

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 126

IMPOSING THE PENALTY OF DISMISSAL ON LCDR. ARMANDO G. ADRIANO, COMMISSIONED OFFICER OF THE COAST AND GEODETIC SURVEY DEPARTMENT, NATIONAL MAPPING AND RESOURCE INFORMATION AUTHORITY (NAMRIA)

This resolves the letter-complaint filed by SN2 Eduardo De Ocampo ("complainant") against Lcdr. Armando G. Adriano (the "respondent") and eight (8) other officers and men of the RPS ATYIMBA, for conspiracy, dishonesty, and graft. Specifically, complainant alleges that respondent allowed three enlisted personnel of the RPS ATYIMBA to be absent for extended periods without filing the requisite leave applications, thus enabling them to fraudulently collect their full salaries and other benefits notwithstanding their prolonged absence.

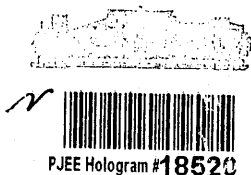
In response to the complaint, Commodore Renato B. Fier ("Commodore Feir"), Director, Coast and Geodetic Survey Department, with the approval of then NAMRIA Administrator Jose G. Solis, created a Summary Board ("Summary Board") composed of four (4) commissioned officers to investigate the officers and men of the RPS ATYIMBA in connection with the alleged irregularity.

After proceedings duly held, the Summary Board submitted on October 30, 1997, its investigation report finding the nine (9) implicated officers and enlisted personnel of the RPS ATYIMBA guilty, in varying degrees, of the charges leveled against them. As regards respondent, the Summary Board found him guilty of abuse of authority and dishonesty, and recommended his dismissal from the commissioned service, on the following premises:

"5. ANALYSIS/OBSERVATIONS:

5.1 Based on the result of the investigation and the sworn statements of the interrogated personnel of RPS ATYIMBA, as well as the admission of Lcdr. Armando G. Adriano, the Board came up with the following observations:

5.1.1 Lcdr. Adriano is guilty of multiple counts of abuse of authority and intentional disregard of office rules and regulations on the following cases:



a) Granting leave to some of his personnel without prior approval and/or recommendation from the Director, CGSD and approval from the Administrator while the vessel is on fieldworks (sic) in General Santos City when he allowed SN3 Jesus Gomez to go home to Manila on 29 November 1996, eleven days before the vessel returned to Manila and when he allowed SN1 Alberto Zubiri and SN3 Efren Aviles to disembark at General Santo City when the vessel returned to Manila without filing the corresponding application for leave.

b) Allowing civilian passengers (two women) aboard RPS ATYIMBA during the vessels (sic) navigation from General Santos City to Manila without the permission/approval from the Administrator and/or the Director, CGSD or their authorized representative.

5.1.2 Lcdr. Adriano is also guilty of dishonesty and fraud on (sic) the following cases:

a) Inclusion in the payroll and payment of salaries, sea duty pay and all other allowances of personnel under his command even [when] subject personnel were absent from their work aboardship (SN1 Zubiri, SN2 Deocampo, SN3 Gomez and SN3 Aviles).

b) Submitting (a) list of ship's complement who were aboard the RPS ATYIMBA during the navigation from General Santos City to Manila which included names of personnel who were not actually present aboard subject vessel during the voyage (SN1 Zubiri, SN3 Gomez and SN3 Aviles).

c) Submission of falsified Attendance Report of Officers and Men of RPS ATYIMBA for [the] period 16-31 December 1997 which included personnel who were actually absent aboardship during the said period (SN1 Zubiri, SN3 Gomez and SN3 Aviles).

d) During the investigation Lcdr. Adriano had shown the intent to hide or cover up the violations he had committed as Commanding Officer of the vessel by saying that he delegated to his Executive Officer and other junior officers the authority and responsibility regarding the supervision of [the] ship's personnel and other administrative matters that is why he was not aware of what was happening aboardship. But it is apparent from knowledge that being the Commanding Officer



PJEE Hologram #18521



he should always be aware of what is happening aboard the vessel at all times.

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6. RECOMMENDATIONS:

Based on the findings and analysis, the Board respectfully submit[s] the following recommendations:

6.1 Recommended Penalties for Lcdr. Armando G. Adriano.

6.1.1 For Lcdr. Armando G. Adriano being Commanding Officer of a survey vessel to whom the administration and management of the ship and her complement as well as implementation of office policies aboardship are entrusted, found guilty of multiple abuse of authority, and is punishable by relegation in rank in the Lineal List of Commissioned Officers and to be placed at the bottom of the ranking of officers with the current rank of subject officer. Furthermore, Lcdr. Adriano was found by the Summary Board guilty of dishonesty which fall[s] under intentional misconduct and punishable by discharge from the service under the provisions of existing rules and regulations governing the Commissioned Service ... The Board finds the case of Lcdr. Adriano as very detrimental to the discipline, honor and integrity in (sic) the uniformed service, hence subject officer is recommended for dismissal from the commissioned service pursuant to the aforesaid rules and regulations effective upon approval of this recommendation. (Emphasis added).

Unfortunately, the above findings notwithstanding, the administrative penalty against respondent remained unimplemented. In fact, among those found guilty, respondent alone remained unpunished.

Thus, on January 4, 1999, Commodore Feir, acting as resident ombudsman for NAMRIA, indorsed the entire records of the case to the Office of the Ombudsman, for appropriate action, including the filing of criminal complaints, if warranted under the circumstances.

After due investigation, the Office of the Ombudsman rendered its resolution dated December 14, 1999, recommending the filing of criminal charges against respondent, one (1) other commissioned officer, and four (4) enlisted personnel for violation of Sec. 3 (e), Republic Act (RA) No. 3019. In addition, the Office of the Ombudsman requested the Administrator of NAMRIA to forthwith implement the



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proper administrative penalty against respondent, as previously recommended by the Summary Board.

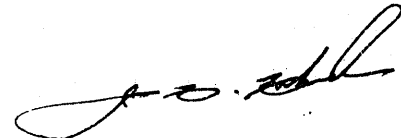
Presently, the Secretary of Environment and Natural Resources indorses to this Office the foregoing resolution of the Office of the Ombudsman, for proper implementation of the administrative penalty against respondent, as previously recommended by the NAMRIA's Summary Board.

After a careful review of the records of the case, it is evident that respondent's guilt of the charges leveled against him is well supported by evidence on record. As found by the NAMRIA Summary Board, and confirmed by the Office of the Ombudsman, respondent is utterly unworthy to remain in the commissioned service. Thus, I find the penalty of dismissal more than appropriate under the circumstances.

WHEREFORE, in view of the foregoing, and as recommended by the Secretary of Environment and Natural Resources in accordance with RA 5976, respondent Armando G. Adriano, Lieutenant-Commander, Coast and Geodetic Survey Department, National Mapping and Resource Information Authority, is hereby dishonorably discharged from the commissioned service with forfeiture of all benefits, effective from finality of this Order.

SO ORDERED. JUN 26 2000

Manila, Philippines,



By the President:



RONALDO B. ZAMORA
Executive Secretary

