



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
REGION XIII (CARAGA REGION)
1559 Matimco Bldg., Km.4, Libertad, Butuan City
Telefax. Nos. (085) 342-2134/815-1299
website:caraga.dilg.gov.ph; emailadd: dilgxiii@yahoo.com



DILG RO XIII
FILE

DILG - REGION XIII
APRIL 11, 2013
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DATE: APR 15 2013
TIME: 10:51 AM
BY: [Signature]

Hon. CRISTINA M. CAMBA
Municipal Vice Mayor
Hinatuan, Surigao del Sur

Dear Vice Mayor Camba:

This refers to the Sangguniang Bayan of Hinatuan, Surigao del Sur Resolution No. VC-076 approved on March 19, 2013 entitled "SEEKING OPINION FROM THE REGIONAL DIRECTOR, DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT (DILG), CARAGA REGION, WHETHER THE SANGGUNIANG BAYAN IS OBLIGED OR COMPELLED TO ADOPT RECOMMENDATION/S FROM THE SANGGUNIANG PANLALAWIGAN RELATIVE TO THE SUPPOSED ALLOCATION OF FUNDS FOR PUBLIC HEALTH WORKERS".

We wanted to yield to your request but we have to refrain from giving an opinion since a portion of the Resolution inform us that "a civil case was filed against the members of the Sanggunian by Health Personnel relative thereto and the same is under litigation and for resolution;". Our opinion may violate the *sub judice* rule.

While the main issue in the Resolution pertains to the extent of the review power of the sangguniang panlalawigan, we cannot avoid discussing the law on public health workers in relation to the allocation of funds as provided under the appropriation ordinance – also an issue pending in court. Thus, any discussion of ours may affect or influence the outcome of that pending case in court.

We hope to have clarified you on this matter.

Very truly yours,



LILIBETH A. FAMACION, CESO IV
OIG Regional Director,

cc: PD Pedrito P. Alacaba *UBC 129901577814*
DILG Surigao del Sur

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