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Any interested person who wishes to make any representation in connection with or objection to the above Plan may within sixty days send the same to the County Executive Committee Member, Lands, Physical Planning and Urban Development, P.O Box 260 – 10304, Kutus or via email landskirinyaga@gmail.com and such representations or comments shall state the grounds upon which they are made.

Dated the 26th July, 2025.

MR/7837477 SAMUEL KANJOBE,
*CECM, Lands, Physical Planning
and Urban Development.*

GAZETTE NOTICE NO. 11386

THE CONSTITUTION OF KENYA

COUYNTRY GOVERNMENT OF ELGEYO MARAKWET

ELGEYO MARAKWET COUNTY PUBLIC SERVICE BOARD ANNUAL REPORT FOR THE YEAR 2023/2024

In the year under review, the total staff at the end of the financial year were two thousand, seven hundred and forty-five (2745) which comprised of 2540 Permanent and contractual staff, 89 approved casuals for Iten County Referral Hospital, 85 Conservancy casuals in the department of Lands, physical planning and urban development, 13 casuals in the Office of Governor and 18 Revenue Collectors on Commission basis.

The Board recruited a total of sixty-One (61) Officers and changed terms of services from contract to permanent for five(5) Officers in various departments.

Further, The Board approved six (6) Officers on paid study leave. The Officers who resumed back to work after lapse of the study period granted were 7, The Officers who were released by the Board and still on studies were 4.

Disciplinary cases handled by the Board were 5, Appeals to the County Public Service Board were 2, Appeals to Public Service Commission were 3 and Reviews to Public Service Commission was 1 while the Board court cases were 5.

During the year, twenty-two (22) Officers from various departments exited service.

Promotion of the Values and Principles

The Board in its mandate of the promotion of values and principles in the public service, undertook the following activities; Promoted efficiency, effectiveness and economic use of resources; Promoted democracy and participation of the people including use of suggestion and complaint boxes, dedicated mobile phone number and email for inquiries, receiving complaints and compliments, stakeholders forums, workshops, meetings, publications in the county website among others; Promoted equitable allocation of opportunities and resources including customization of services and facilities for use by PWDs and use of media when advertising positions to be filled; Promoted good governance, transparency, and accountability including through staff trainings and sensitization;

Approved Budget for 2023/24 Financial Year

The Board was allocated an amount of Kshs.52, 046,441 recurrent expenditure. The allocation was higher than the allocation of KSh. 47,480,938 in the 2022/2023 financial year by Ksh.4,565,503.

We are grateful to County Assembly for the support in reallocating KSh. 5,100,000 during the supplementary budget which enabled the board meet some financial obligations

Budget Utilization for FY 2023/2024

The Board expenditure for 2023/24 Financial Year was KSh. 52,032,846 out of the total budget of KSh. 52,046,441 This represented an absorption rate of 99.9 %.

MR/7796149 CHRISTINE NG'ENO,
Board Secretary.

GAZETTE NOTICE NO. 11387

THE ETHICS AND ANTI-CORRUPTION COMMISSION

THE 2ND QUARTERLY REPORT COVERING THE PERIOD FROM 1ST APRIL, 2025 TO 30TH JUNE, 2025

Preamble

The Ethics and Anti-Corruption Commission (the Commission) is required under section 36 of the Anti-Corruption and Economic Crimes Act, 2003 (ACECA), to prepare quarterly reports setting out the number of reports made to the Director of Public Prosecutions (DPP) in line with Section 35 of the ACECA, 2003 as read with section 11(1) (d) of the Ethics and Anti-Corruption Commission Act, 2011, (EACCA).

Section 36 of ACECA provides that:

1. The Commission shall prepare quarterly reports setting out the number of reports made to the DPP in line with Section 35 and such other statistical information relating to those reports, as the Commission considers appropriate.
2. A quarterly report shall indicate if a recommendation of the Commission to prosecute a person for corruption or economic crime was accepted or not accepted.
3. The Commission shall give a copy of each quarterly report to the Attorney General.
4. The Attorney-General shall lay a copy of each quarterly report before the National Assembly.
5. The Commission shall cause each quarterly report to be published in the Gazette.

This report is therefore made pursuant to section 36 of the ACECA. The report covers the 2nd Quarter and is for the period commencing 1st April, 2025 to 30th June, 2025.

INVESTIGATION REPORTS COVERING THE PERIOD FROM 1ST APRIL, 2025 TO 30TH JUNE, 2025

1. EACC/FI/INQ/18/2024

Inquiry Into Allegations of Procurement Irregularities in Tender No. MOH/ONT/CHERP/003/2021-2022 for Supply, Delivery, Installation, Testing and Commissioning of a Medical Oxygen Generating Plant at The Kenyatta National Hospital (KNH) that was awarded to M/S Biomax Africa Limited at KSh. 443,659,400/= by the Ministry of Health, State Department for Medical Services During the FY 2021/2022.

The Commission received a report alleging procurement irregularities in tender No. MOH/CHERP/003/2021-2022 for supply, delivery, installation testing, training and commissioning of a Medical Oxygen Generating Plant at KNH awarded to M/s Biomax Africa Limited. at KSh. 443,659,400/= by the Ministry of Health, State Department for Medical Services during the FY 2021/2022.

Investigation established that the Tender Evaluation Committee failed in carrying out its duty of care by not conducting due diligence on the bid documents before awarding the tender to Biomax Africa Limited.

Investigation revealed that the Principal Secretary (PS), Ministry of Health and the Evaluation Committee failed to ensure that the procurement process conformed to the law before awarding the contract. Further, it was established that the contractor, Biomax Africa Ltd falsified three performance bonds, falsified reference letters in respect top previous work of similar nature done by the company and also provided falsified curriculum vitae of alleged three technical staff in order to meet the criteria set out in the tender documents. Biomax Africa also failed deliver a functional oxygen plant at KNH yet it had received a payment of KSh. 290,704,072/=, hence fraudulent practice by the said company.

Investigation also established that the Head of Procurement failed to monitor the progress of the project, failed to advise the PS to transfer contract implementation responsibilities to KNH which was the user. The Chief Executive Officer together with the Head of Procurement at KNH and the contractor, without authority from Ministry of Health, prepared and executed an addendum purporting it to enjoin KNH to the initial contract between Ministry of Health and

Biomax Africa Limited. The CEO of KNH also granted irregular extension of the contract to Biomax Africa Ltd without following proper procurement process.

