

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 JULY 12, 1952

PRESENT:

His Honor, Lucilo A. Conui	Presiding Officer
Hon. Marcelo D. Bandalan	Vice Mayor
Hon. Eraldi Larragabal	City Councilor
Hon. Victorino C. Teleron	" "
Hon. Guillermo T. Parrilla	" "
Hon. Esteban C. Conejos	" "
Hon. Jorge S. Tan	" "
Hon. Teotimo Ocubillo	" "
Hon. Usualdo Laguitan	" "
Hon. Alvaro I. Gutierrez	" "

ABSENT:

None

RESOLUTION NO. 108

WHEREAS, the old teachers in the city schools are ranked according to seniority;

WHEREAS, the new applicants are tested and their scores are on records of the Division Superintendent of Leyte;

WHEREAS, there are sufficient applicants from the City of Ormoc who are duly qualified; and

WHEREAS, this body desires to raise the efficiency of the teaching force of the city and the educational standards of our school children;

NOW THEREFORE, the Board, on motion of Councilor Usualdo F. Laguitan seconded by Councilor Guillermo T. Parrilla;

BE IT RESOLVED, as is hereby resolved, to request the Division Superintendent of Schools, Tacloban, Leyte that teachers in the service be assigned according to seniority; that new applicants be taken in according to the service according to scores without any consideration to party affiliations of their families;

BE IT RESOLVED FURTHER, that preference be given to applicants who are residents of the City of Ormoc over applicants who are residents from outside;

RESOLVED FURTHERMORE, to petition the division Superintendent of Schools for Leyte efforts should be made by him such that politics should not be allowed to interfere in the operation of the city schools;

RESOLVED FINALLY, to furnish copy of this resolution each to the Division Superintendent of Schools, Tacloban, Leyte; the City Mayor, Ormoc City; City Treasurer, Ormoc City; City Auditor, Ormoc City; Mr. Camilo Rosello, Actg. City Supt. of Schools for Ormoc City; and to Mr. Felix de Veyra, District Supervisor, Dist. II, Ormoc City.

CARRIED UNANIMOUSLY.

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

APPROVED:

LUCILO A. CONUI
Presiding Officer
City Mayor

ATTESTED:

PELAGIO P. CODILLA
Secretary to the City Mayor

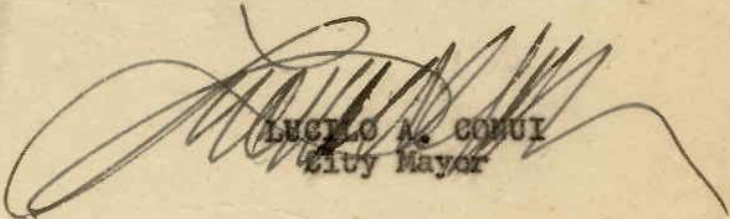
RAMON BANTASAN
Secretary

VETO OF RESOLUTION NO. 108, CURRENT
SERIES, OF THE HONORABLE MUNICIPAL
BOARD, ORMOG CITY, PURSUANT
TO ART. III, SEC. 14, OF
REPUBLIC ACT 179
- - -

The undersigned, by virtue of Art. 3, Sec. 14, of Republic Act No. 179, otherwise known as the Charter of Ormoc City, hereby vetoes Res. No. 108, current series, of the Honorable Municipal Board, Ormoc City, on the grounds following:

- 1.- It is illegal and beyond the power of the Honorable Municipal Board to legislate by means of a resolution what is considered to be an administrative function of the Bureau of Public Schools and the Division Superintendent of Schools. The setting up of standard or fixed rules in receiving applicants for teaching positions and assignment of teachers is exclusively vested in the Department of Public Instruction and its subdivisions. In the case of CASTRO versus DE CASTRO, the Court of Appeals did not disturb the findings of an official of the Bureau of Public Schools unless there is wanton abuse of his administrative function. The resolution, in its body, never alleges that there was such abuse and therefore the justification of passing that resolution;
- 2.- If the resolution conforms with the rules and regulations of the Department of Public Instruction or the Bureau of Public Schools, then it is superfluous, as there is no need of passing such resolution. On the other hand, if it contradicts, alters, or modifies the set of rules and regulations then it has no effect, whatsoever, as stated in the 1st paragraph of this veto and, further, because the rejection or acceptance of an applicant for a teaching position is exclusively a function of the said Department and said rules and regulations are the results of mature study of technical men in the said department.

Done In the City Hall, Ormoc City, on this 22nd day of July, Nineteen Hundred and Fifty-Two, in the Year of Our Lord.


LUCIO A. COMUI
City Mayor