

VISAYAS STATE COLLEGE OF AGRICULTURE
Baybay, Leyte

OFFICE OF THE PRESIDENT

June 9, 1995

MEMORANDUM NO. 72
Series of 1995

T O : All VISCA Employees

SUBJECT : ANONYMOUS OR FICTITIOUS COMPLAINT IN RELATION TO SECTION
12 OF RA 3019 OTHERWISE KNOWN AS THE ANTI-GRAFT AND
CORRUPT PRACTICES ACT

Quoted herewith is the Memorandum-Circular No. 11 dated May 29, 1995 signed by Francisco A. Villa, Acting Ombudsman from the Office of the Ombudsman, Ermita, Manila for information and guidance of all concerned:

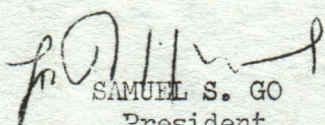
Memorandum Circular Nos. 1, 3, 4, 6 and 10 of this Office are modified.

As of May 22, 1995, this Office has ceased the docketing of unsigned (anonymous) or signed (fictitious) complaint as an Ombudsman case (OMB-O-OO-000). It is recorded and given a complaint number (CPL-000) and the same is subjected to evaluation, verification or investigation. It will be docketed as an Ombudsman Case should it be verified to be substantially true and well founded.

A certificate issued by the Clearance Section of this Office prior to the issuance of this Memorandum Circular certifying to the pendency of a criminal or administrative case with an anonymous or fictitious accuser as the complainant shall not be made a basis for the suspension or withholding of gratuity, terminal leave pay and other benefits of retiring and resigning public officials and employees in relation to Section 12 of RA 3019 otherwise known as the Anti-Graft and Corrupt Practices Act.

Relevant to this Memorandum Circular is Section 35 of RA 6770 otherwise known as the Ombudsman Act of 1989 which provides that "Malicious Prosecution. -- Any person who, actuated by malice or gross bad faith, files a completely unwarranted or false complaint against any government official or employee shall be subject, to a penalty of one (1) month and one (1) day, to six (6) months imprisonment and a fine not exceeding FIVE THOUSAND PESOS (P5,000.00)."

Please be guided accordingly.


SAMUEL S. GO
President

cc: All Dept./Office/Center
Vice President for Adm.
Administrative Officer V
Records
File