

****Title:**** Melanio N. Esquig vs. Civil Service Commission and Edna D. Ferrer

****Facts:**** This case revolves around the dispute over the appointment to the position of Records Officer IV at the National Land Titles and Deeds Registration Administration (NALTDRA) office in Lingayen, Pangasinan. Melanio N. Esquig, the petitioner, held the position of Land Registration Examiner at NALTDRA since 1984, while Edna D. Ferrer, the respondent, was a Senior Clerk in the same office. Both applied for the promotion to the vacant position of Records Officer IV in 1983. On October 27, 1987, the Secretary of Justice appointed Ferrer to the position.

Esquig sought reconsideration from the Secretary of Justice, which was denied. He then appealed to the Merit Systems Promotion Board (MSPB) of the Civil Service Commission (CSC). On January 18, 1989, MSPB decided in his favor. Ferrer filed for reconsideration, which MSPB denied on May 12, 1989. Ferrer then appealed to the CSC on June 8, 1989. The CSC ruled in favor of Ferrer on November 21, 1989, stating that the appointing authority has discretion to choose who is best qualified since neither applicant was next-in-rank to the position.

Esquig's motion for reconsideration was denied by the Commission, leading to this petition for review to the Supreme Court, primarily questioning the CSC's jurisdiction to review the MSPB decision.

****Issues:****

1. Whether the Civil Service Commission (CSC) had jurisdiction to review the decision of the Merit Systems Promotion Board (MSPB) regarding the challenged appointment.
2. Whether the procedural lapses in appeal filing could invalidate the CSC's review.

****Court's Decision:****

The Court found that the CSC did indeed have jurisdiction to review the MSPB's decision. Regarding the procedural issue raised by Esquig (the alleged failure of Ferrer to furnish him with a copy of her appeal), the Court ruled that administrative proceedings are not strictly bound by legal technicalities if both parties were afforded the opportunity to be heard, which was the case here. The CSC's decision to proceed with merit-based review, despite procedural lapses, was supported by jurisprudence.

****Doctrine:****

1. The power to appoint is essentially discretionary, provided the chosen appointee meets

the necessary qualifications and eligibilities.

2. Administrative proceedings are not bound by the strict technicalities of the Rules of Court, provided that all parties are given the opportunity to present their cases.

****Class Notes:****

- ****Power of Appointment:**** The appointing authority has the discretion to choose who they deem most qualified among eligible candidates.
- ****Next-in-Rank Rule:**** Not being next-in-rank does not automatically give an employee the right to protest an appointment if they are not directly bypassed or aggrieved by the appointment.
- ****Administrative Proceedings Flexibility:**** Administrative bodies are allowed flexibility in handling procedural requirements, emphasizing substantive justice over procedural lapses.
- ****Review Jurisdiction of the CSC:**** The CSC has the jurisdiction to review decisions of its constituent bodies, like the MSPB, in the context of civil service appointments and promotions.

****Historical Background:**** The case underscores the complexities and the discretion inherent in civil service appointments and promotions within the Philippine government framework. It highlights the balance between established procedures and the discretionary power of appointing authorities, reflecting the bureaucratic process's tension between meritocracy, procedural compliance, and administrative discretion.