



Republic of the Philippines
PROVINCE OF NEGROS OCCIDENTAL
Old Capitol Building, Bacolod City
Tel. No. 707-8075 (Admin) * 435-7698 (Board Member) * 709-0121 (Legislative Division)
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF NEGROS OCCIDENTAL HELD IN THE CITY OF BACOLOD ON THE 13TH DAY OF JANUARY, 2026

PRESENT:

Hon. Jose Benito A. Alonso	Vice-Governor/Presiding Officer
Hon. Laurence Marxlen J. de la Cruz	Member - 1 st District
Hon. Araceli T. Somosa	Member - 1 st District
Hon. Arthur Christopher D. Marañon	Member - 2 nd District
Hon. Hope Marey B. Depasucat	Member - 3 rd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Nicholas M. Yulo	Member - 4 th District
Hon. Hadji P. Trojillo	Member - 5 th District
Hon. Genaro G. Alvarez, IV	Member - 6 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Richard Julius L. Sablan	Member - ABC Rep.

ON OFFICIAL BUSINESS:

Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Patricia Paula M. Alonso-Valderrama	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Mayvelyn L. Madrid	Member - SKF Rep.

ABSENT (On Leave):

Hon. Julius Martin D. Asistio	Member - PCL Rep.
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RESOLUTION NO. 0105
Series of 2026

RESOLUTION GRANTING THE MOTION FOR RECONSIDERATION OF KAGAWAD ERIC A. ESCALA RELATIVE TO SP ADMINISTRATIVE CASE NO. 2025-005 AC, ENTITLED: KAGAWAD ERIC A. ESCALA, COMPLAINANT-APPELLEE VS. PUNONG BARANGAY NESTOR E. GARCIA, ET AL., RESPONDENTS-APPELLANTS, AND AFFIRMING THE DECISION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF SAGAY, THEREBY SETTING ASIDE SP RESOLUTION NO. 1259, SERIES OF 2025

WHEREAS, the Sangguniang Panlalawigan of Negros Occidental, acting as an appellate quasi-judicial body, has received a Motion for Reconsideration filed by Kagawad Eric A. Escala, Complainant-Appellee, through the Public Attorney's Office of the City of Cadiz, in relation to the Sangguniang Panlalawigan Resolution No. 1259, Series of 2025, which modified the penalty imposed by the Sangguniang Panlungsod of the City of Sagay by converting the unserved portion of a suspension into a fine equivalent to three (3) months' salary;

WHEREAS, the Complainant-Appellee argued that the modification is contrary to law and established administrative discipline, particularly where the offense involves abuse of official authority;

WHEREAS, Section 52(c) of Resolution No. 250037 of the Civil Service Commission states that the penalty of suspension shall not be converted into a fine where the offense was committed in the exercise or abuse of official authority;



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WHEREAS, the conversion of suspension into a fine directly contravenes both administrative rules and jurisprudential doctrine, as in the case of Civil Service Commission v. Lucas, G.R. No. 191440 (15 April 2013), the Supreme Court ruled: *"The Payment of a fine in lieu of suspension is not a matter of right. It is allowed only when expressly authorized by law or rules, and never when the offense involves grave misconduct or abuse of authority."* and in Office of the Ombudsman v. De Chavez, G.R. No. 176871 (09 October 2013), the Court stressed that: *"Administrative penalties are imposed not merely to punish erring officials but to maintain the integrity of public service. Allowing offenders to simply pay a fine trivializes accountability.";*

WHEREAS, in Paredes vs. Civil Service Commission, G.R. No. 196807 (06 April 2016) the Supreme Court held that: *"Administrative convenience or continuity of service cannot override explicit prohibitions on the imposition of execution of penalties."*, thus, the lawful mechanisms provided by the executive branch negate any justification for commuting the suspension;

WHEREAS, upon re-examination, the Sangguniang Panlalawigan, as an appellate quasi-judicial body, finds that affirming the original suspension restores, not supplants, the lawful judgment of the Sangguniang Panlungsod and aligns the disposition with governing law, as in the case of Lapid v. Court of Appeals, G.R. No. 142261 (26 June 2000), the Supreme Court ruled that: *"An appellate authority in administrative proceedings is not a mere rubber stamp; it has the authority-and the obligation-to correct errors of judgment, including those relating to penalties.";*

WHEREAS, allowing public officials found guilty of grave offenses to evade actual suspension by paying a fine foster a culture of impunity, where accountability becomes negotiable, as the Supreme Court cautioned in Villaseñor v. Sandiganbaya, G.R. No. 180700 (04 March 2009): *"Sanctions in administrative cases must be real and felt; otherwise, they lose their deterrent value and undermine public confidence in government institutions.";*

NOW, THEREFORE, on motion of Hon. Laurence Marxlen J. de la Cruz and seconded by all the members present except Hon. Arthur Christopher D. Marañon who inhibited on the said case,

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to grant the Motion for Reconsideration of Kagawad Eric A. Escala relative to SP Administrative Case no. 2025-005 AC, entitled: Kagawad Eric A. Escala, Complainant-Appellee vs. Punong Barangay Nestor E. Garcia, et al., Respondents-Appellants, and affirming the decision of the Sangguniang Panlungsod of the City of Sagay, thereby setting aside SP Resolution No. 1259, Series of 2025.

ADOPTED UNANIMOUSLY.



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This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. JOSE BENITO A. ALONSO
Vice-Governor/Presiding Officer

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary