because of her disrespect and dishonesty. Respondent maintained that she purposely did not sign the resolution as a gesture of terminating Isorena as Barangay Treasurer.

Lastly, she asserted that she cannot be held liable for abuse grave misconduct and dishonesty because she is only exercising her discretion and own judgment to effectively govern the barangay.

### ISSUE

- I. WHETHER OR NOT RESPONDENT IS GUILTY OF ABUSE OF AUTHORITY, GRAVE MISCONDUCT, GROSS IGNORANCE OF THE LAW, GROSS NEGLIGENCE, DERELICTION OF DUTY, AND VIOLATION OF R.A. 6713.

### RULING

Respondent committed grave misconduct and abuse of authority.

The Respondent in her Answer admitted that she did not sign the Resolution authorizing the Punong Barangay and Barangay Treasurer to transact with BIR Ormoc City because she "lost trust and confidence" over the newly appointed Bgy. Treasurer Cresle R. Isorena (Isorena). According to her, Isorena displayed disrespect and dishonesty towards her. To our mind, this loss of trust and confidence is not a valid ground to unilaterally revoke Isorena's appointment that she herself appointed last July 2020 and duly concurred by the Sangguniang Barangay. It must be stressed that appointment or replacement of barangay treasurer needs the approval of majority of all members of the sangguniang barangay. Particularly, Section 389 paragraph b (5) of the Local Government Code provides:

*"Upon approval by a majority of all the members of the sangguniang barangay, appoint or replace the barangay treasurer, the barangay secretary, and other appointive barangay officials."*

Thus, Respondent cannot arbitrarily revoke Isorena's appointment as the new barangay treasurer and to re-appoint the already resigned Treasurer Estelita Pecajas without the approval of the majority of the members of the barangay council. Here, it is clear that Respondent took advantage of her position as punong

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Isorena

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barangay to revoke Isorena's appointment with clear intent to violate the law and utter disregard of the established rules. The action of Respondent action is sufficient to warrant **grave misconduct**. Misconduct is defined as a transgression of some established and definite rule of action, more particularly, unlawful behavior or gross negligence by a public officer. Misconduct is considered grave if accompanied by corruption, a clear intent to violate the law, or a flagrant disregard of established rules, which must all be supported by substantial evidence. (Lagoc v. Malaga, 738 Phil. 623, 640 (2014.))

Moreover, it was also revealed that Respondent allowed the resigned Treasurer Estelita Pecajas to issue checks and withdraw cash at IBP Naval, Biliran without knowledge of the barangay council on the guise that such cash withdrawal will be used to pay the honorarium of the Barangay Officials & employees, electricity bills, and payment for a completed project. But, Complainants disclosed that they never received honorarium for the 3<sup>rd</sup> & last quarter of the current year 2020, and no payment of electricity was made as for the months of January until November 2020.

Respondent even **admitted** in her Answer that **purposely refused** to sign, as the official signatory for financial transactions, the second Resolution as required by BIR Ormoc City simply because she does not like Isorena. This act was conduct unbecoming of a Punong Barangay and was committed in excess of her power or authority conferred to her by law. To us, this whimsical and inexcusable behaviour of the Respondent is tantamount to **abuse of authority**, and did not only deprive the Complainants their monthly honorariums but ultimately placed the barangay and its constituents in grave danger.

Unpaid electric bills and malversation of funds

In the statement of Mr. Jundy Villagonzalo, Foreman of Yuga Construction (as attached to the Complaint Affidavit) dated Feb. 11, 2020, the same had given a total sum of money to Mrs. Estelita Pecajas, previous Bgy. Treasurer of Bgy. Cabalhin, Calubian, Leyte with no corresponding Official receipts given by the said Bgy. Treasurer, and stated as follows:

1. Cash of P 1,118.00 on Oct. 2019;
2. Cash of P 6,200.00 on Nov. 2019;
3. Cash of P 4,566.00 on Dec. 2019; and
4. Cash of P 1,927.00 on Jan. 2020.

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Records in the Office of the Sangguniang Bayan, in the 2019 Annual Budget of Bgy. Cabalhin/ Hererra, Calubian, Leyte, an annual allocation of P 30,00.00 is allocated for Lights & Power Expenses of the barangay. If ever Yuga Construction shared its payment in the electricity of the barangay for October 2019 until December 2019, an allocation is added thereof amounting to P 11,884.00 & no reason that for the last quarter of 2019, the electricity bills to LEYECO V could not be settled.

