


THE ETHICS AND ANTI-CORRUPTION COMMISSION

THE 1ST QUARTERLY REPORT COVERING THE PERIOD FROM
1ST JANUARY 2025 TO 31ST MARCH 2025

		MARCH 2025
THE NATIONAL ASSEMBLY PAPERS LAID		
DATE: 04 JUN 2025		DAY: Wednesday
TABLED BY:	Hon. Boga Tsiga, MP Deputy Leader of Majority Party	
CLERK-AT THE-TABLE:	Halima Ahmed	

PREAMBLE

The Ethics and Anti-Corruption Commission (the Commission) is required contrary to 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) contrary to 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 contrary to 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 1st Quarter and is for the period commencing 1st January 2025 to 31st March 2025.

INVESTIGATION REPORTS COVERING THE PERIOD FROM 1ST JANUARY 2025 TO 31ST MARCH 2025

1. EACC/FI/INQ/39/2023

INQUIRY INTO ALLEGATIONS OF PROCUREMENT IRREGULARITIES RELATING TO TENDER NO. KENHA/R5/172/2022 FOR PERFORMANCE BASED CONTRACT FOR THE MAINTENANCE OF SOUTHERN BY-PASS (UCA – 2 NAIROBI) ROAD BY THE KENYA NATIONAL HIGHWAYS AUTHORITY (KENHA) AT A COST OF KSHS. 716, 673,566 DURING THE FY 2021/2022

The Commission received a report on procurement irregularities in relation to Tender No. KENHA/R5/172/2022 for Performance Based Contract for the maintenance Southern By-Pass (UCA – 2 Nairobi) road. The tender was awarded to the successful company at Kshs. 716, 673,566 during the FY 2021/2022.

Investigation established that the tender was a thirty-six months multi-year commencing in FY 2022/2023 that was advertised in the daily nation newspaper and the organisational portal on 22nd March, 2022. An addendum was posted on 12th April, 2022. The tender was opened on 21st April, 2022 and five bidders had expressed interest. The tender was evaluated on 20th May, 2022 and the Tender Evaluation Committee recommended the award of tender to the successful company at Kshs. 716, 673, 566.89 after which a Professional Opinion was prepared on 26th May, 2022. The tender was awarded on 16th June, 2022 and the tender contract signed on 17th June, 2022. The work was successfully done and Kshs. 284, 334, 824.00 was paid in ten instalments. It was also established that the Kshs. 2, 164, 290.00 paid to KeNHA officers by the successful company was rightfully paid. Investigation further established that, there was no evidence of procurement irregularities.

On 28th January, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to close the inquiry file.

The Commission is awaiting the DPP's response.

2. EACC/MLD/FI/INQ/14/2023

INQUIRY INTO AN ALLEGATION OF UNLAWFUL ACQUISITION OF PUBLIC FUNDS AMOUNTING TO KSHS. 13 MILLION BY A LAW FIRM, INTENDED FOR PAYMENT OF LAND RATES & LEVIES FOR RONALD NGALA UTALII COLLEGE LAND PARCEL NO. 5025/4 DURING THE FINANCIAL YEAR 2014/2015

The Commission received a report on allegations of embezzlement of Kshs. 19, million public funds against the law firm that was contracted to pay land rates and obtain registration documents for land parcel number L.R 5025/4 located within Kilifi County. The funds comprised of Kshs. 6 million legal fees and the balance was to pay the land rates.

Investigation established that on 12th October 2012, the Catering Tourism & Development Levy Trustee (CTDLT) the predecessor of the Tourism Fund, instructed the law firm to regularize title in respect to land parcel number L.R 5025/4 located within Kilifi County. The law firm was paid full instruction fees of Kshs. 6 million to undertake the title regularization. On 9th September 2014, the law firm advised the Tourism Fund to deposit into the firms account Kshs. 13 Million being land rates payable to Kilifi County Government. On 12th September 2014 the law firm issued a professional undertaking that upon receiving the Kshs. 13 Million, they would clear the land rates and ensure that a Clearance Certificate was issued within 30 days.

The Tourism fund transferred the sum of Kshs. 13 Million to the law firm's bank account and the law firm did not pay the said money to Kilifi County Government or refund the money, thereby breaching the professional undertaking. The Tourism Fund later separately paid the sum of Kshs. 8,230,950.00 to Kilifi County Government following a waiver of penalties, and was issued with a clearance certificate.

On 30th January 2017, the Tourism Fund instructed another law firm to undertake the regularization of title for land parcel number L.R 5025/4. On 12th February 2019

a civil suit was filed against the first law firm seeking a refund of the Kshs. 19 million plus costs and interest.

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

- i. Two counts of unlawful acquisition of public funds contrary to S. 45(1)(a) as read with S. 48 of ACECA.

The Commission also recommended to join the civil recovery proceedings filed against Kithi & Co. Advocates by the Tourism Fund.

On 9th May 2025, the DPP returned the inquiry file with recommendations for closure.

3. EACC/NKR/FI/INQ/06/2022

INQUIRY INTO ALLEGATIONS OF EMBEZZLEMENT OF FUNDS AND PROCUREMENT IRREGULARITIES BY OFFICERS OF THE COUNTY GOVERNMENT OF BARINGO IN THE AWARD OF TENDER NO. BRCG/TRN/T&EP/2083/2018 FOR THE SUPPLY OF COUNTY INTERGRATED MONITORING AND EVALUATION INFORMATION SYSTEM AT A TENDER SUM OF KSHS.34, 979,800.00 IN THE FINANCIAL YEAR 2018/2019.

The Commission commenced an investigation after receiving an allegation of embezzlement of funds by the County Government of Baringo in an award of tender no. BRCG/TRN/T&EP/283/2018 for the Supply of County Integrated Monitoring and Evaluation Information System at a tender sum of Kshs. 34,979,800.00.

Investigation established that the alleged successful bidder was awarded the tender at a contract sum of Kshs. 34, 979, 800.00. It was also established that there were a number of arithmetic errors found in the technical and financial evaluation of the successful bidder to the disadvantage of the other bidders.

A correct calculation of scores in the technical and financial scores revealed that the alleged successful bidder was not the highest scored bidder. The successful bidder's bid amount was also not the lowest quoted bid.

On 7th February 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge Director Finance and Administration Treasury Department, Director Supply Chain Management, members of the Evaluation Committee, M/S Impulse Innovations Enterprises Ltd and its directors with the following offences;

- i. One Count of abuse of office contrary to Section 46 as read with Section 48 of ACECA;
- ii. Two Counts of wilful failure to comply with the law relating to procurement contrary to Section 45(2) (b) as read with Section 48 of the ACECA.
- iii. One Count of deceiving principal contrary to Section 41 (2) as read with Section 48 of the ACECA;
- i. One Count of fraudulent practice in procurement proceedings contrary to Section 66(1) as read with Section 177 of the Public Procurement and Asset Disposal Act.
- iv. One count of false accounting by a public officer contrary to Section 331 of the Penal Code.

The Commission is awaiting the DPP's response.

4. EACC/MSA/FI/INQ/14/2018

INQUIRY INTO ALLEGATION OF PROCUREMENT IRREGULARITIES WHERE KENYA PORTS AUTHORITY IS ALLEGED TO HAVE IRREGULARLY AWARDED TENDER NO.KPA/041/2017-18 CCE FOR THE SUPPLY AND COMMISSIONING OF 4NO. NEW 16 TON FORKLIFTS TO GLOBAL MARKETING ENTERPRISES AT A COST OF US DOLLARS 972,977.46 IN THE FINANCIAL YEAR 2017/2018.

The Commission received a report on allegations of corruption that the Kenya Ports Authority irregularly awarded Tender No. KPA/041/2017/18 CCE, for The Supply and Commissioning of Four New 16 Tons Forklifts at a cost of USD.972,977.46 during the financial year 2017/18.

Investigation established that KPA used a direct procurement method of procurement in the said tender. Further investigation established that the Public Procurement Regulatory Authority were not informed about the use of direct procurement method in the award of the said tender. Investigation also established that the said method was improper and unjustified because there were other manufacturers who would have tendered for the supply of the said forklifts.