On 12th June, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the Principal Secretary, Secretary Administration, Chief Executive Officer KNH, Head of Supply Chain Management KNH, Tender Evaluation Committee, the Limited Liability Company and its directors with the following offences;

- (a) One count of neglect of official duty by a public officer contrary to section 128 of the Penal Code,
- (b) Five counts of wilful failure to comply with the law relating to procurement contrary to section 45 (2) (b) as read with section 48 (1) (a) of the ACECA, 2003,
- (c) Three counts of abuse of office contrary to Section 46 as read with section 48 of ACECA
- (d) Seven counts of engaging fraudulent practice in procurement process contrary to section 66 (1) and (2) as read with section 177 of the Public Procurement and Assets Disposal Act, 2015 (PPADA),
- (e) One count of fraudulent acquisition of public property contrary to section 45 (1) (a) as read with section 48 (1) (a) of the ACECA, 2003.

The Commission will also file a suit for recovery KSh. 290,704,072/= fraudulently paid for the contract.

The Commission is awaiting the DPP's response.

2. EACC/FI/INQ/14/2025

Inquiry into Allegations of Abuse of Office and Embezzlement of public funds by Officials of Nakuru Water and Sanitation Services Company Limited through irregular payments amounting to KSh. 314,918,919/= during the Financial Years 2018/2019 and 2023/2024

The Commission received a report on allegations of abuse of office and embezzlement of public funds by officials of the Nakuru Water and Sanitation Company Limited (NAWASSCO) through irregular payments amounting to KSh. 314,918,919/= during the FY 2018/2019 and FY 2023/2023.

Investigations established that the Managing Director, the Commercial Manager, the Financial Manager and the Cost & Management Accountant conspired to commit an offence of corruption namely abuse of office by preparing, approving and authorizing transactions amounting to KSh. 314,918,919 in favour of the Cost & Management Accountant for goods not delivered and services not rendered.

Investigations also established that the Managing Director failed to ensure that NAWASSCO complies with the provisions of the Public Procurement and Asset Disposal Act by processing payments amounting to KSh. 314,918,919/= that were neither in budgets nor the procurement plans.

Investigations revealed that the Cost and Accountant Manager fraudulently acquired public property to wit KSh. 314,268,919/= by raising payment vouchers and receiving payments that were wired from the NAWASSCO Bank Account into his 9 Bank Accounts for goods not delivered and services not rendered.

Investigations also established that Managing Director, the Commercial Manager, the Financial Manager and the Cost & Management Accountant were fully aware of their fraudulent actions yet they participated in preparing, approving and authorizing the payment vouchers that amounted to KSh. 314,918,919/=.

On 30th June, 2025, a report was forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspects with the following offences;

- (a) One count of conspiracy to commit an offence of corruption contrary to section 47A (3) as read with section 48 of ACECA against the suspects.
- (b) Four counts of abuse of office contrary to section as read with Section 48 of the ACECA.

- (c) One count of fraudulent acquisition of public property contrary to section 45 (1) (a) as read with section 48 of ACECA.
- (d) One count of failure to ensure that the public entity complies with the Act contrary to the provisions of section 44 (1) as read with section 177 the Public Procurement and Asset Disposal Act, 2016.
- (e) One count of money laundering contrary to Section 3 as read with Section 16 of the Proceeds of Crime and Anti- Money Laundering Act.
- (f) Two counts of acquisition of proceeds of crime contrary to Section 4 as read with section 16 (1) of the proceeds of crime and Anti-Money Laundering Act, 2009.
- (g) One count of false accounting contrary to section 331 (1) of the Penal Code.

The DPP returned the inquiry file on 30th July, 2025, with instructions for further investigations.

3. EACC/FI/INQ/16/2024

Inquiry into allegations of Conflict of interest against the Governor Marsabit County Government in the award of Tenders valued at KSh. 728, 842,489/= by Marsabit County Government to Blue Nile E.A Limited, Midrock Water Drilling Co. Limited and Ms Al Imran Investment During Financial Years 2017/2018 To 2023/2024

The Commission received a report on allegations of conflict of interest against the Governor, Marsabit County in the award of Tenders valued at KSh. 728,842,489/= by Marsabit County Government to Blue Nile E. A. Limited, Midrock Water Drilling Co. Limited and M/S Al Imran Investment Limited, during the Financial Years 2017/2018 to 2023/2024.

Investigations established that Blue Nile E. A Limited, Midrock Water Drilling Co. Limited, M/S Al Imran Investment, M/S Damme Investment Construction Limited and M/s Burga Ventures Limited supplied goods and offered services between the year 2023 and 2025.

Investigations also established that the spouse of the Governor is the Director of M/s Burga Venture Limited whereas the Directors of M/s. Damme Investment Construction Company Limited and M/s Oloro Company Limited are employees of the Marsabit County Government.

Investigations revealed that the Governor and the Directors of the said companies failed to declare conflict of interest leading to conspiracy to commit an offence of corruption on their part.

Investigations also revealed that the companies in question received money from the County Government of Marsabit while the Directors thereof knew very well that the money was received as a result of irregularly awarded tenders as the Directors failed to disclose conflict of interest.

Investigations further revealed that the Governor's wife company, Burqa Ventures Limited received a total of KSh.143,725,000.05 from Marsabit County thus creating a conflict of interest on the part of the Governor.

On 23rd June, 2025, a report was forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the governor and the directors of the companies with the following offences;

- (a) One count of conspiracy to commit an offence of corruption contrary to section 47A (3) as read with section 48 of ACECA against the Governor, his spouse as well as directors of the companies involved.
- (b) Three counts of conflict of interest contrary to section 42 (3) as read with section 48 of ACECA against the the Governor and the other two employees of the Marsabit County Government.
- (c) Three counts of unlawful acquisition of public property contrary to section 45(1) (a) as read with section 48 of ACECA.
- (d) Three counts of dealing with suspect property contrary to section 47 (2) (a) as read with Section 48 of ACECA against the suspects.

- (e) Three counts of acquisition of proceeds of crime contrary to Section 4 as read with section 16 (1) of the Proceeds of Crime and Anti-Money Laundering Act, 2009 against the suspects.

The Commission is awaiting the DPP's response.

4. EACC/GSA/FI/INQ/17/2023

Inquiry into Allegations of Embezzlement of Public Funds by the County Government of Garissa through payment of KSh. 94,400,000/= for the provision of Ambulance Services by Emergency Plus Medical Services Between 4th May, 2023 and 9th June, 2023.

The Commission received a complaint on allegation of embezzlement of public funds by the County Government of Garissa through payment of KSh. 94,400,000/= for the provision of ambulance service by Emergency Plus Medical Services between 4th May, 2023 and 9th June, 2023. It was further alleged that Emergency Plus Medical Services were handpicked and no procurement procedure was followed.

Investigations established that the method of tendering used was an open tender and therefore Emergency Plus Medical Services was not handpicked as alleged. That Emergency Plus Medical Services was the only bidder and the lowest in the market.