Likewise, records in the Office of the Sangguniang Bayan, in the 2020 Annual Budget of Bgy. Cabalhin/ Herrera, Calubian, Leyte, an annual allocation of P 30,000.00 is allocated for Lights & Power Expenses of the barangay. If ever Yuga Construction shared also its payment in the electricity of the barangay for January 2020, an allocation is added thereof amounting to P1,927.00, and no reason that for the month of Jan. 2020 until Nov. 2020, the electricity expenses to LEYECO V could not be settled.

Kagawad Mamerto Capin handed down during the committee hearing, a Statement of Account of Bgy. Cabalhin/ Herrera, Calubian, Leyte at LEYECO V Ormoc City as of Dec. 2, 2020. The statement of account showed that the latest bill of the barangay as of Dec. 2, 2020 is P2,108.17 plus the 10 months unpaid bills amounting P 25,281.00. Meaning, from Jan. 2020 until Nov. 2020, there was no payment of electricity usage of the barangay to LEYECO V.

In the Answer to the Complaint of Punong Barangay Catalina C. Panugan, she enclosed therein 3 official receipts of payment by Yuga Construction, as stated below:

1. Oct. 29, 2019 – P 1,118.00 as per O.R. No. 4048643;
2. Nov. 24, 2019 – P 6,200.00 as per O.R. 4048644; and
3. Dec. 10, 2019 – P 4,566.00 as per O.R. No. 4048645;

In this same Answer, it was stated that the last payment was made on Feb. 4, 2020 for the consumption of Dec. 2019. Meaning, starting Jan. 2020 up to Nov. 2020, there was no payment made by the Bgy. Treasurer nor the Punong Barangay. The Official receipts issued in series by former Bgy. Treasurer Estelta Pecajas seemed questionable and misleading, because every month of transaction of the barangay is only covered with one official receipt, how about the other financial transactions of the barangay?

To us, it is concluded that the Punong Barangay herein Respondent Catalina C. Panugan and the former Barangay Treasurer manipulated the funds

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*Bayabas*  
*Kapin*  
*Amigues*  
*E*  
*P*  
*Q*  
*Q*



entrusted by the people of the barangay in the payment of its electricity uses to L.E.Y.E.C.O.V & the same is tantamount to malversation of funds;

Bgy. Kagawad Renato C. Avenir, Jr. relayed into the hearing/ investigation that the appointed Chief Barangay Tanod is Mr. Danilo Panugan, who is the husband of the Punong Barangay and for being such, afforded to utter words to him and rest of the members of the Bgy. Council with this "Kun ako mapungot, pakaunon ko hin Pulbura". This statement is supported by a Police Blotter at the Calubian [NP] dated Oct. 15, 2020;

Kagawad Rogelio M. Cabalhin revealed also during the committee hearing that he also filed a separate complaint before the Office of the Ombudsman last Jan. 2019 against Punong Barangay Catalina C. Panugan. This separate complaint was attached in his Adm. Complaint filed to the Office of the SB:

The on going conflict of the Punong Barangay and the Sangguniang Barangay of Bgy. Cabalhin/ Herrera, Calubian, Leyte will hamper & trigger the delivery of public services, particularly to the people of the barangay

Both parties ( Complainants & Respondent ) could not even reach to a compromise via conduct of a Special Session in the Barangay Hall as requested by the Punong Barangay, Catalina C. Panugan on Oct. 5, 2020, in connection with the compliance of other pertinent documents so that the newly appointed & concurred Barangay Treasurer, Ms. Cresle R. Isorena could start its official duties and functions in the barangay.

*WHEREFORE*, in light of the foregoing premises, this council finds the Respondent Catalina C. Panugan **GUilty** of the following offenses.

1. Abuse of authority as Punong Barangay ;
2. Dishonesty ;
3. Malversation of funds in violation of Article 317 of the Revised Penal Code.

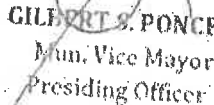
Respondent shall be penalized for suspension of (six) months.


APPROVED, this 7<sup>th</sup> day of December 2020 at Calubian, Leyte


I HEREBY CERTIFY to the correctness of the foregoing DECISION.

