

REPUBLIC OF THE PHILIPPINES
ORMOC CITY

Office of the Municipal Board

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY
THE MUNICIPAL BOARD OF ORMOC CITY, PHILIPPINES, IN ITS
SESSION HALL ON JANUARY 12, 1952

PRESENT:

Hon. Marcelo D. Bandalan.....Presiding Officer
Hon. Iñaki Larrazabal.....City Councilor
" Victorino C. Teleron....."
" Guillermo T. Parrilla....."
" Esteban C. Conejos....."
" Jorge S. Tan....."
" Usualdo F. Laguitan....."
" Teotimo Ocubillo....."
" Alvaro I. Gutierrez....."

ABSENT:

His Honor, Lucilo A. Conui....City Mayor

RESOLUTION NO. 25

WHEREAS, Councilor Teotimo Ocubillo informed the Honorable Body that the finances of the City Government of Ormoc City is facing a deficit of around P33,000.00 for the fiscal year 1951-1952 due to the decrease of the Internal Revenue Allotment;

WHEREAS, in order to lessen the probable deficit that the city Government is facing, it is necessary to revert the appropriation for the salary of the Assistant City Attorney of Ormoc City, provided for in the Annual Fund Budget of Ormoc City for the fiscal year 1951-1952, to the General Fund;

WHEREAS, the position of the Assistant City Attorney in Ormoc City is at present non-essential as Ormoc City has no permanent sala of the Court of First Instance;

THEREFORE, the Board, on motion of Councilor Teotimo Ocubillo, seconded by Councilor Victorino C. Teleron;

BE IT RESOLVED, as is hereby resolved to revert the appropriation for the salary of the Assistant City Attorney of Ormoc City, as provided in the Annual Fund Budget of Ormoc City for the fiscal year 1951-1952, to the General Fund of Ormoc City;

RESOLVED FINALLY, to furnish copy of this resolution each to the Hon. Executive Secretary, Malacañan Palace, Manila; the Hon. Secretary of Finance, Manila; the City Mayor, Ormoc City; City Treasurer, Ormoc City; City Auditor, Ormoc City and the City Attorney, Ormoc City.

CARRIED.

I HEREBY CERTIFY to the correctness of the above
quoted resolution.

[Signature]
FELIPE T. CAPUYAN
Actg. Secretary

APPROVED AS TO PROCEEDINGS:

MARCELO D. BANDALAN
Vice-Mayor
Presiding Officer

(over)

Jan. 1952
(Resolution No.25 Cont'd)

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COPY FURNISHED:

The Hon. Executive Secretary, Malacañan Palace, Manila
The Hon. Secretary of Finance, Manila
The Hon. City Mayor, Ormoc City
The City Treasurer, Ormoc City
The City Auditor, Ormoc City
The City Attorney, Ormoc City

[Signature] 1/24/52

ATTESTED AS TO PROCEEDINGS:

TEOFILO C. MALINAO
Adtg. Secretary to the City Mayor

7/ftc

DEMO COPY

Republic of the Philippines
ORMOC CITY
Office of the City Mayor



VETO OF RESOLUTION NO. 25, CURRENT SERIES,
OF THE HONORABLE MUNICIPAL BOARD, OR-
MOC CITY, PURSUANT TO REPUBLIC
ACT NO. 179
○-----○

By virtue of the powers vested in me by Art. 3, Sec. 14, of Rep. Act No. 179, otherwise known as the Charter of Ormoc City, the undersigned hereby vetoes Res. No. 25, of the Honorable Municipal Board, Ormoc City, with the grounds hereunder enumerated:

- (a.- Like most department heads in the City Government of Ormoc, the Assistant City Attorney is appointed by the President with the consent of the Commission on Appointments and holds his office at the pleasure of the President with an annual compensation of P2,400, as expressly provided for in Rep. Act No. 179, as amended by Rep. Act No. 429, and as such, the Assistant City Attorney or his office could not be deprived of the appropriation accruing to his compensation not unless there be some warranted congressional action or presidential power that would justify the abolition, as the reversion of said appropriation is tantamount to the abolition of the same;
- (b.- Granting without in the least admitting, that the reversion of the appropriation of said office for the convenience of the purposes stated in said Resolution is justified, yet the subject official, by constitutional mandate, shall continue to serve and perform his duties, and to revert the appropriation for said position, as intended in said Resolution, it would not only seem capricious and whimsical but also illegal as it would amount to removal from office without cause of the incumbent official;
- (c.- The position of the Assistant City Attorney is highly essential in this City. As could be verified in the records of the Office of the City Attorney, there were plenty of cases handled by said office last year and equally true to date. To run this government for the good and benefit of the people in the administration of justice is the primary concern of the state. Therefore to revert the funds appropriated to said position would be prejudicial and seriously detrimental to public service;
- (d.- The Amendment of the Charter of Ormoc City creating the position of the Assistant City Attorney is a congressional act which was enacted thru the efforts of the Honorable Congressman Domingo Veloso and the same position was created by virtue of a Resolution of the previous Municipal Board which was mostly composed of Liberals. To revert the fund appropriated for said position on the flimsy ground of "probable" deficit is not only untenable but a positive act of political persecution considering that the present Municipal Board is composed of Nacionalistas.

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Office of the City Mayor



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(Veto of Res. No. 25 - continued)

Done In the City Hall, Ormoc City, on this 23rd day of
January, In the Year of Our Lord, Nineteen Hundred and Fifty-Two.


MARCELINO D. BANDALAN
Vice-Mayor & Acting City Mayor

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