

The time taken for an interview is not a matter for the Tribunal to probe into.

The Appellant is challenging the decision of the Respondent to appoint the Co-Respondents to the posts of MH in the Public Body.

Case of the Appellant

Appellant solemnly affirmed as to the correctness of the GOA. He did not submit any SOC.

The GOA are as follows:

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| “1. Experience | <i>30 years of ...</i> |
| 2. Qualifications | <i>Diploma in ...management
... Diploma IGNOU
International diploma in computer studies
BSc Management (with honours).</i> |
| 3. Management Skills: | <i>Employability skills – social media.
Employability skills – negotiation skills
Level 4 management at civil service college</i> |
| 4. Computer Literate: | <i>Certificate in computer programming
Diploma in Computer studies</i> |
| 5. Responsible person: | <i>A juryman at the supreme court for 4 times
An Auditor at ... (22 years)
Principle canvasser at ...
Controller Examiner at ...</i> |
| 6. Interview at PSC: | <i>Lasted 12 minutes.
Appraised by interviewer for being within
parameter in relevant field.</i> |
| 7. Marking for my interview by PSC: | <i>Scored allocated would be appreciated”. SIC</i> |

Under cross-examination, he agreed that the appointment exercise was by way of selection and that he was not disputing the qualifications of the Co-Respondents.

Case of Respondent

The representative of the Respondent solemnly affirmed as to the correctness of the Statement of Defence (SOD).

The Respondent averred that all information as disclosed by Appellant relating to qualifications and experience in his application form was duly considered by the selection panel.

Respondent further averred that interviews were carried out on the basis of the requirements of the scheme of service for the post and the criteria of the selection as determined by Respondent is in line with Regulation 17 of the Public Service Commission Regulations. Respondent maintained that seniority is not an overriding criterion in a selection exercise. Respondent moved that the appeal be set aside.

Under cross-examination, the Representative of the Respondent stated that markings are not communicated to candidates as these are confidential and privileged documents and can be available for the eyes of the Tribunal only.

Case of Co-Respondents

Co-Respondent No 5 solemnly affirmed as to the correctness of the SOD in favour of Co-Respondents Nos 1, 2, 4, 7-10, 13-17, 21, 25-30, 35-39, 41- 47, 49-56, 58-60, 62-67, 70-73 and 75 who were absent.

Co-Respondents Nos 3, 12, 18-20, 22, 23, 32, 34, 40, 68-69, 74 were abiding and were not present.

Co-Respondents Nos 6, 11, 24, 33, 57, 61 did not give any stand and were also absent on the day of Hearing.

In the SOD, the Co-Respondents denied all the averments of the Appellant and averred that he had failed to detect any reasonable ground for upsetting the decision of the Respondent and moved that the appeal be set aside.

Determination

The Tribunal has analysed the GOA of the Appellant and will deal with Ground 1, 2, 3 and 4 together.

Grounds 1, 2, 3 and 4

Grounds 1, 2, 3 and 4 refer to qualification, experience, skills and abilities as required by the Scheme of Service for the post of Head Master. The Appellant's qualifications and experience were not disputed. Respondent averred that it considered the qualifications, experience, skills and abilities as claimed by the Appellant in his application form of the Appellant. Grounds 1, 2, 3 and 4 have no merits.

Ground 5

Ground 5 relates to his appointment as Juryman on two occasions.

This ground had no relevance for the appointment exercise, having regard to the requirements as laid down in the Scheme of Service and the Tribunal cannot make any findings. Ground 5 fails.

Ground 6

The time taken for an interview is not a matter for the Tribunal to probe into. Respondent averred that all candidates were given sufficient time during the interview and the Commission has acted in accordance with the provisions of Regulations to determine the procedures and proceedings to interview candidates.

Ground 7

The Respondent informed Appellant during the hearing that candidates are not entitled to know their markings as markings are kept confidential. This is also not a proper ground for the Tribunal to deal with.

All the grounds of Appellant have failed, the appeal of the Appellant is set aside.