*Signature*  
*Approved*  
*Signature*  
*Signature*  
*Signature*  
*Signature*


ATTESTED:

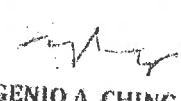
  
GILBERT S. PONCE  
Mun. Vice Mayor  
Presiding Officer


  
NORMINDA R. RAAGAS  
Mun. Secretary


  
ELPIDIO M. GO, M.D.  
SB Member


JOSEPH C. AVENIR  
SB Member  
(inhibited)


  
DIOMEDES D.C. CARLOS  
SB Member


  
EUGENIO A. CHING, JR.  
SB Member

  
LUZ M. ASEVEROS  
SB Member

  
ALYAN F. NIERRAS  
SK Fed. President

  
VIVENCIA V. CASAS  
SB Member

  
AIDA Q. LABTIC  
SB Member

  
ALFREDO M. CASAS  
Liga ng Mga Barangay Pres.





Republic of the Philippines  
Province of Leyte  
Municipality of Calubian

WNEX "G"

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALUBIAN, LEYTE HELD ON SEPT. 23, 2019 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

PRESENT :

- VICE MAYOR GILBERT S. PONCE - Presiding Member
- SB MEMBER ELPIDIO M. GO, M.D. - do
- SB MEMBER JOSEPH C. AVENIR - do
- SB MEMBER DIOMEDES D. CARLOS - do
- SB MEMBER EUGENIO A. CHING, JR. - do
- SB MEMBER LUZ M. ASEVEROS - do
- SB MEMBER HENRY T. BAGALLON - do
- SB MEMBER VIVENCIA V. CASAS - do
- SB MEMBER AIDA Q. LABTIC - do
- ABC PRES. ALFREDO M. CASAS - do

ABSENT :

- SK FED. PRES. ALYZA F. NIERRAS - Member

Res. No. 61-2019

RESOLUTION ADOPTING THE AMENDED INTERNAL RULES OF PROCEDURES OF THE HONORABLE SANGGUNIANG BAYAN OF CALUBIAN, LEYTE.

WHEREAS, Section 50 of R.A. 7160 provides that on the first regular session following the election of its members and with 90 days thereafter, the sanggunian concerned shall adopt or update its existing rules of procedures;

WHEREAS, in the maintenance of decorum in the sanggunian deliberations, it is necessary that explicit rules should be adopted & enforced in the discharge of effective legislation;

WHEREAS, the newly-elected members of the Honorable Chamber have agreed to adopt the Internal Rules of Procedures of the previous Municipal Council with some essential modifications or revisions;

**NOW THEREFORE**

**BE IT RESOLVED**, by the Honorable Sangguniang Bayan of Calubian, Leyte, that :

**RULE I - DAY, VENUE & TIME OF SESSION**

**Section 1-** Regular Session. Regular Session will be held every Monday at 9:00 a.m. after the Flag Raising Ceremony with venue at the SB Session Hall.

**Section 2.** Special Session.

- i. Special Session may be called by the Local Chief Executive with notice to the members shall be delivered or served one day before said special session will be held.
- ii. Majority of the members of the Sangguniang Bayan can hold a special session when there is an emergency & if public interest demands.

**RULE II- ATTIRE**

**Section 1.** All male members of the Honorable Sangguniang Bayan will wear a Polo Barong during session, and for the female members, a formal dress or a corporate dress is a must.

**Section 2.** Members who failed to wear the prescribed uniform shall be fined with Three hundred pesos ( P 300.00) .

**Section 3.** The members shall have a " Wash Day " or no uniform during last Monday of the month, but the clothes to wear shall be presentable & proper attire.

**RULE III- ATTENDANCE, ABSENCES & DISCIPLINE OF MEMBERS**

*[Signature]*  
LUZ M. ASEVEROS  
SB Member

*[Signature]*  
EUGENIO A. CHING, JR.  
SB Member

*[Signature]*  
ALFREDO M. CASAS  
ABC Liga ng mga Barangay Pres.

*[Signature]*  
DIOMEDES D. CARLOS  
SB Member  
AIDA Q. LABTIC  
SB Member

*[Signature]*  
JOSEPH C. AVENIR  
SB Member  
VIVENCIA V. CASAS  
SB Member

*[Signature]*  
ELPIDIO M. GO, M.D.  
SB Member  
HENRY T. BAGALLON  
SB Member

CERTIFIED TRUE COPY  
 FROM THE ORIGINAL  
 NOTARIAL PUBLIC  
 MUN. SECRETARY

**Section 1.** Any member who commits or act in transgression or the foregoing provisions Rules of Procedures shall be punished with the corresponding penalties hereunder prescribed:

i. For any unjustified absence without prior notice - Reprimand

ii. The attendance of the members during session should be in accordance with Local Budget Circular (LBC) No. 102 of the Department of Budget & Management (DBM) dated January 17, 2013.

