



Republic of the Philippines  
PROVINCE OF PANGASINAN  
Lingayen  
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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

# CERTIFICATION

**TO WHOM IT MAY CONCERN:**

*THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on August 23, 2021 at Lingayen, Pangasinan, the following provincial resolution was approved:*

Authored by SP Member Noel C. Bince

**PROVINCIAL RESOLUTION NO. 719-2021**

**APPROVING AND ADOPTING AS ITS DECISION EN BANC, THE RECOMMENDATION OF THE COMMITTEE ON GOOD GOVERNMENT AND ACCOUNTABILITY OF PUBLIC OFFICERS, JUSTICE AND HUMAN RIGHTS IN SP ADMINISTRATIVE CASE NO. 05-2020**

**WHEREAS**, the Sangguniang Panlalawigan was in receipt of a Memorandum of Appeal filed on July 29, 2020 by Punong Barangay Diosdado Mejia against the Decision of the Sangguniang Bayan of San Nicolas, Pangasinan;

**WHEREAS**, the said case was referred to the Committee on Good Government and Accountability of Public Officers, Justice and Human Rights and was docketed as SP Administrative Case No. 05-2020;

**WHEREAS**, after several hearings, careful review and study on the said case, the Committee on Good Government and Accountability of Public Officers, Justice and Human Rights submitted its Recommendation which was adopted as Committee Report No. 39-2021 by the Sangguniang Panlalawigan, to wit;

**RECOMMENDATION**

*Subject of this recommendation is the Appeal posited by Punong Barangay Diosdado M. Mejia of Barangay Cabitnongan, San Nicolas, Pangasinan against the Decision of the Sangguniang Bayan of San Nicolas, Pangasinan, the dispositive portion of which reads;*

*“WHEREFORE, premises considered, the Sangguniang Bayan, acting as a quasi-judicial body, finds respondent Punong Barangay DIOSDADO M. MEJIA of Barangay Cabitnongan, San Nicolas, Pangasinan administratively liable for GRAVE MISCONDUCT, GRAVE ABUSE OF AUTHORITY and*





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*OPPRESSION under Section 60 (c and d) of the Local Government Code of 1991 and hereby meted the penalty of six (6) MONTHS SUSPENSION from office.*

*SO ORDERED.*

*In his Appeal Brief Respondent Appellant articulated that the Office of the Sangguniang Bayan of San Nicolas gravely erred in ruling that respondent-appellant Mejia is administratively liable for Grave Misconduct, Grave Abuse of Authority and Oppression.*

*He claims that he did not utter any threatening remarks against the complainant-appellees.*

*In support of his contention, he submitted a Decision of the Honorable Judge Rusty M. Naya of Branch 51 Regional Trial Court of Tayug, Pangasinan acquitting the respondent-appellant Mejia because there is no evidence that respondent-appellant threatened and/or intimidated complainant and his companions.*

*Furthermore, respondent-appellant argued that he did not act in bad faith in the commission of the alleged incident.*

*He then prayed that the Decision dated March 6, 2020 of the Sangguniang Bayan of San Nicolas BE REVERSED and SET ASIDE.*

*On the other hand, Complainants-Appellees ARGIE B. ONIDO, et al, defended the Decision of the Sangguniang Bayan of San Nicolas insisting that said SB-San Nicolas did not err in its findings that respondent-appellant is administratively liable of Grave Misconduct, Grave Abuse of Authority and Oppression articulating, in the process, that:*

- 1. Threat and Intimidation exist*
- 2. Quantum of Evidence required in Criminal and Administrative Cases Differ.*
- 3. The Acts of the Respondent-Appellant were clearly driven with corrupt intention.*
- 4. The findings of the Sangguniang Bayan are supported by Substantial Evidence*

**RULING**

*After a meticulous analysis and in depth evaluation of the contentions of both parties, this committee is inclined to favor the version of the Complainants-Appellees. Several factors are considered in arriving to this ruling, to wit;*

- 1. THE QUANTUM OF EVIDENCE NECESSARY TO CONVICT THE ACCUSED IN A CRIMINAL CASES, WHICH IS PROOF BEYOND REASONABLE DOUBT, IS DIFFERENT FROM SUBSTANTIAL EVIDENCE REQUIRES IN ADMINISTRATIVE HEARING.*