

# Nkandla 'fall guy' fails to pitch up at disciplinary

**NATHI OLIFANT  
and MATTHEW SAVIDES**

THE disciplinary hearing of one of the Nkandla "fall guys" got off to a shaky start when he failed to appear yesterday.

Sibusiso Chonco was the first of 10 Department of Public Works employees to face internal disciplinary proceedings for allegedly flouting tender processes that led to architect Minenhle Makhanya being awarded the contract for the upgrading of President Jacob Zuma's R246-million Nkandla

home. The hearing was scheduled for yesterday and today.

Chonco's lawyer, Adrian Moodley, presented to the court a doctor's certification that his client was sick.

Public Works advocate Clement Kulati said that it was clear from the certificate that the doctor was justifying Chonco's absence from work, not from the hearing.

He said the doctor "did not seem convinced" that Chonco should be away from work and had specified that the note was not to be used for court purposes.

"His absence from work should not affect his hearing," said Kulati.

Hearing chairman Thulani Khuzwayo said: "We may never have this hearing at all. It bothers me a lot that we can sit here and accept this without any proper qualification."

"What is it that we need to do? What do you suggest? I would like to see him come tomorrow."

Moodley said he would ask Chonco's doctor to give clarity on the medical certificate.

However, Kulati warned it would be a futile exercise because patient-

doctor information was privileged.

"He will require the employee (Chonco) to come with him to the doctor because the doctor may not release anything without the patient. And which then proves that the employee is not as sick as not to attend the hearing," said Kulati.

Khuzwayo adjourned the hearing until today and demanded that Moodley appear with his client.

Khuzwayo said Chonco would have to leave his sick bed and present himself to the disciplinary hearing.