



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

PRESIDING JUDGE JUAN
GABRIEL HIZON ALANO,
MARY ANNABELLE A.
KATIPUNAN, SUZEE WONG
JAMOTILLO, ANALIE DEL RIO
BALITUNG, EDWINO JAYSON
OLIVEROS AND ROBERTO
BABAO DOÑO,

Complainants,

- versus -

A.M. No. P-11-3020

(Formerly OCA I.P.I. No. 10-3525-P)

Present:

SERENO, *CJ.*,
Chairperson,
LEONARDO-DE CASTRO,
BERSAMIN,
VILLARAMA, and
REYES, *JJ.*

PADMA LATIP SAHI, COURT
INTERPRETER I, MUNICIPAL
CIRCUIT TRIAL COURT
(MCTC), MALUSO, BASILAN.

Respondent.

Promulgated:

JUN 25 2014

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DECISION

LEONARDO-DE CASTRO, *J.*:

The present administrative matter arose from a Verified Complaint¹ for Gross Inefficiency, Gross Insubordination, and for being Notoriously Undesirable, filed by complainants Presiding Judge Juan Gabriel Hizon Alano (Judge Alano), Mary Annabelle A. Katipunan (Katipunan), Suzee Wong Jamotillo (Jamotillo), Analie Del Rio Balitung (Balitung), Edwino Jayson Oliveros (Oliveros), and Roberto Babao Doño (Doño), of the 2nd Municipal Circuit Trial Court (MCTC), Maluso, Basilan, against respondent Padma Latip Sahi (Sahi), Court Interpreter I, of the same court.

The Office of the Court Administrator (OCA) summarized the complainants' charges against respondent Sahi, thus:

¹ Rollo, pp. 1-11.

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Complainant Judge Alano claims that when he assumed office as presiding judge of the 2nd MCTC, Maluso, Basilan on 18 February 2004, he immediately met with the staff of the said court regarding ethical and work related standards. He even made sure that each of the staff members knows his or her job description well, with emphasis on respondent Sahi, since he learned that the latter is not performing her job to prepare minutes of proceedings, calendar and keep records of calendared cases. From then on, complainant Judge Alano noticed that respondent Sahi has been grossly inefficient in performing her duties and such issue was even raised during their Judicial Service Team Meetings.

Complainant Judge Alano alleges that from the day he resumed office, respondent Sahi never prepared any court calendar or minutes. He further alleges that respondent Sahi does not know how to speak the Yakan and Visayan dialects, which is necessary for her position. Also, complainant Judge Hizon gathered that even prior to 2004, it was Mary Annabelle A. Katipunan (one of the complainants) who prepared the minutes of proceedings, calendar of cases and kept records of the same. Respondent Sahi also abused her position when she required one of the complainants, Suzee Wong Jamotillo, Court Stenographer I, to fill up her Income Tax Return to include names of children that are not her own. She also required complainant Analie Del Rio Balitung to prepare a promissory note in favor of a party litigant in an election protest before another court.

Complainant Judge Alano claims that in all cases he heard since 2004, he was the one who would usually interpret the testimonies of the witnesses into English, to avoid inconvenience and delay in the proceedings. He also claims that respondent Sahi's performance deteriorated to a point bordering to recklessness, resulting in her consecutive unsatisfactory ratings for the first and second semesters of 2008.

Furthermore, complainant Judge Alano asserts that when respondent Sahi was assigned in the Office of the Clerk of Court, Regional Trial Court, Basilan Province, her stay was no longer extended and she was directed by the Court to return to her official position at the 2nd MCTC, S[u]misip-Maluso-Lantawan, Basilan in A.M. No. 08-12350-MCTC dated March 2010. Complainant Judge Alano also asserts that from the time that respondent Sahi reported back to office, she was not in the office for more than a month and worse, her Daily Time Records from August 2009 to May 2010 bore no signature of those authorized to sign the same.

On 28 July 2009, complainant Judge Alano claims that respondent Sahi again received an unsatisfactory rating due to her poor performance and unjustified failure to perform her duties. Even worse, the very next day, after respondent Sahi received her Notice of Unsatisfactory Rating, complainant Judge Alano again called her attention due to her inexcusable errors in formatting and grammar.

On 16 September 2010, respondent Sahi calendared only one case. In the morning of the same day, a representative from the Provincial Prosecutors' Office approached complainant Katipunan regarding the cases that are calendared on that day, since respondent Sahi failed to post a

copy outside the courtroom. Consequently, at around 1:00 o'clock of the same day, respondent Sahi failed to call the case for hearing, as she was not around. However, the court's logbook shows that she was present at that time. Because of respondent Sahi's inefficiency and stubborn refusal to perform her duties, complainant Judge Alano decided to relieve her of her duties and designated complainants Jamotillo and Balitung as acting court interpreters.