Investigation revealed that bidder who was awarded the tender did not supply the 16 Tons Forklifts. The supply of the 16 Tons Forklifts was done by a different company. There was no agency agreement between the company that was awarded the tender and the company that supplied the 16 Tons Forklifts.

On 7th February 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the Managing Director and the Head of procurement and Supplies Chain at KPA with the following offences;

- i. Two Count of abuse of office contrary to Section 46 as read with Section 48 of ACECA.
- ii. Two Counts of wilful failure to comply with the law relating to procurement contrary to Section 45(2) (b) as read with Section 48 of the ACECA; and
- iii. One count of conspiracy to commit an offence of corruption contrary to section 47(A) (3) as read with Section 48(1) of ACECA

The Commission is awaiting the DPP's response.

5. EACC/KSI/FI/INQ/2/2023

INVESTIGATION INTO THE ALLEGATIONS OF IRREGULAR PROCUREMENT AND CONFLICT OF INTEREST IN THE TENDER AWARD FOR THE SUPPLY OF 1000 COLD WATER METERS AMOUNTING TO KSHS. 2,689,800.00 BY OFFICIALS OF GUSII WATER AND SANITATION COMPANY LIMITED (GWASCO).

The Commission received a report on allegations of Conflict of Interest and procurement irregularities in the award of Tender No GWASCO/QT/01/2022-2023

for supply of 1000 cold water meters at a cost of Kshs. 2,689,800.00 to Brooca Enterprises Limited during the financial year 2022/2023.

Investigation established that tender No GWASCO/QT/01/2022-2023 for the supply of 1000 cold water meters was never undertaken as alleged. The Managing Director and the Procurement Assistant of GWASCO and the Director of Brooca Enterprises Limited colluded and also submitted fake documentations to obtain the said tender without undertaking any procurement process. It was established that the other two companies that had purportedly submitted their bids and consequently listed in the purported prequalified list did not participate in the said tender since they were never prequalified by GWASCO.

On 7th February 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the Managing Director of GWASCO, her spouse, the Director of Brooca Enterprises Limited and his spouse with the following offences;

- i. One count of abuse of office contrary to Section 46 as read with Section 48(1) of ACECA;
- ii. One count of fraudulent acquisition of public property contrary to Section 45(1)(a) as read with Section 48 of ACECA;
- iii. One Count of Fraudulent practice in procurement proceedings contrary to Section 66(1) as read with Section 177 of the Public Procurement and Asset Disposal Act.
- iv. One Count of forgery contrary to Section 349 of the Penal Code.
- v. One count of uttering false documents contrary to section 353 of the Penal Code.

The Commission is awaiting the DPP's response.

6. EACC/FI/INQ/69/2017

INQUIRY INTO ALLEGATIONS OF SUSPECTED FRAUDULENT ACQUISITION OF PUBLIC FUNDS AMOUNTING TO KSHS. 261 MILLION FROM MINISTRY OF INTERIOR AND

COORDINATION OF NATIONAL GOVERNMENT BY DIRECTORS OF SILVERWARE INVESTMENTS LIMITED BETWEEN JANUARY 2014 AND NOVEMBER 2015.

The Commission received a report on allegations of fraudulent acquisition of public funds amounting to Kshs. 261 million from the Ministry of Interior and Coordination of National Government by Directors of Silverware Investments Limited between January 2014 and November 2015.

Investigation established that a procurement for the supply of foodstuffs (dry food) was undertaken by the Administrative Police Service (APS) between the financial years 2013/2014 and 2015/2016 and the tender was awarded to Silverware Investments Limited. Investigation revealed that Silverware Investments Limited was not prequalified to supply foodstuff (dry food) to APS during the financial years 2013/2014 and 2014/2015.

Further, Silverware Investments Limited used a falsified letter of award in collusion with senior management of the APS to secure local purchase orders (LPOs) for the supply of food stuff (dry food) made to APS. Investigation also confirmed that there were no contracts entered into between Silverware Investments Limited and APS for the supply of foodstuffs.

Investigation revealed that Silverware Investments Limited delivered the food stuff (dry food) to APS. However, APS failed to follow the proper procurement procedures as per the law. Investigation established that the then Deputy Inspector General and Principal Assistant Deputy Inspector General of APS improperly awarded contracts for the supply of foodstuffs to Silverware Investments Limited during the FY 2013/2014 and 2014/2015 leading to a loss of Kshs. 221,125,000.00.

Financial Investigation also revealed that three APS store staff members received monetary gifts from the Director of Silverware Investment Limited.

On 7th February 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the Deputy Inspector

General and the Principal Assistant Deputy Inspector General with the following offences;

- i. One count of conspiracy to commit an economic crime contrary to Section 47A as read with Section 48 of the ACECA;
- ii. Two counts of abuse of office contrary to Section 46 as read with Section 48(1) of ACECA;
- iii. Two counts of wilful failure to comply with applicable procedures and guidelines relating to incurring of expenditure contrary to section 45 (2)(b) as read with Section 48(1) of ACECA; and
- iv. One count of uttering a false document contrary to Section 353 of the Penal Code.

The Commission also recommended administrative action to be taken against three APS staff members for receiving benefits from Silverware Investments Limited contrary to section 11 and 9 of the Public Officers Ethics Act.

The Commission is awaiting the DPP's response.

7. EACC/FI/INQ/44/2022

INVESTIGATION INTO ALLEGATIONS OF PROCUREMENT IRREGULARITIES AT THE MINISTRY OF SPORTS NI THE AWARD OF TENDER NO. MOSCA/CHAN/002/2017 TO M/S GREGORI INTERNATIONAL FOR THE DESIGN AND INSTALLATION OF SPORTS EQUIPMENT IN 5 STADIA AND 10 TRAINING CENTRES IN KENYA AT A TOTAL CONTRACT PRICE OF £ 8,117,869 (APPROXIMATELY KSHS.995M) IN PREPARATION FOR AFRICA NATIONS CHAMPIONS (CHAN 2018) OUT OF WHICH KSHS.220M WAS PAID TO THE CONTRACTOR.

The Ethics and Anti-Corruption Commission (the Commission) received a report on allegations that the state Department for Sports Development (SDSD) in the Ministry of Sports, Culture and Heritage irregularly awarded Tender Number: MOSCA/CHAN/002/2017 for design, mobilization, grass removal, irrigation, levelling, soil preparation, fertilization and installation of Bermuda/Paspalum grass and installation of sports equipment to M/s Gregori International (the Contractor), a French Company, through direct sourcing at £ 8,117,869.00. Further, it was

established that no procurement was carried out to competitively identify the Contractor.

Investigation established that the Ministry of Sports, Culture and Arts used direct procurement method in the said tender, and that the Public Procurement Regulatory Authority were not informed about the use of direct procurement method in the award of the said tender. It was also established that the accounting officer in the Ministry failed to adhere to the prescribed procurement laws and regulation guiding direct procurement method by failing to appoint the tender opening Committee, the project implementation committee and the inspection and acceptance committee and also by accepting a faulty advance Payment Guarantee and Performance Security from the contractor.

On 26th February 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the former Permanent Secretary, Ministry of Sports, Culture and Arts, the Senior Superintendent Engineer at Sport Kenya, the Director Administration state Department of sport, M/s Gregory International Limited and its Directors with the following offences;

- i. Five counts of abuse of office contrary to section 46 as read with Section 48(1) of ACECA;
- ii. One count of financial misconduct contrary to Section 197(i)(h) as read with Section 199 of the Public Finance management Act;
- iii. One count of neglect of official duty by a public Officer Contrary to section 128 of the Penal Code.
- iv. Two counts deceiving principal Contrary to Section 41 (1) as read with section 48 ACECA;
- v. Two counts of Wilful failure to adhere to applicable procedures and guidelines relating to procurement contrary to Section 45(2) (b) as read with Section 48(1) of ACECA;
- vi. One count of conspiracy to commit an offence of corruption contrary to section 47(A) (3) as read with Section 48(1) of ACECA;
- vii. One count of unlawful acquisition of public property contrary to Section 45(1)(a) as read with Section 48(1) of ACECA.

The Commission is awaiting the DPP's response.

8. EACC/FI/INQ/2/2023

INQUIRY INTO ALLEGATIONS OF PROCUREMENT IRREGULARITIES IN THE TENDER FOR DESIGN, SUPPLY, TESTING AND COMMISSIONING OF A NEW REVENUE COLLECTION SYSTEM BY THE KENYA WILDLIFE SERVICES.

The Commission received a report on the procurement irregularities in the procurement process for Tender No. KWS/USAID/FRP/48/2020 -2021 for design, supply, testing and commissioning of a new revenue collection system by the Kenya Wildlife Services. On 16th August, 2021 the tender was awarded to Pesapass Limited the successful bidder.

Investigation established that twenty companies expressed interest in this tender. The bid documents were opened and evaluation took place. The evaluation committee did not adhere to the set evaluation criteria. The evaluation committee recommended the award of tender to the successful company. The directors of the successful company had attached to their bid document; forged statement of audited account, forged ICRA vendor registration certificate, forged NSSF compliance certificate and forged CR12. For the period KWS used the successful company's system they made collections of Kshs. 155, 690, 935.58. The company retained the agreed 7.3 % commission of Kshs. 11, 365, 438.14 and USD 2384.94. Further Investigation established that a former KWS Director General received Kshs. 272,000.00 from one of the company's director.

On 5th March, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge seven KWS officials who include; the former Director General, Head of Supply Chain Management, ICT Manager, and Ag. Director Finance, Principal Customer Care, Staff Officer, Procurement Officer and two Directors of Pesapass Limited, jointly and severally with the following offences;

- i. One count of conspiracy to commit an offence of economic crime contrary to Section 47 A (3) as read with Section 48 (1) of the Anti-Corruption and Economic Crimes Act (ACECA).

- ii. One count of dealing with suspect property contrary to Section 47(2)(a) as read with Section 48(1)(a) of the ACECA, 2003.
- iii. Two 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.
- iv. 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.
- v. One count of obtaining by false pretence contrary to Section 313 of the Penal Code
- vi. One Count of fraudulent practice in procurement process contrary to Section 66 (1) as read with Section 176 (i) of the Public Procurement and Assets Disposal Act, 2015 (PPADA).

The Commission is awaiting the DPP's response.

9. EACC/NYR/FI/INQ/02/2021

INQUIRY INTO ALLEGATION OF IRREGULAR AWARD OF TENDER FOR PROVISION OF COUNTY BRANDING SERVICE BY THE COUNTY GOVERNMENT OF NYANDARUA, A TENDER AWARDED TO CATAPULT BRAND CONSULTING LIMITED DURING THE FINANCIAL YEAR 2017/2018 AT A COST OF KSHS 13,500,000.00.

The Commission received a report on allegations that during the financial year 2017/2018, the County Government of Nyandarua had awarded a tender for branding of the County to the Governor's son through a proxy company namely Catapult Brand Consulting Limited. It was further alleged that the work that was done by the successful bidder was not commensurate to the amount of Kshs. 13,000,000.00 that Catapult Brand Consulting Limited had already been paid. The said company had requested a further payment of Kshs. 27, 492,645.00 being the balance but the Department of Trade declined citing a lack of value for money.

Investigation established that the county officials and the said company had committed several fraudulent acts in the procurement process that led to the award of the tender to the preferred company.

Further, Investigation established that a Nyandarua County Government official forged regret letters for the said tender. Investigation established that the company was fraudulently paid Kshs. 13,500,000.00 from public revenue without proof of services rendered. The accounting officer approved payments without proof of services rendered.

On 7th March 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the Compliance Officer at National Security Social Fund, County Executive Committee Member for Industrialization, Cooperative and Trade a Procurement Officer, an Internal Auditor and a Chief Officer at Nyandarua County, a Director of Brands Park PR limited, Catapult Brand Consulting limited and its former accountant, Account Manager, Procurement officer, and directors with the following offences;

- i. One count of conspiracy to commit an economic crime contrary to Section 47A as read with Section 48 of the ACECA;
- ii. One count of fraudulent practice in a procurement process contrary to section 66 (1) as read with section 176 (i) of the Public Procurement and Asset Disposal Act, 2015;
- iii. One count of wilful failure to comply with the applicable procedures and guidelines relating to incurring of expenditures contrary to section 45 (2)(b) as read with section 48 of the Anti-Corruption and Economics Crime Act, 2003;
- iv. One count of fraudulently making payment from public revenue contrary to section 45(2) (a) as read with section 48(1) (a) of the Anti-Corruption and Economic Crimes Act;
- v. Two counts of abuse of office contrary to section 46 as read with section 48(1) (a) of the Anti-Corruption and Economic Crimes Act;
- vi. One count of fraudulent acquisition of public property contrary to Section 45(1)(a) as read with Section 48 of the ACECA;
- vii. One count of making a document without authority contrary to section 357 (a) of the Penal Code.

The Commission is awaiting the DPP's response.

10. EACC/KSI/FI/INQ/4/2023

INQUIRY INTO ALLEGATIONS OF FORGERY AND ALTERATION OF DOCUMENTS USED IN SUPPORT OF THE SUCCESSFUL BID FOR THE TENDER FOR PROVISION OF SECURITY SERVICES TO KEROKA TECHNICAL TRAINING TEACHERS INSTITUTE (KTTTI), TENDER NO. KETTI/T/01/2022/2023 IN FINANCIAL YEAR 2022/2023

The Commission received a report on allegations of the irregular award of Tender No. KETTI/T/01/2022/2023 to Gimo Securities and Services Limited (Gimo) at Kshs. 6,168, 000.00 by the Keroka Technical Training Teachers Institute (KTTTI).

Investigation established that indeed the tender was awarded to Gimo. That while placing its bid for this tender Gimo attached a forged KRA certificate to its bid document. Gimo carried out the security work and Kshs. 5, 448, 000.00 was paid into its bank account.

On 12th March, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge Gimo Securities and Services Limited and its directors with the following offences;

- i. Commission of a fraudulent act contrary to section 176(1) (i) as read with section 176(2) of the Public Procurement and Asset Disposal Act, 2015.
- ii. Uttering a false document contrary to section 353 of the Penal Code.
- iii. Fraudulent acquisition of a public benefit contrary to section 45(1)(a) as read with section 2 and section 48 of the Anti-corruption and Economic Crimes Act, No. 3 of 2003.

The Commission is awaiting the DPP's response.

11. EACC/FI/INQ/51/2023

INQUIRY INTO ALLEGATION OF CONFLICT OF INTEREST AGAINST A SENIOR ACCOUNTANT AT KeRRA BUNGOMA REGION WHO IS TRADING WITH HIS EMPLOYER

USING PROXY COMPANIES THAT RECEIVED A TOTAL OF KSH 96,402,294.00 FROM KeRRA BETWEEN 2015 AND 2022.

The Commission received a report on allegations of irregular award of tenders and conflict of interest against a Senior Accountant at the Kenya Rural Roads Authority (KeRRA) Bungoma Region through two proxy companies namely Deonjoe General Contractors Limited and Sadaco Ventures Limited operated by his wife as sole signatory and brother as director of the companies respectively.

Investigation established that the two proxy companies that were awarded various tenders for road construction by KeRRA Busia and Bungoma Region between 2015 and 2022 were owned by the wife and brother of the KeRRA officials.

Investigation revealed that the suspects held an indirect private interest in the two companies that traded with KeRRA. KeRRA paid a total of Kshs. 86,618,456.22 to the two companies. Further Investigation established that a Supply Chain Management officer at KeRRA during the procurement process for the said road tenders had received Kshs.3,803,000.00 through corrupt conduct.

