

Malacañang

Manila

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 73

MODIFYING ADMINISTRATIVE ORDER NO. 169 DATED JANUARY 4, 1956, CONCERNING FORMER CIVIL AERONAUTICS ADMINISTRATOR VICTOR H. DIZON.

Under Administrative Order No. 169 dated January 4, 1956, Colonel Victor H. Dizon was found guilty of negligence in permitting the unauthorized loan of parts of the dismantled radio tower at Puerto Princesa airfield in Palawan to the Bolinao Broadcasting Corporation while he was Acting Civil Aeronautics Administrator.

Upon his petition, this Office made a review of the case in the light of his representations that he is innocent of the charge and that the decision finding him guilty, contrary to the recommendation of the investigating committee, was politically inspired.

After carefully examining the record of investigation, I agree with the committee (composed of then Brig. Gen. Pelagio A. Cruz and Col. Andres O. Cruz) in its findings, as did the former Legal Adviser under the past administrations, that the dismantling of said radio tower in Palawan and the shipment of the dismantled parts to Manila in July of 1952 upon direction of Col. Dizon, and the loaning, with his approval, of some parts thereof to the above-named corporation on August 17 and 18, 1953, about a year later, were entirely unrelated events; that he approved the loan of said parts in good faith and in the belief that they could be parts of the radio beacon (HHW) tower which had been previously leased to said corporation by the Board of Liquidators; and that the said loan was an unavoidable mistake attributable to the confusion in the identity of the dismantled parts of both towers, there having been no complete inventory and accurate markings of the properties of the Civil Aeronautics Administration.

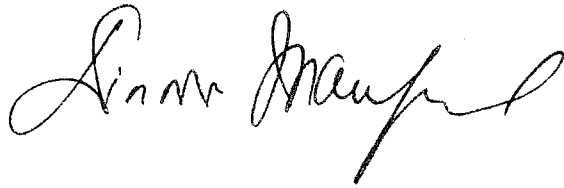
As observed by the investigating committee, Col. Dizon, in effecting the delivery of the dismantled parts, was moved by the best interest of air navigation on the one hand and, on the other, by a sense of duty to carry out the directive of the Board of Liquidators, at whose directions he was acting in the nature of an agent, to cause immediate delivery of the equipment to the Bolinao Broadcasting Corporation. Whether or not the parts loaned were those of the HHW tower or the control tower, Col. Dizon was not in a position to know, as it was not apparent at a glance to distinguish the parts of one

Victor H. Dizon

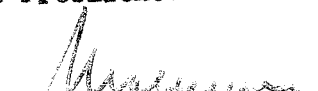
from the other. In fact, it appears that the parts of the HHW and the control towers can be interchanged. While the dismantled parts of the control tower were marked, the markings were for the purpose of structural re-erection, not for identification. Moreover, Col. Dizon approved the loan in the belief that the lease agreement he was directed by the Board of Liquidators to implement called for the delivery of parts to complete the installation of HHW tower. Under the circumstances, Col. Dizon was legally justified in permitting the lending of the dismantled parts of the control tower to the Bolinao Broadcasting Corporation.

Wherefore, Administrative Order No. 169 dated January 4, 1956, is hereby modified in the sense that Col. Victor H. Dizon is considered exonerated from any liability in connection with the transaction involved.

Done in the City of Manila, this 2nd day of August, 1956, in the year of Our Lord, nineteen hundred and sixty-three.



By the President:



RUFINO G. HECHANOVA
Executive Secretary