As to the allegations that respondent Sahi's action is notoriously undesirable, complainants claim that the latter even tried to implicate them when she was sued for extortion in A.M. No. 08-29960-P. They also claim that respondent Sahi always acted with indifference and aloofness towards them and other court staff in and out of the office. Moreover, complainants assert that respondent Sahi would always manipulate her officemates to do her job and falsely implicate those who would do otherwise. They also assert that respondent Sahi's superiority complex and condescension, brought about by her being a senior employee coupled by her ominous hypocrisy, has earned her the reputation of being notoriously undesirable.²

In her Comment³ dated July 11, 2011, respondent Sahi vehemently denied the charges against her and asserted that the allegations in the Verified Complaint are maliciously concocted lies which are just part of complainant Judge Alano's scheme to get back at her for earlier filing a complaint for grave abuse of authority against said Judge. Respondent Sahi contended that in just a short period of time from complainant Judge Alano's assumption as presiding judge of the 2nd MCTC for Sumisip, Maluso and Lantawan, Basilan, the latter already ousted three court personnel from the service, including former Clerk of Court Akil Pawaki, who, said Judge pressured to retire. She also refuted complainant Judge Alano's charge that she does not know how to speak the Yakan and Visayan dialects, calling attention to the fact that she had been a court interpreter for years and had served several judges without any complaint of such nature. Respondent Sahi further averred that she did not expect a good performance rating from complainant Judge Alano since the said Judge already disliked her from the very beginning. She insisted that she should not be held solely liable for the clerical errors pointed out by complainant Judge Alano because when she approached said Judge, he ignored her, and even worse, at one time, he placed his clutch bag on top of his table and pulled out his gun. Lastly, respondent Sahi alleged that because of the unfair treatment she received from complainant Judge Alano, she suffered a stroke, leaving her with no choice but to resign from the service. Hence, she argued that the administrative complaint against her was already moot and academic and should be dismissed.

In its Report dated September 20, 2011, the OCA recommended that:

² Id. at 80-82.

³ Id. at 77-79.

1. The instant administrative complaint against Padma Latip Sahi, Court Interpreter I, Municipal Circuit Trial Court, Maluso, Basilan be **RE-DOCKETED** as a regular administrative matter; and
2. Respondent Sahi be held **GUILTY** for Inefficiency and Incompetence in the Performance of Official Duties and be meted the penalty of fine equivalent to her two (2) months salary, to be paid within thirty (30) days from receipt of notice.⁴

In a Resolution⁵ dated November 28, 2011, the Court re-docketed the instant administrative complaint against respondent Sahi as a regular administrative matter and required the parties to manifest if they were willing to submit the case for resolution on the basis of the records/pleadings filed within 10 days from notice. Only complainants submitted their Manifestation dated February 16, 2012.⁶ Respondent Sahi's failure to file the required manifestation despite notice was deemed a waiver of her right to do so. Resultantly, the Court considered the case submitted for resolution.

The Court agrees with the findings of the OCA that respondent Sahi is administratively liable for inefficiency and incompetence in the performance of official duties.

The charge that respondent Sahi was remiss in her duties as court interpreter has been duly proven. Not only do the complainants corroborate one another, but the documentary evidence supports the charge.

In A.M. No. 08-12-350-MCTC dated March 10, 2010, respondent Sahi was directed to report back to her official station at the 2nd MCTC Sumipsip-Maluso-Lantawan, Basilan, after her detail at the Office of the Clerk of Court of the Regional Trial Court, Basilan Province, had already ended. Yet, respondent Sahi actually reported back to her official station only on May 18, 2010. Respondent Sahi did not give an explanation as to where she had been reporting for work during the interval. Her Daily Time Records from August 2009 to May 2010 were not signed by authorized persons.

The calendar of cases actually prepared by respondent Sahi for July 29, 2010 is just one example of her carelessness and inattention to details. The calendar contained several errors (*i.e.*, wrong name of accused and putting two different criminal cases under one heading even though said cases have not been consolidated) which may not only cause the court and the parties confusion and unjustified delays, but may also make the court appear inefficient in the eyes of the public. There is no showing that respondent Sahi eventually corrected the errors despite being instructed to do so by complainant Judge Alano.

⁴ Id. at 84.

⁵ Id. at 85.

⁶ Id. at 88-89.

There was also respondent Sahi's failure to prepare a calendar of cases for September 16, 2010. A representative of the Office of the Provincial Prosecutor approached complainant Katipunan about the hearing schedule as no calendar of cases was posted outside the courtroom. At 1:00 p.m., respondent Sahi was not around to call the lone case scheduled to be heard that day, although the court's registry book showed that she logged in at 1:00 p.m. Fed up with respondent Sahi, complainant Judge Alano already assigned her work to other court employees.