**Section 2.** For all kinds of penalties, only a majority vote of all members of the sanggunian shall suffice.

**Section 3.** Collection of Fines and Dispositions.

i. Each member of the council including the Municipal Vice Mayor shall give authority to the Municipal Treasurer to collect the fines which will be deducted from his/her salary for non-compliance of the Dress Code.

ii. The Chief of Staff is hereby authorized to dispose the funds corresponding the fines collected from the members, which will be utilized either for snacks during session, solicitations asked for in the name of the council, and others, as may be decided upon by the body.

**Section 4.** Observance of Decorum during session. The members of the sanggunian shall observe proper decorum during session.

**Section 5.** Delivery & Sending of Draft Minutes of Proceedings of Session to the Members. The draft minutes of proceedings of session including the notices of session shall be sent or delivered to the members every Friday, for their reference and study. The said copy of minutes of proceedings of session shall also be attested by the sanggunian secretary.

**Section 6.** Every purchase that is needed in the Office of the SB, like office supplies & materials, should be discussed during the session properly & with approval (consensus) of the body.

#### RULE IV - PARLIAMENTARY PROCEDURES

**Section 1.** Like any other legislative body, Parliamentary Rules of Procedures are hereby observed and adopted during session in the sanggunian.

#### RULE V. PRESIDING OFFICER


**Section 1.** The Presiding Officer. The Municipal Vice Mayor shall become automatically the Presiding Officer of the sanggunian.

**Section 2.** In the event the Presiding Officer is absent for an official travel or on official leave of absence, the members concerned constituting a quorum, shall elect from among themselves any member to act Temporary Presiding Officer.

#### RULE VI - STANDING COMMITTEES

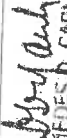
**Section 1.** The Sangguniang Bayan shall have the following standing committees:

- i. Committee on Finance, Budget & Appropriations
- ii. Committee on Tax & Ordinance
- iii. Committee on Health & Sanitation
- iv. Committee on Infrastructure
- v. Committee on Food & Agriculture
- vi. Committee on Children, Women & Family Affairs
- vii. Committee on Senior Citizen & Social Services
- viii. Committee on Environmental Protection, Ecology & Clean & Green
- ix. Committee on Market & Economy
- x. Committee on Cooperatives
- xi. Committee on Education & Culture
- xii. Committee on Peace & Order & Public Safety
- xiii. Committee on Barangay Affairs
- xiv. Committee on Transportation
- xv. Committee on Rules & Privileges
- xvi. Committee on Youth & Sports Development
- xvii. Committee on Good Governance, Public Ethics & Accountability
- xviii. Committee on Labor and Employment
- xix. Committee on Tourism

  
LUZ M. ASEVEROS  
SB Member

  
EUGENIO A. CHING, JR.  
SB Member

ALFREDO CASAS  
ABC/ Liga ng mga Barangay Pres.

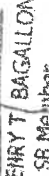
  
DIONESIO P. CARLOS  
SB Member

  
ALDA Q. LABTIC  
SB Member


  
JOSEPH LAVERNE  
SB Member

  
VIVENCJA V. CASAS  
SB Member

  
ELPIDIO M. CO, M.D.  
SB Member

  
HENRY T. BAGALLON  
SB Member

SECTION SECRETARY

  
NORINDA P. LABAS  
MUN. SECRETARY

**Section 2.** Each standing committee is being headed by an elected Chairman with her three (3) members appointed, except the Committee on Good Governance, Public Ethics & Accountability which has five (5) chosen members and a Vice Chairman.

- i. Committee on Finance, Budget & Appropriations - Chaired by Hon. Elpidio M. Go, M.D.
- ii. Committee on Tax & Ordinance - Chaired by Hon. Eugenio A. Ching, Jr.
- iii. Committee on Health & Sanitation - Chaired by Hon. Elpidio M. Go, Jr. M.D.
- iv. Committee on Infrastructure - Chaired by Hon. Diomedes D. Carlos
- v. Committee on Food & Agriculture - Chaired by Hon. Henry T. Bagallon
- vi. Committee on Children, Women & Family Affairs - Co-chaired by Hon. Luz M. Aseveros
- vii. Committee on Senior Citizen & Social Services - Chaired by Hon. Vivencia V. Casas
- viii. Committee on Environmental Protection, Ecology & Clean & Green - Chaired by Hon. Aida Q. Labtic
- ix. Committee on Market & Economy - Chaired by Hon. Luz M. Aseveros
- x. Committee on Cooperatives - Chaired by Hon. Aida Q. Labtic
- xi. Committee on Education & Culture - Chaired by Hon. Henry T. Bagallon
- xii. Committee on Peace & Order & Public Safety - Chaired by Hon. Henry T. Bagallon
- xiii. Committee on Barangay Affairs - Chaired by Hon. Henry T. Bagallon
- xiv. Committee on Transportation - Chaired by ABC Pres. Alfredo M. Casas
- xv. Committee on Rules & Privileges - Chaired by Hon. Joseph C. Avenir
- xvi. Committee on Youth & Sports Development - Chaired by Hon. Luz M. Aseveros
- xvii. Committee on Good Governance, Public Ethics & Accountability - Chaired by Hon. Eugenio A. Ching, Jr. & Co-chaired by Joseph C. Avenir
- xviii. Committee on Labor and Employment - Chaired by Hon. Joseph C. Avenir
- xix. Committee on Tourism - Chaired by Hon. Henry T. Bagallon

**Section 2.** Each standing committee is being headed by an elected Chairman with his or her two (2) members appointed, except the Committee on Good Governance, Public Ethics & Accountability which has five (5) chosen members and a Vice Chairman and the Committee on Food & Agriculture which has a Co-Chairman.

**Rule VII - Districting of Barangays**

**Section 1.** The fifty-three (53) barangays of the municipality of Calubian, Leyte will now be placed into **Districting**, and the same shall be apportioned / assigned to the eight (8) regular members, to wit :

| Name of Member                  | Coverage of District   |
|---------------------------------|--|
| SB Member Elpidio M. Go, M.D.   | Cristina, Veloso Garguiera, Obispo, Abanilla, Pates & Matagok              |
| SB Member Joseph C. Avenir      | Herrera (Cabalin), Tubiran, Emage, Anislagan, Lamite, Villahermosa & Tabla |
| SB Member Diomedes D. Carlos    | Igang, Patolio, Malobago, Dula, Tagbaniog & Guadalupe                      |
| SB Member Eugenio A. Ching, Jr. | Espinosa, Cabaquinto, Cantonghae, Cabradilla, Mahait & Poblacion           |
| SB Member Luz M. Aseveros       | Patae, Pangpat, K. Bustrona, Garrido, Padoga, Canea & Pangpanay            |
| SB Member Henry T. Bagallon     | Casunguan, Lary, Pal-og, Jubay, Dalampines, Caroyuan & Inalud              |
| SB Member Vivencia V. Casas     | Bunacau, Labtic, Vallalon, Paula (Nierras), Juson & Railes                 |
| SB Member Aida Q. Labtic        | P.F. Marcos, Gutosan, Don Luis, Uli-ou, Nipa, Kawanay & Villahermosa       |

**RULE VIII- Rules & Procedures in the Conduct of Administrative Investigation on Erring Elected Barangay Officials**

**Section 1. Grounds for Disciplinary Actions.**  
An elective Barangay Official in the municipality of Calubian, Leyte may be disciplined, suspended, or removed from office on any of the following grounds:

- (i) Disloyalty to the Republic of the Philippines;
- (ii) Culpable violation of the Constitution;
- (iii) Dishonesty, oppression, misconduct in office, gross negligence, or dereliction of duty;
- (iv) Commission of any offense involving moral turpitude or an offense punishable by at least prison mayor;
- (v) Abuse of authority;
- (vi) Disorderly behavior and absences without justifiable cause for four (4) consecutive sessions, for which they may be censured, reprimanded, or excluded from the session, suspended for not more than sixty (60) days, or expelled. Provided, That the penalty of suspension or expulsion shall require the concurrence of at least two-thirds (2/3) vote of all the Sanggunian Bayan members; Provided, further, That a member convicted by final judgment to imprisonment of at least one (1) year for any crime involving moral turpitude

*[Signature]*  
LUZ M. ASEVEROS  
SB Member

*[Signature]*  
EUGENIO A. CHING, JR.  
SB Member

*[Signature]*  
ALFREDO M. CASAS  
ABC/ Liga ng mga Barangay Pres.

*[Signature]*  
DIOMEDES D. CARLOS  
SB Member

*[Signature]*  
AIDA Q. LABTIC  
SB Member

*[Signature]*  
JOSEPH C. AVENIR  
SB Member

*[Signature]*  
VIVENCIA V. CASAS  
SB Member

*[Signature]*  
ELPIDIO M. GO, M.D.  
SB Member

*[Signature]*  
HENRY T. BAGALLON  
SB Member

HON. ELPIDIO M. GO, M.D.  
 HON. JOSEPH C. AVENIR  
 HON. HENRY T. BAGALLON  
 HON. VIVENCIA V. CASAS  
 HON. AIDA Q. LABTIC  
 HON. EUGENIO A. CHING, JR.  
 HON. DIOMEDES D. CARLOS  
 HON. LUZ M. ASEVEROS

(iii) The penalty of removal from office as a result of an administrative investigation shall be considered a bar to the candidacy of the respondent for any elective position.

**SECTION 8. Administrative Appeals** - Decisions in administrative cases of the Sangguniang Bayan may, within thirty (30) days from receipt thereof, be appealed to the Sangguniang Panlalawigan of Leyte.

**SECTION 9. Execution Pending Appeal** - An appeal shall not prevent a decision from becoming final or executory. The respondent shall be considered as having been placed under preventive suspension during the pendency of an appeal in the event he wins such appeal. In the event the appeal results in an exoneration, he shall be paid his salary and such other emoluments during the pendency of the appeal.

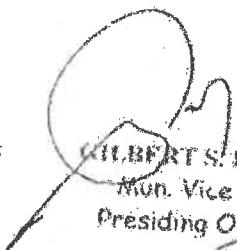
**RULE IX - DATE OF EFFECTIVITY**


**Section 1.** These rules shall take effect immediately upon approval.

APPROVED UNANIMOUSLY, this 23<sup>rd</sup> day of Sept. 2019 at Calubian, Leyte.

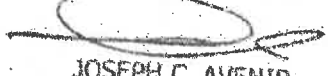
I HEREBY CERTIFY to the correctness of the foregoing resolution.

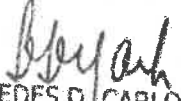
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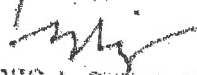
  
GILBERT S. PONCE  
Mun. Vice Mayor  
Presiding Officer

  
NORMINDA RARAAGAS  
Mun. Secretary

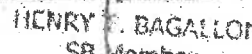
  
ELPIDIO M. GO, M.D.  
SB Member


  
JOSEPH C. AVENIR  
SB Member


  
DIOMEDES D. CARLOS  
SB Member


  
EUGENIO A. CHING, JR.  
SB Member

  
LUZ M. ASIVEROS  
SB Member


  
HENRY T. BAGALLON  
SB Member

  
VIVENCIA V. CASAS  
SB Member

  
AIDA Q. LAETIC  
SB Member

  
ALFREDO M. CASAS  
Acc / Liga ng mga Barangay Pres.

CERTIFIED TRUE COPY  
FROM THE ORIGINAL

  
NORMINDA R. RARAAGAS  
MUN. SECRETARY



Republic of the Philippines  
Province of Leyte  
Municipality of Calubian

OFFICE OF THE SANGGUNIANG BAYAN

ATTENDANCE OF COMMITTEE HEARING/INVESTIGATION

Dec. 01, 2020

| NAME                             | SIGNATURE |
|----------------------------------|-----------|
| 1. <u>TRENATO C. RUTIMIN JR</u>  |           |
| 2. <u>Leopolda M. Salas Sr</u>   |           |
| 3. <u>Arnold S. Baronda</u>      |           |
| 4. <u>Rydia N. Ceballos Jr.</u>  |           |
| 5. <u>MARIBERTO D. OPIAN SR</u>  |           |
| 6. <u>GABRIEL R. MARIANO-DU</u>  |           |
| 7. <u>Jade Lester E. Jalipon</u> |           |
| 8. <u>CRISLE R. ICORENA</u>      |           |
| 9. <u>Catalina C. Pangan</u>     |           |
| 10. <u>LUZ M. ASEVEROS</u>       |           |
| 11. <u>HENRY T. MARIANO</u>      |           |
| 12. <u>E. CHING JR.</u>          |           |
| 13. <u>DIOMEDES D. CARLOS</u>    |           |
| 14. <u>GO, ELPINO</u>            |           |
| 15. <u>AIDA R. KARTIC</u>        |           |
| 16. <u>ALFREDO M. CASH</u>       |           |
| 17. <u>Norminda R. Pargas</u>    |           |