On 25th March 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspects with the following offences;

- i. Seven counts of conflict of interest contrary to section 42(1) as read with section 48 (1) of the Anti-Corruption and Economics Crime Act, 2003;
- ii. Two count of unlawful acquisition of public property contrary to Section 45(1)(a) as read with Section 48 of the ACECA;
- iii. One count of dealing with suspect property contrary to section 47(1) as read with section 47 (2) (A) and section 48 of the Anti-Corruption and Economics Crime Act, 2003;

The Commission is awaiting the DPP's response.

12. EACC/MSA/PI/INQ/23/2019

INQUIRY INTO ALLEGATIONS OF CORRUPTION AND EMBEZZLEMENT OF PUBLIC FUNDS AMOUNTING TO KSHS. 11,276,411.20 AT COAST WATER SERVICES BOARD DURING FY 2016/2017

The Ethics and Anti-Corruption Commission (the Commission) received a report on allegations of corruption and embezzlement against, the Chief Executive Officer and Finance Officer of Coast Water Services Board (CWSB). The report indicated that the two officers irregularly authorized and processed payments of Kshs. 11,276,411.20 to a company that was awarded tender for construction of a new water treatment plant at Mwabandari.

Investigation established that on 4th January 2017, Coast Water Services Board entered into a contract with the company at Kshs. 50,625,791.90. The tender sum was later varied by Kshs. 12,656,447.00. The variation was within the percentage prescribed by law and was thus approved. The tender work was implemented and the initial tender sum of Kshs. 50,625,791.90 was duly paid. The variation amount was not paid due to delay in releasing the funds from National Treasury.

On 21st February 2018, the two public officers authored a letter referenced CWSB/FINANCE/38/VOL. 31/35 requesting the Bank Manager of Kenya Commercial Bank (KCB) Treasury Square branch for an overdraft of Kshs. 11,276,411.20. This request for an overdraft was made without the authority of the National Treasury. The Kshs. 11,276,411.20 was to be paid to the company. On 28th February 2018, KCB honoured the request and released Kshs. 10,466,867.33 to CWSB. On 10th April 2018, the account was regularized after the CWSB received Kshs. 32,858,126.15. The Board incurred an interest of Kshs. 122,773.15

On 12th March, 2025 a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the Chief Executive Officer and Finance Officer of Coast Water Services Board with the following offences;

- i. One count of wilful failure to comply with law relating to expenditure contrary to section 45(2) (b) of ACECA.

- ii. One count of Unauthorized Borrowing of Money by entering into a transaction that binds the National Government to future financial obligations Contrary to Section 196 (4) as read with Section 196 (6) of the Public Finance Management Act.

The Commission is awaiting the DPP's response.

13. EACC/PI/INQ/09/2024

INQUIRY INTO ALLEGATIONS OF PROCUREMENT IRREGULARITIES AND CONFLICT OF INTEREST IN THE TENDER PROCESS FOR TENDER NO. CGK/04/WIEN/2020-2021- FOR THE PROPOSED DECOMMISSIONING OF THE GONG DUMPSITE PHASE II BY THE KAJIADO COUNTY GOVERNMENT (CGK)

The Commission received a report that the Chief Officer Finance and Economic Planning at the CGK had participated in the award of tender to a company owned by his uncle. The report indicated that the said Chief Officer had interest in the company owned by his uncle.

Investigations established that the tender was awarded by the Department of Environment and Natural Resources and not the Department of Finance and Economic Planning where the suspect was the Chief Officer. The project was factored in the budgets but the actual available funds were no sufficient because the gross pay on the 2nd and 5th certificates were adjusted downwards due to insufficient funds. The Inspection and Acceptance Committee was not appointed by the Accounting Officer, which resulted in forged valuation of works and payment certificates to facilitate the payments. The Chief Officer in conflict of interest signed the payment certificates and also authorised payments to benefit his uncle. The Directors of the company attached forged NCA certificate to the bid document. An agent of Faircorn who was tasked to compile the bid document attached a forged lease agreement as proof of availability of machinery to carry out the work.

On 26th March, 2025 a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the said public officers, the company and its Directors jointly and severally with the following offences;

- i. Two counts of failure to disclose private interest to one's principal contrary to Section 42 (1) as read with Section 48 of the ACECA.
- ii. Two 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.
- iii. Three counts of Forgery contrary to Section 349 of the Penal Code.
- iv. 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.
- v. Five Counts of fraudulent practice in procurement process contrary to Section 66 (1) as read with Section 176 (i) of the Public Procurement and Assets Disposal Act, 2015 (PPADA).

On 26th March 2025, the DPP returned the inquiry file with instructions for further investigations.

14. EACC/EL/INQ/24/2023

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF THE KENYA RURAL ROADS AUTHORITY (KeRRA) USED A FORGED BACHELOR OF SCIENCE DEGREE TO SECURE EMPLOYMENT AS A PROCUREMENT OFFICER.

The Commission received a report on allegations that an employee of Kenya Rural Roads Authority (KeRRA) used a forged Bachelor of Science Degree (BSC) in Computer Science from Jomo Kenyatta university of Agriculture and Technology, to secure employment from KeRRA as a Procurement officer.

Investigation established that the suspect submitted a forged Bachelor of Science Degree (BSC) in Computer Science from Jomo Kenyatta university of Agriculture and Technology, to secure employment from KeRRA as a Procurement officer. She

also forged her Kenya Certificate of Secondary Education (KCSE) certificate from Gitwe Girls high School and her Bachelor of Business Administration (Procurement and Supply Chain Management) Degree from Kenya Methodist University.

Further she gave false information on her academic qualifications in a curriculum vitae which she submitted to her employer. Investigation evidence from Kenya National Examinations Council (KNEC), Jomo Kenyatta university of Agriculture and Technology, and the Kenya Methodist University established that the said KCSE certificate as well as the said degree certificates were not genuine. The suspect was employed by KeRRA on 7th October 2009 and dismissed from employment 23rd May 2023. During her employment she fraudulently earned a salary of Kshs. 40,329,379.65.

On 23rd January 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- i. One count of fraudulent acquisition of public property contrary to Section 45(1)(a) as read with Section 48 of the ACECA;
- ii. Three counts of deceiving principal contrary to Section 41(2) as read with Section 48 of the ACECA;
- iii. Three count of forgery contrary to Section 345 as read with Section 349 of the Penal Code; and
- iv. Three counts of uttering a false document c/s 357(b) Penal Code.

The Commission will file a civil suit for recovery of Kshs. 40,329,379.65 fraudulently earned during the period of his unlawful employment.

The Commission is awaiting the DPP's response.

15. EACC/EL/INQ/56(xxii)/2023

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (IEBC) WAS IN POSSESSION OF FORGED ACADEMIC DOCUMENT.

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 Namwela Secondary School to secure employment as a driver.

Investigation established that while applying for the job the suspect submitted a forged KCSE certificate from Namwela Secondary School, bearing his name and indicated that he had attained a mean grade of C-(minus) in 1994 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 1994. The suspect was employed from 1st May 2011 until March 2024 when he was dismissed from employment. During his employment, he fraudulently earned a salary of Kshs. 8,928,399.00.

On 27th January 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- i. One count of fraudulent acquisition of public property contrary to Section 45(1)(a) as read with section 48 of the ACECA;
- ii. One count of forgery contrary to Section 345 as read with Section 349 of the Penal Code; and
- iii. One count of presenting a forged certificate contrary to Section 34(a) of the Kenya National Examination Council Act (KNEC Act);
- iv. Two counts of deceiving principal contrary to Section 41(2) as read with Section 48 of the ACECA;

The Commission will file a civil suit for recovery of Kshs. 8,928,399.00 fraudulently earned during the period of his unlawful employment.

DPP returned the inquiry file on 11th April, 2025 with instruction for further investigations.

16. EACC/EL/INQ/009(x)/2024

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF KENYA MEDICAL TRAINING COLLEGE PRESENTED A FORGED KENYA CERTIFICATE OF SECONDARY EDUCATION TO SECURE EMPLOYMENT.

The Commission received a report on allegations that an employee of the Kenya Medical Training College (KMTC) had forged a Kenya Certificate of Secondary Education (KCSE) Certificate from Muhoya High School.