The foregoing incidents demonstrate respondent Sahi's indifference to her work and lack of effort to improve despite already receiving unsatisfactory performance ratings for the first and second semesters of 2008.

Respondent Sahi's general denial carries little weight. As the preceding paragraphs will show, there are specific charges against her, supported by documentary evidence, which she had the opportunity to directly address and explain, but she merely glossed over. Her allegations that complainant Judge Alano was merely retaliating against her after she filed an administrative case against him; that the other complainants are mere stooges, subservient to complainant Judge Alano; that Judge Alano had been pressuring employees to leave the court; and that complainant Judge Alano gave her unsatisfactory performance rating because he did not like her from the very beginning, are all uncorroborated and self-serving.

In contrast, complainants have adequately shown that respondent Sahi's unsatisfactory performance ratings were warranted in view of the error-filled output she had consistently produced and her indifferent attitude towards her work. While it is true that respondent Sahi is merely human and may commit mistakes, there is simply no excuse for making the same mistakes repeatedly despite her superior constantly calling her attention to correct them.⁷ Granting that respondent Sahi was not good at using computers in the beginning, she should have taken steps to learn and hone her computer skills which were essential to her work.

As the Court pronounced in *Judge Domingo-Regala v. Sultan*⁸:

[N]o other office in the government service exacts a greater demand for moral righteousness and uprightness from an employee than the judiciary. The conduct and behavior of everyone connected with an office charged with the dispensation of justice, from the presiding judge to the lowliest clerk, must always be beyond reproach and must be circumscribed with the heavy burden of responsibility. Public officers must be accountable to the people at all times and serve them with the utmost degree of responsibility and efficiency. Any act which falls short of the exacting standards for public office, especially on the part of those expected to preserve the image of the judiciary, shall not be countenanced. It is the

⁷ *Judge Marquez v. Pacariem*, 589 Phil. 72, 84 (2008).

⁸ 492 Phil. 482, 490-491 (2005).

imperative and sacred duty of each and everyone in the court to maintain its good name and standing as a true temple of justice. (Citations omitted.)

The Court further reminded court employees in *Rodrigo-Ebron v. Adolfo*,⁹ that as public officers, they are bound to discharge their duties with care, caution, and attention which prudent men usually exercise in the management of their affairs; and that the image of a court of justice is mirrored in the conduct, official or otherwise, of the men and women who work in the judiciary, from the judge to the lowest of its personnel.

Respondent Sahi's actuations fell short of these exacting standards for court personnel.

During the pendency of the present administrative matter, respondent Sahi suffered a stroke and resigned from office in January 2011. Her claim for separation benefits and accrued leave credits though cannot be processed and released for lack of requirements. Nonetheless, respondent Sahi's resignation does not render this case moot. Resignation is not a way out to evade administrative liability when a court employee is facing administrative sanction.¹⁰

Section 46(B)(4) of the Revised Rules on Administrative Cases in the Civil Service (RRACCS) classifies inefficiency and incompetence in the performance of official duties as a grave offense and punishable by suspension ranging from 6 months and 1 day to 1 year, for the first offense, and dismissal for the second offense. At the same time, Section 48 of the RRACCS allows the Court to consider aggravating and mitigating circumstances in the determination of the penalty to be imposed on the erring public employee.

The Court takes into account the following factors in determining the proper penalty to be imposed against respondent Sahi: (a) respondent Sahi can no longer be suspended because of her resignation; (b) respondent Sahi's poor health condition as of the moment; and (c) the delay in the processing of respondent Sahi's separation benefits claim because of her failure to complete the requirements. Consequently, the Court metes out upon respondent Sahi the penalty of a fine equivalent to her salary for two months, which she is to pay the Court within 30 days from receipt of a copy of this Decision

WHEREFORE, respondent Padma Latip Sahi is found **GUILTY** of inefficiency and incompetence and is **FINED** an amount equivalent to her two months salary, to be paid to the Court within 30 days from receipt of a copy of this Decision.

⁹ 550 Phil. 449, 455-456 (2007).

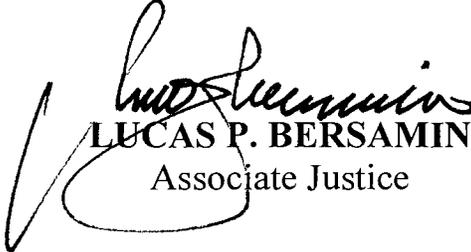
¹⁰ *Baquerfo v. Sanchez*, 495 Phil. 10, 16-17 (2005).

SO ORDERED.


TERESITA J. LEONARDO-DE CASTRO
Associate Justice

WE CONCUR:


MARIA LOURDES P. A. SERENO
Chief Justice
Chairperson


LUCAS P. BERSAMIN
Associate Justice


MARTIN S. VILLARAMA, JR.
Associate Justice


BIENVENIDO L. REYES
Associate Justice