Investigations further revealed that payment made between 4th May, 2023 and 9th June, 2023 was KSh. 3,800,000/= and not KSh. 94,400,000/= as alleged. It was established that the law was duly followed in the procurement process.

On 12th June, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations that the inquiry file be closed with no further action.

The Commission is awaiting the DPP's response.

5. EACC/FI/INQ/34/2024

Inquiry into Allegation of Conflict of Interest and Irregular Payments of KSh. 51.4 Million by the County Government of Garissa to Qorjarey Enterprise and General Supplies Limited Associated with an employee of Garissa County Government between August, 2021 and September, 2022.

The Commission received a report indicating that there was gross financial malfeasance, conflict of interest and embezzlement of funds by Garissa County officials relating to several companies. However, this inquiry focused on one company, namely Qorjarey Enterprise and General Supplies Limited.

Investigations revealed that there was neither budget nor procurement plan for all the items purported to have been procured and paid for during the Financial Year 2021/2022.

Investigations revealed that Qorjarey Enterprise and General Supplies Limited traded with the Garissa County Government and that a former employee who is now the current MCA for Bambalala Ward was the Director, beneficial owner and bank signatory of the said company.

It was further revealed that the irregular award to and subsequent acceptance by Qorjarey Enterprise and General Supplies Limited was done when the Director of the said company was still an employee of Garissa County Government. That the Chief Officer, Finance, Head of County Treasury (Director, Accounting Services) and the IFMIS Accountant, Garissa County processed and approved payments both in the IFMIS and IB platform in favour of Qorjarey Enterprise and General Supplies Limited without procurement process and for services not rendered. That the employee of Garissa County fraudulently obtained KSh. 51,495,516/= through his company between April and June, 2022 for the purported supply of emergency relief food items and water trucking services where he was the Social Development Officer as well as a contestant for MCA in 2022.

On 23rd May, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations that the Chief Officer, Finance, Head of County Treasury (Director, Accounting Services), the IFMIS Accountant and Qorjarey Enterprise and General Supplies Limited with its director be charged with the following offences;

- (a) One count of conspiracy to commit an offence of corruption contrary to section 47(A) (3) as read with section 48 (1) of ACECA.
- (b) Three counts of abuse of office contrary to section 46 as read with section 48 of ACECA.
- (c) One count of fraudulent acquisition of public property contrary to section 45 (1) (a) as read with section 48 of ACECA;
- (d) One count of forgery contrary to section 349 of the Penal Code.
- (e) One count of uttering false documents contrary to section 353 of the Penal Code.
- (f) The Commission will also institute recovery proceedings for the sum of KSh. 51,495,516/= from Qorjarey Enterprise and General Supplies Limited.

The DPP returned the inquiry file on 30th July, 2025, with instructions for further investigations.

6. EACC/FI/INQ/9/2023

Inquiry into an Allegation of fraudulent payments of KSh. 270 Million by Officials of the County Government of Garissa to three companies Namely; Sky Resource International Limited, Tackticks Business Solutions and Eastes Business Solutions Between July, 2021 and August, 2022.

The Commission received a report on allegations that the County Government of Garissa made irregular payments of KSh. 253 million to three companies namely; Sky Resource International Limited, Tackticks Business Solutions and Eastes Business Solutions associated with officials of Garissa County Government between February, 2022 and August, 2022.

Investigation established that Sky Resource International Limited, Tackticks Business Solutions and Eastes Business Solutions were not prequalified in any category of supplies in the prequalification list for Financial Years 2020/2021– 2021/2022 for the County Government of Garissa.

Investigations revealed that The Chief Officer Finance, Head of Treasury and the Senior Principal Economist approved a total of KSh. 253, 343, 422/= to Sky Resource International Limited, Tackticks Business Solutions and Eastes Business Solutions for the supply of borehole equipment, submersible pumps, water rucking and farm inputs.

The Chief Officer Finance, Head of Treasury and IFMIS Accountant processed and approved payments both in the IFMIS and IB platform in favour of Sky Resource International Limited, Tackticks Business Solutions and Eastes Business Solutions. However, investigations revealed that there were no records on procurement and supporting documents for payment.

Investigations further revealed that the Chief Officer Finance and the former Chief Officer Water signed falsified contract agreements and notifications of award thereby benefiting the said companies for goods not delivered and services not rendered. Investigations established that the directors and bank signatories of the aforesaid companies received in the company's bank accounts payments from Garissa County Government totaling KSh. 253, 343, 422/=.

On 26th May, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations of charges against Chief Office, Finance, Head of County Treasury, IFMIS Accountant, Chief Officer Water Services and Director of Sky Resource International Limited, Tackticks Business Solutions and Eastes Business Solutions with the following offences;

- (a) One count of conspiracy to commit an offence of corruption contrary to section 47(A) (3) as read with Section 48(1) of ACECA
- (b) Twelve counts of abuse of office contrary to Section 46 as read with Section 48 of ACECA
- (c) Three counts of fraudulent acquisition of public property contrary to Section 45(1)(a) as read with Section 48 of ACECA;

- (d) Six counts of forgery contrary to Section 349 of the Penal Code.
- (e) Three counts of money laundering contrary to Section 3 as read with Section 16 of the Proceeds of Crime and Anti-Money Laundering Act, 2009.
- (f) The Commission will also institute recovery proceedings for the sum of KSh. 253,343,422/= against the Director of Sky Resource International Limited, Tackticks Business Solutions and Eastes Business Solutions.

The Commission is awaiting the DPP's response.

7. EACC/ELD/FI/INQ/13/2023

Inquiry into Allegations of Procurement irregularities in the Disposal of Non-Conforming Maize Approved for Commercial Sale Amounting to KSh. 198,162,065/= by Kenya Seed Company Limited During the FY 2022/2023.

The Commission received a report that there were procurement irregularities in the disposal of non-conforming maize seeds by the Kenya Seed Co. Limited (KSC) in the tender number KSC/RT/DSM/02/2022/23 with a value of KSh. 198,162,065/=. It was further alleged that the Managing Director KSC disregarded the opinion of the Disposal Committee on setting of a reserve price of Kshs. 4,800 per 90 kg bag and instead sought the advice of National Cereals and Produce Board (NCPB) which gave a reserve of KSh. 4,000 per 90 kg bag.

Investigations established that the KSC Board approved the disposal of the non-conforming seeds valued at approximately KSh. 507,447,766.17. The Disposal Committee resolved to dispose the seed through restricted tendering method which was also approved by the Managing Director. The Disposal Committee set the reserve price for the raw non-conforming seed maize at Kshs. 4800 per 90 kg bag and wheat seed at KSh. 4,500 per 90kg based on what the Committee considered to be the market price of similar products.

Investigations established that the Managing Director KSC who was the Accounting Officer sought expertise from NCPB so as to arrive at an accurate reserve price. The NCPB carried out laboratory tests on the quality of the commodities and advised that the approximate indicative market price for white maize was KSh. 4,100/= per 90kg bag in view of the poor quality of the seeds. As such, the Accounting Officer was justified in seeking the expertise from the National Cereals and Produce Board.

Investigations also established that the disposal processes were carried out in accordance with the Public Procurement and Disposal of Assets Act, 2015 and the applicable regulations.

On 12th June, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations that the inquiry file be closed with no further action.

The DPP returned the inquiry file on 30th July, 2025, accepting the Commission's recommendations for closure.

8. EACC/ISL/FI/INQ/10/2023

Inquiry into Allegation of Conflict of Interest Against a nominated Member of the Meru County Assembly in the Financial Year 2018–2023.

The Commission received a report on suspected abuse of office, conflict of interest and procurement fraud against a nominated member of the Meru County Assembly (MCA). It was alleged that she was a Director and a bank account signatory of Kadesh Limited, a company that traded with Meru County Government between 6th July, 2018 and 2nd May, 2023. It was further alleged that the said Company received a total of KSh. 32,853,630.15 from Meru County Government between 8th May, 2018 and 8th February, 2023. In addition, it was alleged that her salary remittances to her bank account were unusually high during the same period and that on various dates, she had received KSh. 2,000,000/= and KSh. 6,900,000/= narrated as salary.

Investigations established that the suspect was a signatory of Kadesh Limited bank account. The said company was awarded several tenders by the County Government of Meru to supply various items including motorbikes, sports equipment, tents, plastic chairs as well as salon equipment, sufurias, water tanks and woolen blankets.

Investigations also established that Kadesh Limited acquired public property, to wit KSh. 32,853,630/= from the Meru County Government through various tenders.

Investigations further established that the suspect indeed received KSh. 2,000,000/= which was paid to her in her capacity as MCA as a grant which was approved by SRC's circular ref. SRC/TS/COG/3/61/48 VOL.II(113)

On 21st May 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offence;

- (a) One count of conflict of interest contrary to section 42 (1) as read with section 48 (1) of the Anti-Corruption and Economics Crime Act, 2003;
- (b) One count of unlawful acquisition of public property contrary to section 45 (1) (a) as read with section 48 of the ACECA;

The Commission is awaiting the DPP's response.

9. EACC/FI/INQ/24/2025

Inquiry into Allegations of Procurement Irregularities, Irregular Payments Conflict of Interest and Unlawful Acquisition of Public Property against the Governor for Trans-Nzoia County and the Chief Officer Finance, from Companies that traded with the County Government namely Maira Stores, Lyma Agro Science Limited and Easterly Winds Limited.

The Commission received information that the Governor of Trans-Nzoia County was involved in conflict of interest by receiving money from entities that had traded with the County Government of Trans-Nzoia. It was further alleged that the Governor abused his position by receiving kickbacks from various contractors engaged by the Trans-Nzoia County Government. The said kick backs were allegedly channelled through the Chief Officer, Finance.

Investigations established that Maira Stores, Lyma Agro Science Limited and Easterly Winds Limited, supplied goods and offered services between the year 2023 and 2025. Investigations further revealed that Chief Officer Finance would receive money from the proprietor of Lyma Agrosience Ltd and Maira Stores, and would subsequently send the money to the Governor.

Investigations established further, that the Chief Officer Finance is a bank account signatory for Easterly Winds Ltd which received a total of KSh. 2,680,461.40 from the County Government of Trans-Nzoia, and that he sent KSh. 2,124,668/= to the Governor, hence a clear case of conflict of interest against the two suspects.

On 19th May, 2025, a report was forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the Governor and the Chief Officer Finance with the following offences;

- (a) Three counts of conflict of interest contrary to section 42 (3) as read with section 48 of the ACECA,
- (b) One count of unlawful acquisition contrary to section 45 (1) (a) as read with section 48 of the ACECA.

The DPP concurred with the Commission's recommendation to charge the suspects and the case is pending before court.

10. EACC/MLD/FI/INQ/4/2019

Inquiry into Allegations that a Proprietor of a Private School in Malindi Sub-County (Mary Junior School) was buying Text Books meant for the free Primary Education from Teachers in public schools.

The Commission received a report on allegations that a proprietor of a private school namely Mary's Junior School in Malindi Sub-County, was buying textbooks meant for the free primary education.

Investigations established that the suspect was in possession of ninety nine(99) books which the Commission's officers seized from his residence and school premises. The Head teachers of two public schools namely Amkeni Primary School and Burangi Primary School confirmed that the books belonged to their schools, but they went missing before distribution to the students

Investigations established that the deputy head teachers of the aforementioned public schools were in charge of the stores and distribution of the books.

Investigations established that on diverse dates between 17th May, 2018 and 1st January, 2019, the Proprietor of the private school transferred KSh. 5,209/= to Deputy headteacher of Amkeni Primary School, and KSh. 11,447/= to Deputy headteacher of Burangi Primary School, being payment for the books that they had sold to the Proprietor of the private school.

On 2nd May, 2025, a report was forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the Proprietor of the private school and the Deputy Head Teachers with the following offences;

- (a) Two counts of abuse of office contrary to section 46 as read with section 48 of the ACECA.
- (b) Three counts of unlawful acquisition of public property contrary to section 45 (1) (a) of the ACECA.
- (c) Two counts of Stealing by persons in the public service contrary to 280 of the Penal Code.
- (d) One count of handling stolen goods contrary to section 332 of the Penal Code.

The DPP returned the inquiry file on 10th July, 2025, with instructions for further investigations.

11. EACC/OPS/INQ/125/2024

Inquiry into Bribery Allegations Against an Officer at Kenya Power And Lighting Company (KPLC)

The Commission received a report that an officer at KPLC was demanding for a bribe of KSh. 30,000/= in order to replace a malfunctioned transformer within Makadara Estate where the complainant's bar and restaurant is located.

Investigations established that there was a power outage within Makadara Estate along Jogoo Road affecting businesses within that area including that of the complainant who reported to KPLC.

Investigations established that the KPLC team visited the area led by the suspect, met with the complainant and informed him that there was no transformer and it was to be sourced from Kiambu County at a facilitation fee of KSh. 30,000. Upon negotiations, the suspect reduced the bribe demand to KSh. 20,000/=.

A trap operation was carried out and on 2nd August, 2024 the suspect received trap money KSh. 20,000/= from the complainant upon which he was arrested.

On 12th June, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the KPLC employee with two counts of receiving a bribe contrary to section 6 (1) (a) as read with Section 18 of the Anti-Bribery Act, No 47 of 2016.

The Commission is awaiting the DPP's response.

12. EACC/ELD/OPS/INQ/5/2022

Inquiry into Bribery Allegations that a Motor Vehicle Inspection Officer based at National Transport and Safety Authority (NTSA) Kitale Requested for a bribe .

The Commission received a report that a motor vehicle inspector at NTSA was demanding KSh. 60,000/= from the complainant in order to conduct inspection of his vehicles.

Investigations established that the complainant and his driver took his trailer to Kitale NTSA offices for inspection where the two met with the suspect, an NTSA officer who demanded for a bribe of Kshs. 60,000/=. The complainant did not give the money to the suspect as requested instead he instructed his driver to take back the vehicle. The suspect called the complainant and reduced the bribe demand. A trap operation was carried out wherein it was established that Upon negotiations the bribe was reduced to KSh. 30,000/=.

Consequently, on 3rd March 2022 the NTSA Inspection Officer received trap money KSh. 25,000/= from the complainant upon which he was arrested.

Evidence further revealed that the NTSA Inspection Officer together with his Office Assistant hid the trap money and the same was never recovered by the Commission's officers.

On 12th June 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the Motor Vehicle Inspector and the Office Assistant with the following offences;

- (a) Three counts of receiving a bribe contrary to section 6 (1) (a) as read with section 18 of the Anti- Bribery Act. No 47 of 2016.
- (b) One count of obstruction contrary to section 66 (c) as read with section 66 (2) ACECA, 2003.

The DPP returned the inquiry file on 22nd July, 2025, and concurred with the recommendation for prosecution of the suspect.

13. EACC/MCKS/OPS/INQ/10/2024

Inquiry into Allegations that a Directorate of Criminal Investigations (DCI) Officer based at Masii area in Mwala Sub-County within Machakos County requested for a bribe.

The Commission received a report that a DCI officer based at DCI office in Masii had requested for a benefit of KSh. 35,000/= from the complainant so as to release the complainant's cousin who had been arrested and his motor vehicle impounded and detained at Masii Police Station.

Investigation established that the complainant's cousin was arrested on 27th June, 2024 by DCI officers and detained at Masii Police Station. On 28th June, 2024 the complainant proceeded to Masii Police Station where the suspect demanded for KSh. 50,000/= to free the cousin and his vehicle. Upon negotiations he reduced the bribe to KSh. 35,000. On 1st July, 2024, a successful trap operation was carried out and the suspect received KSh. 10,000/- from the complainant.

On 12th June 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the Police Officer with three counts of receiving a bribe contrary to section 6 (1) (a) as read with Section 18 of the Anti-Bribery Act, 2016 or in the alternative abuse of office contrary to Section 46 as read with section 48 of ACECA, 2003.

The DPP returned the inquiry file on 22nd July, 2025, and that the inquiry file be closed.

14. EACC/ELD/OPS/INQ/1/2024

Inquiry into an Allegations that an Officer of the National Police Service Requested for a Bribe.

The Commission received a report that Kitale Police Station traffic officers were harassing motorists by soliciting bribes on the Kitale – Kapenguria route.

The Commission mounted a surveillance at the Kenya Seed Junction where the suspect was on duty. Video clips captured during the surveillance showed a motorist using his phone in a manner suggesting that he was sending money to the suspect via mpsa. However, the evidence was not sufficient to support criminal charges against the suspect.

On 21st May, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations that administrative action be taken against the suspect in accordance with the mechanisms of National Police Service.

The DPP returned the inquiry file on 3rd July, 2025, and concurred with the Commission's recommendations for administrative action against the suspect.

15. EACC/OPS/INQ/123/2022

Inquiry into Allegations that an Officer at Nairobi City County Government Requested for a bribe.

The Commission received a complaint that, an Enforcement Officer at Nairobi City County requested for a financial advantage of KSh. 50,000/= so as to refrain from charging the complainant's employees with unlawful disposal of waste and instead settle the matter out of court.

Investigations established that indeed the suspect requested for a bribe of KSh. 50,000/= which was negotiated down to KSh. 30,000/=. Investigations further established that the suspect received trap money amounting to KSh. 30,000/= from the complainant.

On 22nd April, 2025, a report was forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with three counts of receiving a bribe contrary to Section 6 (1) (a) as read with section 18 of the Anti-Bribery Act, 2016.

The DPP returned the inquiry file on 26th June, 2025, with instructions to prosecute.

16. EACC/OPS/INQ/75/2024

Inquiry into Bribery allegations that Embakasi East Ward Administrator and Embakasi East Sub-County Planning Officer requested a facilitation fee of KSh. 300,000/= from a complainant to allow him put up a Container on a Road Reserve.

The Commission received a report that a complainant visited Embakasi East Ward Administrator's office seeking to be issued with an authority letter to enable him place a 40ft container next to his house, along the road within Barak Estate. However, the Planning Compliance and Enforcement Officer demanded a facilitation fee of KSh. 300,000/= for purposes of processing the authority letter.

Investigations established that the suspect prepared a quotation of KSh. 191,000/= which captured the application fees, approval fees, ground rent and branding kiosk fees. Thereafter, the complainant sent KSh 51,000/= to the suspect through mpesa and a cash payment of KSh. 49,000/= and proceeded to place the container on the road reserve.

According to the complainant, a day after he had placed the container on the road reserve, it was removed and the suspect told him that he would assist him upon a further payment of KSh. 60,000/= purported to be facilitation fee.

Evidence further established that the complainant was issued with a receipt for Kshs. 40,000/=. After the complaint was reported to the Commission, the suspect requested for a bribe of KSh. 10,000/=.

Evidence also revealed that the suspect issued the complainant with a forged approval letter to allow him place the container on the road reserve. Investigations further established that the invoice and receipt issued to the complainant were also forgeries.

On 22nd April 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the Planning Compliance and Enforcement Officer with the following offences;

- (a) Four counts of receiving a bribe contrary to section 6 (1) (a) as read with Section 18 of the Anti-Bribery Act. No 47 of 2016.
- (b) One count of making a false document contrary to sections 347 (a) as read with section 349 of the Penal Code
- (c) One count of uttering a false document contrary to section 353 of the Penal Code;

The DPP returned the inquiry file on 9th July, 2025, with instructions for further investigations.

17. EACC/KSI/OPS/INQ/3/2025

Inquiry into Bribery Allegations Against a Prosecution Counsel and the Officer in Charge of The Office of the Director of Public Prosecution, Kilgoris Sub-County Office.

The Commission received a report that a Principal Prosecution Counsel and the Officer in Charge of the ODPP, Kilgoris DPP office requested for a financial advantage of KSh. 20,000/= so as to fast track a case that was before court.

Investigations established that the suspect requested for a bribe of Kshs. 50,000/= which was reduced to KSh. 10,000/= after the complainant bargained.

Investigations further established that the suspect received trap money amounting to KSh. 20,000/= from the complainant.

On 22nd May, 2025, a report was forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with three counts of receiving a bribe contrary to section 6 (1) (a) as read with section 18 of the Anti-Bribery Act, 2016.

The DPP returned the inquiry file on 8th July, 2025, with instructions for further investigations.

18. EACC/MLD/OPS/INQ/01/2020

Inquiry into Allegations that a KPLC Staff in Malindi Kenya Power Office were demanding for a Bribe of KSh. 10,000/= from a business lady so as to reconnect Power Supply at her premises in Malindi Town

The Commission received a report that a KPLC officers based at Malindi office requested a bribe of KSh. 10,000/= from a business lady based in Malindi Town, so that they could reconnect power supply in her premises.

Investigations established that the two suspects requested for and received a bribe of KSh. 10,000/=.

On 22nd May, 2025, a report was forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the two suspects with three counts of receiving a bribe contrary to section 6 (1) (a) as read with section 18 of the Anti-Bribery Act, 2016.

The Commission is awaiting the DPP's response.

19. EACC/OPS/INQ/42/2025

Inquiry into allegations of Impersonation against three Suspects.

The Commission received a report that three individuals were impersonating EACC officers and extorting money on the pretext that they can stop investigations. The impersonators were targeting senior national government and parastatal officers.

Investigations established that the three suspects impersonated EACC officers, ODPP officers as well as officers from State House.

On 22nd May, 2025, a report was forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspects with three counts of impersonating an investigator contrary to section 34 (1) as read with section 34 (2) of the Anti-Corruption and Economic Crimes Act.

The DPP returned the inquiry file on 20th May, 2025, and concurred with the recommendation for prosecution of the suspects.

20. EACC/OPS/INQ/01/2025

Inquiry into Allegations of Corruption against a Traffic Police Officer attached at Kajiado Police Station

The Commission received a report in respect to bribery allegations against traffic officers manning major roads within the Republic. Consequently, the Commission undertook a sting operation along the Kajiado-Namanga Road.

Investigations established that while on duty along the Kajiado-Namanga road, the suspects stopped public service vehicles, talked to the drivers and released the motor vehicles without inspecting them. However, the evidence was not sufficient to sustain criminal charges against the suspects.

On 12th June, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to close the inquiry file for lack of sufficient evidence to charge the suspects.

The DPP returned the inquiry file on 29th July, 2025, and that the inquiry file be closed.

21. EACC/BGM/OPS/INQ/9/2023

Inquiry into Bribery Allegations against a Police Officer stationed at Mumias Police Station.

The Commission received a report that traffic police officers in Mumias Town had detained the complainant's motor vehicle for the offence of having an obscured rear license number plate and were demanding a bribe of KSh. 5,000/= in order to release the vehicle.

Investigations established that the complainant's driver was arrested and had been taken to Mumias Law Courts and was to be charged for the offence of driving a motor vehicle with obstructed rear number plate. While at the court cells the suspect who was the orderly for the day approached the driver and demanded for Kshs. 5,000/= or be fined KSh. 10,000/= by the court. On 22nd June, 2025, a trap operation was planned and the suspect received trap money KSh. 4,000/= from the complainant.

On 12th June, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the Police Officer with two counts of receiving a bribe contrary

to section 6 (1) (a) as read with section 18 of the Anti- Bribery Act, 2016.

The DPP returned the inquiry file on 29th July, 2025, with instructions for further investigations.

22. EACC/EL/INQ/017(xxii)/2024

Inquiry into Allegations that a former driver at the Office of the Auditor-General (OAG), falsified his KCSE Certificate to secure employment

The Commission received a report on allegations that an employee of the Office of the Auditor General (OAG) used a forged Kenya Certificate of Secondary Education (KCSE) from Scholar Secondary to secure employment as a motor vehicle driver.

Investigation established that when the suspect applied for the job, he submitted a forged KCSE certificate from Scholar Secondary, bearing his name and which indicated that he had attained a mean grade of C plain in the year 2012 examination. Investigations and Information from the Kenya National Examinations Council (KNEC) established that the suspect neither registered nor sat for the KCSE examination in the year 1986. When the suspect was summoned for disciplinary proceedings, he resigned from OAG. During his employment, he fraudulently earned a salary of KSh. 4,020,617.85.

On 12th June, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- (a) One count of making of false document contrary to sections 345 (a) and 347 as read with section 348 and 349 of the Penal Code;
- (b) One count of presenting a forged certificate contrary to section 34 (a) of the Kenya National Examinations Council Act;
- (c) One count of uttering a false document contrary to Section 353 of the Penal Code;
- (d) One count of fraudulent acquisition of public property contrary to section 45 (1) (a) as read with section 48 of the ACECA; or in the alternative one count of fraudulent acquisition of public benefit contrary to section 45 (1) (a) as read with section 48 of the ACECA.

Further, the Commission recommended filing a civil suit for recovery of Kshs. 4,020,617.85 fraudulently earned during the period of his unlawful employment.

The Commission is awaiting the DPP's response.

23. EACC/MSA/EL/INQ/12/2023

Inquiry into Allegations that the Board of Directors, Tavevo Water and Sewerage Company Limited irregularly recruited and subsequently appointed a Managing Director despite her failing to meet minimum and mandatory requirement of a Masters degree and Leadership Course as outlined in the Job Advert in the Financial Year 2023/24

The Commission received a report that the Board of Directors-Tavevo Water and Sewerage Company Ltd hired a Managing Director despite her failing to meet the minimum requirement of a Masters degree. It was further alleged that the person appointed had emerged fifth in the interview.

Investigation established that the position of the Managing Director was declared vacant in an ad hoc board meeting that was held on 31st July, 2023. Consequently, the position was advertised and the requirements that the applicants were supposed to meet were listed. Among the requirements was a Master's degree in any relevant field from a recognized institution.

Investigation further established that the Board approved the appointment of the candidate in question citing a number of reasons including the gender rule, fresh talent and technical expertise, and that merit and fair competition are not the only factors to be considered during recruitment and selection of a candidate. Investigation also established that having a Masters degree was not a mandatory requirement for the position.

On 23rd June, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations that the file be closed with no further action as the evidence obtained is not sufficient to sustain charges against the Board.

The Commission is awaiting the DPP's response.

24. EACC/EL/INQ/57/2023

Inquiry into Allegations that a Former Employee of Nairobi City Water and Sewerage Company Limited (NCWSC) used a forged Certificate to secure employment at the said Company.

The Commission received a report on allegations that an employee of the Nairobi City Water and Sewerage Company Limited (NCWSC) used a forged Kenya Certificate of Telephone Operator from Graffins College to secure employment as a Technician.

Investigation established that while applying for the job, the suspect submitted a forged certificate in telephone operator from Graffins College dated 25th July, 2000. Investigations revealed that the certificate submitted by the suspect was not genuine and that she had never been a student in the said college. During the time of her employment on permanent and pensionable terms at the Nairobi City Water and Sewerage Company Limited earned a cumulative salary of KSh. 18,767,233.35

On 21st May 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- (a) One count of fraudulent acquisition of public property contrary to section 45 (1) (a) as read with section 48 of the ACECA;
- (b) One count of forgery contrary to Section 345 as read with section 349 of the Penal Code; and
- (c) One count of deceiving principal contrary to Section 41(2) as read with section 48 of the ACECA;

The Commission will also institute recovery proceedings for the sum of KSh. 18,767,233.35 fraudulently earned during the period of her unlawful employment.

The DPP returned the inquiry file on 8th July, 2025, and concurred with the recommendation for prosecution of the suspect.

25. EACC/EL/INQ/56(XXIII)/2023

Inquiry into Allegations that a Constituency Office Clerk falsified his KCSE Certificate to secure employment at Independent Electoral and Boundaries Commission (IEBC)

The Commission received a report on allegations that an employee of the Independent Electoral and Boundaries Commission (IEBC) used a forged Kenya Certificate of Secondary Education (KCSE) from Malava Boys High School to secure employment as a Constituency Office Clerk.

Investigation established that while applying for the job the suspect submitted a forged KCE certificate from Malava Boys High School, bearing his name and indicated that he had attained Division III in 1986 examination. Investigations and Information from the Kenya National Examinations Council (KNEC) established that the suspect neither registered nor sat for the KCE examination in the year 1986. The suspect was employed from 1st July 2012 until 8th April, 2024 when he was dismissed from employment. During his employment, he fraudulently earned a salary of KSh. 11,590,345.

On 20th May, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- (a) One count of fraudulent acquisition of public property contrary to Section 45(1)(a) as read with section 48 of the ACECA;
- (b) One count of forgery contrary to Section 345 as read with Section 349 of the Penal Code; and
- (c) One count of uttering a false document contrary to Section 353 of the Penal Code;
- (d) One count of deceiving principal contrary to Section 41(2) as read with Section 48 of the ACECA;

The DPP returned the inquiry file on 8th July, 2025, and concurred with the recommendation for prosecution of the suspect.

26. EACC/EL/INQ/017(viii)/2024

Inquiry into Allegations that a former employee at the Office of the Auditor General (OAG) forged her Kenya Certificate of Secondary Education (KCSE)

The Commission received a report that an employee of the Office of the Auditor General (OAG) forged her KCSE Certificate from Umina Secondary School contrary to Chapter Six of the Constitution.

Investigation established that the suspect applied for employment at the OAG on 24th October, 2014. She attached her curriculum vitae to the application wherein she indicated under her education background that she attended Umina Secondary School and attained a mean grade of C-plain. She was offered employment as Support Staff Supervisor at the OAG through a letter dated 25th February, 2015.

Investigation established that the suspect did not register nor did she sit for the year 2008 KCSE examination at Umina Secondary School. It was further established that an examination centre by the name Umina Secondary School under Code 705101/031 did not exist during the year 2008 KCSE examination, the said code belonged to Hono Secondary School in the year 2008.

On 20th May, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offence;

- (a) One count of fraudulent acquisition of public property contrary to section 45 (1) (a) as read with section 48 of the ACECA;
- (b) One count of deceiving principal contrary to section 41 (2) as read with section 48 of the ACECA;
- (c) One count of forgery contrary to section 345 as read with section 349 of the Penal Code;
- (d) One count of uttering a false document contrary to section 353 of the Penal Code;
- (e) One count of providing false information to the Office of the Auditor General contrary to section 46 (1) (d) of the Leadership and Integrity Act.

The Commission is awaiting the DPP's response.

27. EACC/EL/INQ/5(II)/2024

Inquiry into Allegations that a Regional HIV Co-ordinator at the National Syndemic Diseases Control Council (NSDCC) forged a Kenya Certificate of Secondary Education (KCSE) and a Bachelors Degree Certificate.

The Commission received a report from the Chief Executive Officer, NSDCC regarding a member of staff, who allegedly forged academic certificates, following a verification exercise pursuant to the directive of the Public Service Commission.

Investigation established that the suspect registered as a candidate and sat for the year 1987 KCE examination at Aquinas High School but his certificate had been altered from Division III to Division II. The alteration had been superimposed on KCSE stationery and not the one used for KCE.

Investigations also established that the Bachelors degree certificate purportedly issued by Egerton University was forged and therefore did not originate from the said University.

On 20th May, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- (a) One count of fraudulent acquisition of public property contrary to section 45 (1) (a) as read with section 48 of the ACECA;
- (b) Two counts of forgery contrary to section 345 as read with section 349 of the Penal Code;
- (c) Two counts of uttering a false document contrary to section 353 of the Penal Code;

- (d) One count of presentation of a forged certificate contrary to section 34 (A) of the Kenya National Examination Council Act.

The DPP returned the inquiry file on 4th August, 2025, and concurred with the recommendation for prosecution of the suspect.

28. EACC/EL/INQ/57(X)/2023

Inquiry into Allegations that a former Labourer at the Nairobi Water Sewerage Company Limited (NCWSC) forged Academic Certificates in order to gain employment in the said Company.

The Commission received a report that the suspect an employee of the Nairobi City Water and Sewerage Company Ltd forged a diploma in Business Management and used it to seek employment in the said company.

Investigation established that the suspect was initially engaged in the company on contract terms as a labourer for a period of six months and thereafter on permanent terms. In his appraisal form for the period between 1st January, 2014 to 30th June, 2014, he indicated that he had a diploma in Business Administration.

Investigation established that the suspect's diploma certificate from the University of Nairobi was not authentic.

On 22nd May, 2025, a report was forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- (a) One count of fraudulent acquisition of public property contrary to section 45 (1) (a) as read with section 48 of the ACECA
- (b) One count of deceiving principal contrary to section 41 (2) as read with section 48 of the ACECA
- (c) One count of forgery contrary to section 345 as read with section 349 of the Penal Code
- (d) One count of uttering a false document contrary to section 353 of the Penal Code

The DPP returned the inquiry file on 4th August, 2025, with instructions for further investigations.

29. EACC/EL/INQ/45/2023

Inquiry into Allegations of Irregular Appointment of the Ag. Chief Operations Officer at the University of Nairobi.

The Commission received a complaint against the Ag. Chief Operations Officer (COO) at the University of Nairobi that his appointment as COO from 12th July, 2021 was not procedural and the subsequent extension date was irregular. It was also alleged that the suspect was awarded a special allowance amounting to Kshs. 100,000/= since his appointment as Deputy Director, and this was against the Salaries and Remuneration Commission's Guidelines. In addition, it was alleged that the Bachelor of Philosophy degree certificate from Pontifical Urbaniana University, used by the suspect to seek employment at the University of Nairobi, is not recognized in Kenya.

Investigations established that the suspect applied for, and was appointed to the Position of COO on 25th February, 2015, and one of the documents he had attached was his Bachelor of Philosophy degree certificate from Pontifical Urbaniana University. He was thereafter appointed by the University Council as Deputy Director, Fundraising, Donor Relations and Partnership through a letter dated 30th March, 2015, and subsequently as Director, Advancement, through a letter dated 14th January 2019.

Investigations further established that the University Council approved governance reforms which entailed reorganization of administrative positions. Consequently, the Council made fourteen appointments, including Ag. Chief Operations Officer. The suspect was appointed to the position of Ag. COO, through two letters signed by two different individuals. Investigations established that the University Council failed to comply with section 2A of the Universities Act, 2012, Variation Charter, for creating new positions and appointing staff in acting capacity without varying the statutory instruments.

Investigations further established that Pontifical Urbaniana University is not accredited to offer degree programmes in Kenya. Consequently, the suspect's degree is not recognized in Kenya.

On 12th May, 2025, a report was forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect and the University of Nairobi Council Members with the following offences;

- (a) Two counts of abuse of office contrary to section 46 as read with section 48 of the ACECA;
- (b) One count of unlawful acquisition of public property contrary to section 45 (1) (a) of the ACECA;
- (c) It was further recommended that an advisory to issue to the Commission of University Education for non compliance of sections 22 and 28 of the Universities Act on accreditation.

The Commission will also institute recovery proceedings for the sum of for KSh. 50,001,301.45

The DPP returned the inquiry file on 15th May, 2025, with instructions for further investigations.

30. EACC/EL/INQ/017(XXI)2024

Inquiry Into Allegations that a Secretarial Assistant at Office of the Auditor-General, forged a Kenya Certificate o Secondary Education (KCSE).

The Commission received a report that the suspect, an employee of the Office of the Auditor General used a forged KCSE certificate in order to be employed at the Office of the Auditor General. The suspect was employed as a Secretarial Assistant II on permanent sand pensionable terms.

Investigations established that the KCSE certificate that the suspect presented upon employment at the OAG was not authentic. It was established that even though a candidate with the suspect's name registered and sat for the year 1994 KCSE examination at Turbo Girls Secondary School under index number 509403/012, the name of the candidate had been altered. The grade in English had also been altered from D+ to C+. Consequently, the suspect was dismissed from employment.

On 4th April, 2025, a report was forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- (a) One count of fraudulent acquisition of public property contrary to section 45 (1) (a) as read with section 48 of the ACECA
- (b) One count of forgery contrary to section 345 as read with section 349 of the Penal Code
- (c) One count of uttering a false document contrary to section 353 of the Penal Code
- (d) That an advisory to issue to the Office of the Auditor General to conduct verification of academic certificates before engaging the staff.

The DPP returned the inquiry file on 23rd July, 2025, and concurred with the recommendation for prosecution of the suspect.

Statistical Summary Of Files Forwarded To The Director Of Public Prosecutions

1.	Total No. of files forwarded to the Director of Public Prosecutions	30
2.	No. of files recommended for prosecution	25
3.	No. of files recommended for administrative or other action	1
4.	No. of files recommended for closure	4
5.	No. of files recommended for prosecution and the cases are already lodged before Court	2
6.	No. of files where recommendation to prosecute accepted	7
7.	No. of files where recommendation for administrative or other action accepted	1
8.	No. of files where recommendation for closure accepted	2
9.	No. of files returned for further investigation	8

10.	No. of files where recommendation to prosecute not accepted	1
11.	No. of files where recommendation for administrative or other action not accepted	0
12.	No. of files where closure not accepted	0
13.	No. of files where prosecution declined but administrative action recommended	0
14.	No. of files awaiting the DPP's advice	11

Dated the 12th August, 2025.

DAVID OGINDE,
Chairperson.

ABDI A. MOHAMUD,
Secretary/Chief Executive Officer.

GAZETTE NOTICE NO. 11388

THE PROCEEDS OF CRIME AND ANTI-MONEY
LAUNDERING ACT, 2009

(No. 9 of 2009)

PRESERVATION ORDERS

IN EXERCISE of the powers conferred by section 83 (1) of the Proceeds of Crime and Anti-Money Laundering Act, 2009, the Agency Director gives notice to—

Moureen Akinyi Otieno that the High Court has issued preservation orders in Nairobi High Court Miscellaneous Application No. E35 of 2025 as specified in the Schedule hereto:

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI ANTI-
CORRUPTION AND ECONOMIC CRIMES DIVISION

MISCELLANEOUS CIVIL APPLICATION NO E35 OF 2025

In the Matter of: *An Application for preservation orders under sections 81 and 82 as read with section 131 of The Proceeds of Crime and Anti-Money Laundering Act (POCAMLA) as read together with Order 51 of the Civil Procedure Rules;*

AND

In the Matter of: *Preservation Orders for motor vehicle Reg. No. KBJ 79M, Chassis No. ACM215033828, registered in the name of Moureen Akinyi Otieno;*

BETWEEN

Assets Recovery Agency.....Applicant

-Versus-

Moureen Akinyi Otieno.....Respondent

IN CHAMBERS ON 31ST JULY, 2025

BEFORE HON. LADY JUSTICE LUCY NJUGUNA

ORDER

CLAIMS IN THE APPLICATION

1. THAT this application be certified urgent and the same be heard *ex-parte* on a priority basis in the first instance.

2. THAT this this Honourable Court be pleased to issue a preservation Order restraining the Respondent her employees, agents and/or representatives acting on her behalf, prohibiting the sale, transfer or disposing off or other dealings with the motor vehicle registration numbers KBJ 679M Chassis Number ACM215033828 Toyota Ipsum registered in the name of Moureen Akinyi Otieno.

3. THAT the Respondent be ordered to surrender the motor vehicle specified in prayer 2 above, the ignition keys and the original logbook to the Applicant and be assembled at the Applicant's premises at UAP Old Mutual Towers parking lot within seven (7) days failure to which the investigating officer, Mr. Duncan Odhiambo or such other officer as the Agency Director may designate, to seize the motor