Investigation established that the suspect had submitted a forged KCSE certificate index No.418416/041 for examination of 2003 from Muhoya High School bearing while seeking employment at the KMTC as driver. Investigation and information from Kenya National Examinations Council (KNEC) established that the suspect neither registered nor sat for examination in the year 2003 and that the aforementioned KCSE certificate is not genuine. The suspect was employed from 30th October 2018 until 10th July 2023. During his unlawful employment he fraudulently earned a salary of Kshs. 2,161,469.41.00.

On 28th January 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- v. One count of fraudulent acquisition of public property contrary to Section 45(1)(a) as read with section 48 of the ACECA;
- vi. One count of forgery contrary to Section 345 as read with Section 349 of the Penal Code; and
- vii. One count of presenting a forged certificate contrary to Section 34(a) of the Kenya National Examination Council Act (KNEC Act);

The Commission will file a civil suit for recovery of Kshs. 2,161,469.41.00 fraudulently earned during the period of his unlawful employment.

The Commission is awaiting the DPP's response.

17. EACC/EL/INQ/009(V)/2024

INQUIRY INTO ALLEGATIONS OF FORGED KENYA CERTIFICATE OF SECONDARY SCHOOL CERTIFICATE AGAINST AN EMPLOYEE OF KENYA MEDICAL TRAINING COLLEGE (KMTC)

The Commission received a report that an employee of Kenya Medical Training College had forged a Kenya Certificate of Secondary School certificate from Welkim Senior Academy and used it to secure employment at KMTC as a Registered Community Nurse III.

Investigation established that the suspect was first recruited by County Government of Meru as a Registered Community Nurse III on 1st September, 2015. She was promoted to Registered Community Nurse II 12th March, 2018. She was first recruited by the KMTC as an Enrolled Community Nurse III on 12th October, 2018 and assigned PF No. 20181 10263.

Investigation established that in the two job appointments, the suspect attached KCSE certificate number 2737334 from Welkim Senior Academy for the examination of November/December 2005 with a mean Grade C+ (Plus). She also used the forged certificate to secure admission to study a Diploma in Community Health Nursing at the Clive Irvine College of Health Sciences. She used the certificate to secure admission to study a degree in Nursing at the Chuka University.

Investigations from the relevant bodies established that certificate number 2737334 allegedly issued to the suspect was a forgery. The suspect was employed from 1st November 2015 until 30th June 2023 when she was dismissed from employment. During her unlawful employment, she fraudulently earned a salary of Kshs. 3,717,645.75.

On 28th January 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- i. Two counts of Fraudulent acquisition of public funds contrary to Section 45(1) as read with Section 48 of the Anti-Corruption and Economic Crimes Act, 2003.
- ii. One count of forgery contrary to Section 349 of the Penal Code
- iii. Four counts of uttering false documents contrary to Section 353 of the Penal Code
- iv. Two counts of presentation of forged certificate contrary to Section 34 (a) of the Kenya National Examination Council Act Cap 214 laws of Kenya

The Commission will file a civil suit for recovery of Kshs. 3,717,645.75 fraudulently earned during the period of her unlawful employment.

On 6th May 2025, the DPP returned the inquiry file with instructions for further investigations.

18. EACC/EL/INQ/26/2024

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF THE CONSTITUENCY DEVELOPMENT FUND FORGED ACADEMIC CERTIFICATES TO SECURE EMPLOYMENT

The Commission received a report that the suspect had forged KCSE certificate, degree certificate and a CPA qualification in support of the job application at the Maragua Constituency Development Fund (CDF) as Fund Account Manager.

Investigation established that in her application for the job she attached a bachelor's degree certificate serial No. 275915 for Bachelor of Science in Communications and Public Relations from Moi University, a KCSE certificate serial number 1857809 index number 204301/177 mean Grade of C Plus (C+) from Kahuhia Girls High School 2018 and foundation Diploma in Information Technology Certificate from Griffins College.

Further investigations established that the suspect was enrolled at Kahuhia Girls High School in 1995, she sat her KSCE in 1998 and attained a C Minus (C-). However, she altered the grades to move up to C Plus (C+). Her Bachelor's degree in Science Communications and Public Relation was confirmed to have been issued by the Moi University during the 27th graduation held on 22nd February, 2013. The suspect was employed between September 2022 to May 2024. During her unlawful employment, she fraudulently earned a salary of Kshs. 2,229,123.00.

On 28th January, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- i. One count of Fraudulent acquisition of public funds contrary to Section 45(1) as read with Section 48 of the Anti-Corruption and Economic Crimes Act, 2003.
- ii. One count of forgery contrary to Section 349 of the Penal Code
- iii. One count of presentation of forged certificate contrary to Section 34 (a) of the Kenya National Examination Council Act Cap 214 laws of Kenya

The Commission will file a civil suit for recovery of Kshs. 2,229,123.00 fraudulently earned during the period of her unlawful employment.

The Commission is awaiting the DPP's response.

19. EACC/EL/INQ/57(xvii)/2023

INQUIRY INTO ALLEGATION THAT AN EMPLOYEE OF NAIROBI CITY WATER AND SEWERAGE COMPANY LTD (NCWSC) USED A FORGED KCSE CERTIFICATE, CERTIFICATE AND DIPLOMA IN MANAGEMENT (WATER AND SANITATION) TO SECURE EMPLOYMENT AS A MARKETING ASSISTANT.

The Commission received a report on allegations that an employee of Nairobi City Water and Sewerage Company (NCWSC) used a forged a Kenya Certificate of Secondary Education (KCSE) and Diploma in Water Management and Sanitation from Kenya Institute of Management (KIM) to secure employment at NCWSC as a Marketing Assistant.

Investigation established that the suspect submitted a forged KCSE certificate from the Kenya National Examinations Council (KNEC) and a forged Diploma Certificate in Water Management and Sanitation from KIM. Evidence collected from KIM established that the institution does not offer a Diploma course in Water Management and Sanitation, therefore the purported Diploma Certificate in Water Management and Sanitation was not issued by KIM. The suspect was employed on 1st October 2012 and dismissed from employment in November 2023. During her unlawful employment, she fraudulently earned a salary of Kshs. 8,004,425.65.

On 3rd February 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- i. One count of fraudulent acquisition of public property contrary to Section 45(1)(a) as read with Section 48 of the ACECA;
- ii. One count of deceiving principal contrary to Section 41(2) as read with Section 48 of the ACECA;
- iii. Three counts of forgery contrary to Section 345 as read with Section 349 of the Penal Code; and
- iv. Three counts of uttering a false document contrary to Section 357(b) of the Penal Code.

The Commission will file a civil suit for recovery of Kshs. 8,004,425.65 fraudulently earned during the period of her unlawful employment.

On 8th May 2025, the DPP returned the inquiry file with instructions for further investigations.

20. EACC/EL/INQ/007(xxxv)2024

INQUIRY INTO AN ALLEGATION THAT AN EMPLOYEE OF NAIROBI CITY WATER AND SEWAGE COMPANY LTD (NCWSC) FORGED A KCSE CERTIFICATE TO SECURE EMPLOYMENT AS A SECURITY ASSISTANT.

The Commission received a report on allegations that an employee of Nairobi City Water and Sewerage Company (NCWSC) used a forged Kenya Certificate of Secondary Education (KCSE) to secure employment at NCWSC as a Security Assistant.

Investigation established that while applying for the job, the suspect submitted a forged KCSE certificate from Karigu-Ini Secondary School bearing his name and indicating he had obtained a mean grade of C (plain) in the year 1999. Investigation and information from the Kenya National Examinations Council (KNEC) indicate that the suspect registered and sat for examination in the year 1999 and had obtained a mean grade of D-(Minus). It was also established that grades in seven (7) subjects had also been altered and that the certificate he submitted to NCWC was not genuine.

The suspect was employed effective 21st April 2017 and dismissed from employment in December 2023. During his unlawful employment, he fraudulently earned a salary of Kshs. 5,282,865.30.

On 6th February 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- i. One count of fraudulent acquisition of public property contrary to Section 45(1)(a) as read with Section 48 of the ACECA;
- ii. One count of deceiving principal contrary to Section 41(2) as read with Section 48 of the ACECA;
- iii. One count of forgery contrary to Section 345 as read with Section 349 of the Penal Code; and
- iv. One count of uttering a false document contrary to Section 357(b) of the Penal Code.

The Commission will file a civil suit for recovery of Kshs. 5,282,865.30 fraudulently earned during the period of his unlawful employment.

On 6th May 2025, the DPP returned the inquiry file with instructions for prosecution.

21. EACC/EL/INQ/007(xxxiv)2024

INQUIRY INTO AN ALLEGATION THAT AN EMPLOYEE OF NAIROBI CITY WATER AND SEWERAGE COMPANY LTD (NCWSC) FORGED A KCSE CERTIFICATE TO SECURE EMPLOYMENT AS A REVENUE COLLECTION ASSISTANT.

The Commission received a report on allegations that an employee of Nairobi City Water and Sewerage Company (NCWSC) used a forged Kenya Certificate of Secondary Education (KCSE) to secure employment at NCWSC as a Revenue Collection Assistant.

Investigation established that while applying for the job, he submitted a forged KCSE certificate from Pleasant View School bearing her name with a mean grade of C (plain) for the year 2010. Investigation and information from the Kenya National Examinations Council (KNEC), established that the suspect registered and sat for KCSE examination for the year 2010 but attained a mean grade of D-(Minus) and that the KCSE certificate presented to NCWSC was not genuine. The suspect was employed effective 9th September 2015 to 30th August 2023. During her unlawful employment, she fraudulently earned a salary of Kshs. 5,796,643.15.

On 6th February 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- i. One count of fraudulent acquisition of public property contrary to Section 45(1)(a) as read with Section 48 of the ACECA;
- ii. One count of deceiving principal contrary to Section 41(2) as read with Section 48 of the ACECA;
- iii. One count of forgery contrary to Section 345 as read with Section 349 of the Penal Code; and
- iv. One count of uttering a false document contrary to Section 357(b) of the Penal Code.

The Commission will file a civil suit for recovery of Kshs. 5,796,643.15 fraudulently earned during the period of her unlawful employment.

The DPP returned the inquiry file on 12th March, 2025 with instructions to prosecute.

22. EACC/EL/INQ/009(iii)2024

INQUIRY INTO ALLEGATION OF FORGED CERTIFICATES AGAINST RUTH WANGUI KAMAU A COOK III AT THE KENYA MEDICAL TRAINING COLLEGE.

The Commission received a report that an employee of the Kenya Medical Training College (KMTC) had forged a certificate and used it to seek promotion at the college.

Investigation established that the suspect was first recruited as a casual at the Ministry of Health on 15th October, 1990. In 1997, she was absorbed as Cook III and later redeployed as Housekeeper at KMTC and transferred to Nairobi KMTC. Through letter Ref: KMTC/QP-13/PNo.199016089/113 dated 25th April, 2019 she was confirmed on permanent and pensionable basis. In a Staff Appraisal Form dated 26th July, 2021 she attached a certificate in Food Production from Kenya School of Professional Studies and a 2017 – Progress Report with admission No. CFP/5051 for a certificate course in Food Production. Through a letter dated 28th July, 2021, she wrote a letter seeking promotion from Housekeeper III to Housekeeper II and attached the forged certificate. Investigations established that the certificate the suspect attached did not originate from the institute.

On 7th February, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge Ruth Wangui Kamau with the following offences:

- i. One count of providing false information to Kenya Medical Training College contrary to Section 46 (1) (d) as read with Section 46 (2) of the Leadership and Integrity Act, 2003.
- ii. Two counts of forgery contrary to Section 349 of the Penal Code
- iii. Two counts of uttering false documents contrary to Section 353 of the Penal Code

On 18th May 2025, the DPP returned the inquiry file with instructions for further investigations.

23. EACC/KSM/EL/INQ/02/2021

INQUIRY INTO ALLEGATIONS OF IRREGULAR RECRUITMENT OF THE ACTING KISUMU COUNTY CITY MANAGER BY THE KISUMU COUNTY PUBLIC SERVICE BOARD.

The Commission received a report that the acting City Manager, County Government of Kisumu was irregularly appointed by the Kisumu County Public Service Board.

Investigation established that a vacancy for the position of City Manager, Kisumu County was advertised by the Kisumu County Public Service Board (the Board). On the same day the position was advertised, the Board appointed the suspect as the acting City Manager for a period of six months pending the appointment of the substantive manager. Investigation also established that a competitive recruitment exercise was never concluded by the Board. The Board later confirmed him in the position of City Manager for a period of 3 years effective 28th September 2020.

Investigation also established that the suspect submitted a forged Kenya Certificate of Secondary Education (KCSE) certificate from Kambare Secondary School bearing his name and a mean grade of C+(Plus) while applying for the position of City Manager. Investigation and information from KNEC established that the suspect registered and sat for the 1990 KCSE examination and obtained a mean grade of D+(Plus) and that the certificate he submitted to the Kisumu County Public Service Board was not genuine.

On 7th February 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- i. One count of forgery contrary to Section 345 as read with Section 349 of the Penal Code;

- ii. One count of uttering a false document contrary to Section 357(b) of the Penal Code; and
- iii. One count of presenting a forged certificate contrary to Section 34(a) of the Kenya National Examination Council Act (KNEC Act).

The Commission is awaiting the DPP's response.

24. EACC/KSI/EL/INQ/2B/2022

INQUIRY INTO ALLEGATIONS OF IRREGULAR RECRUITMENT AGAINST THE DEPUTY CLERK, COUNTY ASSEMBLY OF KISII.

The Commission received a report on allegations that the Deputy Clerk, County Assembly of Kisii had unlawfully reinstated an employee of the County Assembly of Kisii.

Investigation established that an employee of the County Assembly of Kisii had been placed on interdiction for theft of a printer belonging to the County Assembly of Kisii and presenting two different National Identity cards to secure employment. Investigation revealed that the employee filed a court case seeking to have his salary which was withheld following his interdiction paid. The court ruled that until the disciplinary process is completed, the employee's full salary should be released. Based on this court decision, the Deputy Clerk, County Assembly of Kisii lawfully reinstated the employee. However, Investigation also established that the employee had presented a forged national identity card. The Civil Registration Services confirmed that one of the National Identity cards presented by the employee was not authentic.

On 11th February 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- i. Two counts of deceiving principal contrary to Section 41(2) as read with Section 48 of the ACECA;
- ii. Five counts of forgery contrary to Section 345 as read with Section 349 of the Penal Code; and

- iii. Five counts of uttering a false document contrary to Section 353 of the Penal Code.

The Commission is awaiting the DPP's response.

25. EACC/EL/INQ/16/2024

INQUIRY INTO ALLEGATIONS OF FAILURE TO SURRENDER IMPREST BY TWO PUBLIC OFFICERS WHO WERE PAID A DAILY SUBSISTENCE ALLOWANCE FOR FOREIGN TRAVEL TO PARIS, FRANCE BY THE KENYA NATIONAL COMMISSION FOR UNESCO (KNATCOM)

The Commission received a report on allegations that two public officers had failed to surrender imprest after being paid a daily subsistence allowance by the Kenya National Commission for UNESCO (KNATCOM) for foreign travel to Paris, France to attend the Transforming Education Summit 2022 held from 28th to 30th June 2022 and attend the Safeguarding of Intangible Cultural Heritage Convention held from 5th to 7th July 2022 but did not attend the two summits and failed to surrender the imprest.

Investigation established that the two public officers were nominated by the National Assembly to attend the two summits. KNATCOM paid the two public officers their daily subsistence allowance of Kshs. 1,062,360 and Kshs. 848,250 respectively to attend the two summits for 10 days. Investigation established that due to delays in visa processing, they did not attend and despite several reminders, they have failed to surrender the public funds.

