

Republika ng Pilipinas
PAMBANSANG PANGASIWAAN NG PATUBIG
(National Irrigation Administration)
Gusaling APC, Quezon Memorial Circle
Diliman, Lungsod ng Quezon

MC # 44, s. 1971

MEMORANDUM CIRCULAR

TO : ALL CHIEFS OF DEPARTMENTS, STAFFS AND DIVISIONS;
REGIONAL, PROVINCIAL AND PROJECT IRRIGATION ENGI-
NEERS; IRRIGATION SUPERINTENDENTS AND/OR OFFICERS-
IN-CHARGE OF IRRIGATION SYSTEMS/OFFICES; PROJECT
MANAGERS, UPRP, NIA-UNDP GROUNDWATER DEVELOPMENT
PROJECT AND MACAT RIVER PROJECT FEASIBILITY STUDIES;
AND ALL OTHERS CONCERNED
National Irrigation Administration

SUBJECT : Memorandum Circular No. 493 dated August 13, 1971
from the Office of the President, Re: Enjoining
Observance by all concerned of certain Prohibited
Acts in connection with the coming Elections

Quoted hereunder for your information and guidance are pertinent portions of Memorandum Circular No. 493 from the Office of the President dated August 13, 1971, enjoining observance by all concerned of certain prohibited acts in connection with the coming elections:

"For the information and guidance of all concerned, the following provisions of pertinent laws in connection with the forth coming elections are hereby reproduced;

Civil Service Law (R.A. 2260) as amended by R.A. 6040

"Sec. 32. Disciplinary Action. - No officer or employee in the Civil Service shall be removed or suspended, except for cause as provided by law and after due process; Provided, That a transfer from one position to another without reduction in rank, or salary shall not be considered disciplinary when made in the interest of public service, in which case the employee concerned shall be informed of the reasons therefore. If the employee believes that there is no justification for the transfer, he may appeal his case to the Commission of Civil Service through the department head. Pending his appeal and the decision thereon, his transfer shall be held in abeyance; Provided, however, that no transfer or detail whatever shall be made within three months before any local or national election nor shall any detail last longer than three (3) months without the consent of the employee." (underscoring supplied.)

Republic Act No. 5979

"Sec. 9. Suspension of work-done by Administration before General Elections. - The provision of any existing law to the contrary notwithstanding, regardless of the source of funds, within forty-five days before every general or special election, no laborer shall be employed in, or money spent for, any public works project even if the appropriation is actually released before or within such period except for;

"a. Ordinary maintenance of existing and/or completed public work projects: Provided, That, not more than the usual laborers or employees already employed therein sixty days prior to the beginning of the forty-five day period shall be permitted to work during such time; Provided, further, That, no extra gang of laborers shall be employed within the said period of forty-five days;

"b. Work undertaken by contract through public bidding held or negotiated contract awarded, before the forty-five day period: Provided, that, work done for the purpose of this section undertaken under the so-called "takey" or "paquiao" system shall not be considered as work by contract; *paquiao*

"c. Payment for the usual cost of preparation of working drawings, specifications, bills of materials, estimates, and other procedures preparatory to actual construction including the purchase of materials and equipment, and all incidental expenses for wages of watchmen and other laborers employed for such work in the central offices and field storehouses before the beginning of such period: Provided, That, the number of such laborers shall not be increased over the number hired when the project or projects were commenced;

"d. Emergency work necessitated by the occurrence of a public calamity, but such work shall be limited to the restoration of the damaged facility.

"No payment should be made within five days before the day of election to laborers who rendered services in projects except those laborers falling under subsections a, b, c and of this section.

"Any violation of the foregoing provisions shall constitute a serious offense punishable under the provisions of the Revised Election Code."

All heads of departments, bureaus and offices and instrumentalities of the government including government-owned or controlled corporations are hereby enjoined to observe strictly the above provisions of laws.

By authority of the President:

(SGD.) ALEJANDRO MELCHOR
Executive Secretary

Manila, August 13, 1971
Bg/

MEMO CIRCULAR NO. 493

Strict compliance is hereby enjoined.

September 7, 1971


ALFREDO L. JUINIO
Administrator