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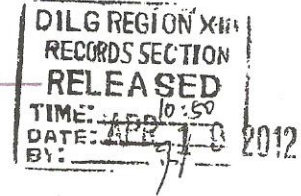


Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
REGION XIII (CARAGA REGION)
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April 17, 2012

DILG-13 OPINION NO. 14



MR. PABLO R. REALISTA
Barok-5, Barangay San Vicente
Butuan City

Thru: Mr. Romeo A. Solis
OIC-City Director
DILG, Butuan City

Dear Mr. Realista:

This refers to your letter requesting this office to take action against Mr. Menelio "Dodong" Galan, Punong Barangay of Barangay San Ignacio-15, Butuan City for non-performance of duty.

Please be informed that this Office has no jurisdiction over administrative complaint against elective barangay officials. A complaint against any elective barangay official may be filed before the Sangguniang Panlungsod of Butuan City [Sec. 31 (c), R.A. No. 7160] or with the Office of the Ombudsman [Sec. 21, R.A. No. 6770]. The disciplinary authority of the Ombudsman over the local elective officials is concurrent with the disciplining authority of the sangguniang panlungsod under Section 31 of the Local Government Code. Whichever first acquired jurisdiction shall exclude the other [Hagad vs. Gozo-Dadole, G.R. No. 108072, January 12, 1995]. However, the sangguniang panlungsod has no authority to dismiss the respondent elective barangay official.

We hope to have clarified you on this matter.

Very truly yours,

LILIBETH A. TAMACION, CESO IV
OIC-Regional Director



[Handwritten signature]