On 10th March 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- i. Two counts of wilful failure to comply with the law relating to the management of funds contrary to section 45 (2)(b) as read with section 48 of the Anti-Corruption and Economics Crime Act, 2003;

The Commission is awaiting the DPP's response.

26. EACC/EL/INQ/7(iii)/2024

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF NAIROBI CITY WATER AND SEWERAGE COMPANY LIMITED (NCWSC) USED A FORGED KENYA CERTIFICATE OF SECONDARY EDUCATION (KCSE) TO SECURE EMPLOYMENT.

The Commission received a report on allegations that an employee of the Nairobi City Water and Sewerage Company (NCWSC) used a forged Kenya Certificate of Secondary Education (KCSE) from Nyanturago Secondary School to secure employment at NCWSC as a driver (Grade 8).

Investigation established that the suspect submitted a forged KCSE certificate from Nyanturago Secondary School to NCWSC to obtain employment as a Driver, which falsely indicated that he had attained a mean grade of a C+ (Plus) in the KCSE exams. Investigation and information from the Kenya National Examinations Council (KNEC) established that the submitted KCSE certificate was altered from a mean grade of D Plain to C+(Plus) and that grades in seven(7) subjects had also been altered. Further Investigation established that the suspect deceived his employer on his academic qualifications by filling a Personal Information Data Form. He was employed on 3rd April 2013 until 31st December 2023. The employee had fraudulently earned a salary of Kshs. 6,266,666.05 during his unlawful employment.

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

- i. One count of fraudulent acquisition of public property contrary to Section 45(1) (a) as read with Section 48 of the Anti-Corruption and Economic Crimes Act No. 3 of 2003.
- ii. One count of presentation of forged certificate contrary to Section 34(a) of the Kenya National Examination Council Act.
- iii. Alternative count of uttering a false document contrary to Section 353 as Read with Section 349 of the Penal Code.

- iv. One count of deceiving principal contrary to section 41 (2) as read with Section 48 of the Anti-Corruption and Economic Crimes Act No. 3 of 2003.

The Commission will file a civil suit for recovery of Kshs. 6,266,666.05 fraudulently earned during his employment.

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

27. EACC/EL/INQ/007(iv)/2024

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF NAIROBI CITY WATER AND SEWERAGE COMPANY LIMITED (NCWSC) USED A FORGED KENYA CERTIFICATE OF SECONDARY EDUCATION (KCSE) TO SECURE EMPLOYMENT.

The Commission received a report on allegations that an employee of the Nairobi City Water and Sewerage Company (NCWSC) used a forged Kenya Certificate of Secondary Education (KCSE) from Ntana Secondary School to secure employment as an Artisan.

Investigation established that the suspect submitted a forged KCSE certificate with a mean grade of C- (Minus) from Ntana Secondary School to NCWSC to obtain employment. Investigation and information from the Kenya National Examinations Council (KNEC) and from Ntana Secondary School established that the submitted KCSE certificate was a forgery because the suspect was not a student at Ntana Secondary School and did not sit the KCSE in the year 2007 as indicated in the forged certificate. Further Investigation also established that the suspect deceived his employer on his academic qualifications by filling a Personal Information Data Form. The suspect was employed on 1st April 2013 2020 until 1st December 2023. The suspect had fraudulently earned a salary of Kshs. 8,597,704.00 during his unlawful employment.

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

- i. One count of Forgery contrary to Section 349 of the Penal Code;
- ii. One count of Presentation of a forged certificate contrary to Section 34 (a) of the Kenya National Examination Council Act;
- iii. One count of Deceiving principal contrary to Section 41 (2) as read with Section 48 of ACECA; and;
- iv. One count of fraudulent acquisition of public property contrary to Section 45(1) (a) as read with Section 48 of the Anti-Corruption and Economic Crimes Act.

The Commission will file a civil suit for recovery of Kshs. 8,597,704.00 fraudulently earned during his unlawful employment.

The Commission is awaiting the DPP's response.

28. EACC/EL/INQ/009(i)/2024

INQUIRY INTO ALLEGATION THAT A FORMER EMPLOYEE OF KENYA MEDICAL TRAINING COLLEGE (KMTC) USED FORGED ACADEMIC CERTIFICATES FROM KABARAK UNIVERSITY TO SEEK RE-DESIGNATION AT KMTC.

The Commission received a report on an allegation that an employee of Kenya Medical Training Institute (KMTC) used forged academic certificates from Kabarak University to seek re-designation from Housekeeper I to Lecturer III.

Investigation established that the suspect submitted a forged Bachelor degree certificate in Human Nutrition and dietetics second Class (Upper Division) degree serial number BSCHND 2022/0000019 from Kabarak University allegedly attained in the year 2022. Evidence and information gathered from Kabarak University established that the suspect graduated from the Kabarak university in December 2016 with Bachelor degree certificate in Human Nutrition and dietetics second Class (lower Division) and was issued with a degree serial number BScHND 2021/0000004.

It was also established that the suspect submitted a Personal Records Form indicating the aforesaid false academic records, when seeking re-designation to a position of Lecturer III. The suspect did not financially benefit from using the

forged degree certificate since she was not appointed to the position of Lecture III.

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

- i. One count of Forgery contrary to Section 349 of the Penal Code
- ii. One count of Deceiving principal contrary to Section 41(2) as read with Section 48 of ACECA.
- iii. One count of uttering a false document contrary to Section 353 as read with Section 349 of the Penal Code.

On 22nd April 2025, the DPP returned the inquiry file with recommendations for closure.

29. EACC/EL/INQ/007(XIiv)2024

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF NAIROBI CITY WATER AND SEWERAGE COMPANY LIMITED (NCWSC) USED A FORGED KENYA CERTIFICATE OF SECONDARY EDUCATION (KCSE) TO SECURE EMPLOYMENT.

The Commission received a report on allegations that an employee of the Nairobi City Water and Sewerage Company (NCWSC) used a forged Kenya Certificate of Secondary Education (KCSE) certificate from Ribe Girls Secondary School to secure employment as a Marketing Assistant.

Investigation established that the suspect submitted a forged KCSE certificate from Ribe Girls Secondary School to NCWSC to obtain employment, which falsely indicated that she had attained a mean grade of C+ (Plus) in the KCSE examinations. Investigation and information from the Kenya National Examinations Council (KNEC) confirmed that the submitted KCSE certificate was altered. Further Investigation established that the suspect deceived her employer on her academic qualifications by filling a Personal Information Data Form. The suspect was employed on 20th July 2020 until 1st December 2023. The employee had fraudulently earned a salary of Kshs. 3,296,528.35 during her unlawful employment.

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

- i. One count of Forgery contrary to Section 349 of the Penal Code.
- ii. One count of Presentation of a forged certificate contrary to Section 34 (a) of the Kenya National Examination Council Act.
- iii. One count of Deceiving principal contrary to Section 41 (2) as read with Section 48 of ACECA.
- iv. One count of fraudulent acquisition of public property contrary to Section 45(1) (a) as read with Section 48 of the Anti-Corruption and Economic Crimes Act.

The Commission will file a civil suit for recovery of Kshs. 3,296,528.35 fraudulently earned during her employment.

The Commission is awaiting the DPP's response.

30. EACC/MCKS/EL/INQ/4/2023

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF THE COUNTY GOVERNMENT OF MACHAKOS (CGM) USED A FORGED BACHELOR OF SCIENCE DEGREE TO SECURE EMPLOYMENT AS A PROCUREMENT OFFICER.

The Commission received a report on allegations that an employee of the County Government of Machakos (CGM) used a forged Bachelor of Commerce (Accounting Option) Degree Certificate and Academic Transcripts from the university of Nairobi to secure employment, as a Chief Officer, Department of Industrialization and Innovation at the County Government of Machakos.

Investigation established that the suspect submitted a forged Bachelor of Commerce (Accounting Option) Degree Certificate serial no. 8258 and Academic Transcripts from Nairobi University bearing his name, to secure employment from CGM as a Chief Officer.

Investigation and information from the University of Nairobi, established that the Degree Certificate and Academic Transcripts from the said university were not genuine as the said university did not issue the aforementioned Degree Certificate serial no. 8258 and Academic Transcripts. He was employed on 1st January 2023 until 1st November 2023. During his employment he fraudulently earned a salary of Kshs. 2,200,981.80.

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

- i. Two Counts of Forgery contrary to Section 345 as read with Section 349 of the Penal Code
- ii. One count of fraudulent acquisition of public property contrary to Section 45(1) (a) as read with Section 48 of the Anti-Corruption and Economic Crimes Act.
- iii. Seven Counts of uttering a false document contrary to Section 353 of the Penal Code.

The Commission will file a civil suit for recovery of Kshs. 2,200,981.80 fraudulently earned during her employment.

The Commission is awaiting the DPP's response.

31. EACC/EL/INQ/007(xxi)/2024

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF NAIROBI CITY WATER AND SEWERAGE COMPANY LTD (NCWSC) USED A FORGED KENYA CERTIFICATE OF SECONDARY EDUCATION (KCSE) TO SECURE EMPLOYMENT

The Commission received a report on allegations that an employee of Nairobi City Water and Sewerage Company (NCWSC) used a forged Kenya Certificate of Secondary Education (KCSE) to secure employment at NCWSC as an Operator Waste Water.

Investigation established that while applying for job the suspect submitted a KCSE certificate from Race Course Secondary School bearing his name and indicating that he had attained a mean grade of C (plain) in the 1999 KCSE examination. Investigation and information from the Kenya National Examinations Council (KNEC) established that the KCSE certificate was not genuine as the suspect neither registered nor sat for the KCSE examination. The suspect was employed on November 2013 until 24th January 2024. During his employment, he fraudulently earned a salary of Kshs. 7,226,725.05.

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

- i. One count of fraudulent acquisition of public property contrary to Section 45(1)(a) as read with Section 48 of the ACECA;
- ii. One count of forgery contrary to Section 345 as read with Section 349 of the Penal Code;
- iii. One count of uttering a false document contrary to Section 353 of the Penal Code; and
- iv. One count of presenting a forged certificate contrary to Section 34(a) of the Kenya National Examination Council Act (KNEC Act);

The Commission will file a civil suit to recover Kshs. 7,226,725.05 fraudulently earned during his employment.

The Commission is awaiting the DPP's response.

32. EACC/EL/INQ/007(x)/2024

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF NAIROBI CITY WATER AND SEWERAGE COMPANY LTD (NCWSC) USED A FORGED KENYA CERTIFICATE OF SECONDARY EDUCATION (KCSE) TO SECURE EMPLOYMENT

The Commission received a report on allegations that an employee of Nairobi City Water and Sewerage Company (NCWSC) used a forged Kenya Certificate of Secondary Education (KCSE) to secure employment at NCWSC as an Artisan.

Investigation established that the suspect submitted a forged KCSE certificate from Ogongo Secondary School. Investigation and information from the Kenya National Examinations Council (KNEC) established that the KCSE certificate was not genuine. The suspect was employed on 1st January 2007 to 31st December 2023. During his employment, he fraudulently earned a salary of Kshs. 8,821,842.40.

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

- i. One count of fraudulent acquisition of public property contrary to Section 45(1)(a) as read with Section 48 of the ACECA;
- ii. One count of forgery contrary to Section 345 as read with Section 349 of the Penal Code;
- iii. One count of uttering a false document contrary to Section 353 of the Penal Code; and
- iv. One count of presenting a forged certificate contrary to Section 34(a) of the Kenya National Examination Council Act (KNEC Act);

The Commission will file a civil suit to recover Kshs. 8,821,842.40 fraudulently earned during his employment.

The Commission is awaiting the DPP's response.

33. EACC/EL/INQ/007(ix)/2024

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF NAIROBI CITY WATER AND SEWERAGE COMPANY LTD (NCWSC) USED A FORGED KENYA CERTIFICATE EDUCATION (KCE) TO SECURE EMPLOYMENT

The Commission received a report on allegations that an employee of Nairobi City Water and Sewerage Company (NCWSC) used a forged Kenya Certificate of Education (KCE) to secure employment at NCWSC as a Marketing Assistant.

Investigation established that while applying for the job the suspect submitted a forged KCE certificate from Ambira Secondary School bearing his name and indicating that he is a holder of KCE certificate grade Div III. Investigation and information from Kenya National Examinations Council (KNEC) established that the KCE certificate was not genuine and that the suspect neither registered nor sat for the KCE examinations in the year 1985. The suspect was employed on 1st January 2007 until 31st December 2023. During his employment, he fraudulently earned a salary of Kshs. 13,028,750.70.

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

- i. One count of forgery contrary to Section 345 as read with Section 349 of the Penal Code;
- ii. One count of presenting a forged certificate contrary to Section 34(a) of the Kenya National Examination Council Act (KNEC Act);
- iii. One count of deceiving principal contrary to Section 41(2) as read with Section 48 of the ACECA; and
- iv. One count of fraudulent acquisition of public property contrary to Section 45(1)(a) as read with Section 48 of the ACECA.

The Commission will file a civil suit to recover Kshs. 13,028,750.70 fraudulently earned during his employment.

The Commission is awaiting the DPP's response.

34. EACC/EL/INQ/007(viii)/2024

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF NAIROBI CITY WATER AND SEWERAGE COMPANY LTD (NCWSC) USED A FORGED KENYA CERTIFICATE EDUCATION (KCE) TO SECURE EMPLOYMENT

The Commission received a report on allegations that an employee of Nairobi City Water and Sewerage Company (NCWSC) used a forged Kenya Certificate of Education (KCE) certificate to secure employment at NCWSC as a Security Assistant.

Investigation established that the suspect submitted a forged KCSE certificate from Kanyamfwa Secondary School. Investigation and information from Kenya National Examinations Council (KNEC) established that the KCE certificate was not genuine. While applying for the job he submitted a KCE certificate from Kanyamfwa Secondary School, bearing his name and indicating that she was a holder of KCE certificate grade Div iii in the 1985 KCE examinations. The certificate was verified and KNEC confirmed that the suspect was not registered for the KNEC examination at Kanyamfwa Secondary School in the year 1985 as indicated on the certificate.

The suspect was employed on 1st January 2007 to 4th December 2023. During her employment, she fraudulently earned a salary of Kshs.15,188,498,44.

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

- i. One count of forgery contrary to Section 345 as read with Section 349 of the Penal Code;
- ii. One count of presenting a forged certificate contrary to Section 34(a) of the Kenya National Examination Council Act (KNEC Act);
- iii. One count of deceiving principal contrary to Section 41 (2) as read with Section 48 of the ACECA; and
- iv. One count of fraudulent acquisition of public property contrary to Section 45(1)(a) as read with Section 48 of the ACECA.

The Commission will file a civil suit to recover Kshs. 15.188.498.44 fraudulently earned during his unlawful employment.

The Commission is awaiting the DPP's response.

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF KENYA PLANT HEALTH INSPECTORATE SERVICE (KEPHIS) USED A FORGED KENYA NATIONAL EXAMINATIONS COUNCIL (KNEC) DIPLOMA CERTIFICATE IN SECRETARIAL STUDIES TO SECURE EMPLOYMENT.

The Commission received a report on allegations that an employee of Kenya Plant Health Inspectorate Services (KEPHIS) used a forged Diploma in Secretarial Studies to secure employment at KEPHIS as an office Assistant III but later re-designated to an Accountant II.

Investigation established that the suspect submitted a forged KNEC Diploma Certificate in Secretarial Studies from the Kiambu Institute of Science and Technology. Investigation and information from Kenya National Examinations Council (KNEC), established that the KNEC diploma certificate was not genuine and that the suspect neither registered nor sat for the Diploma Certificate in Secretarial Studies examinations in the year 2004. The suspect was employed on 1st August 2013 until 31st November 2021. During her employment, she fraudulently earned a salary of Kshs. 5,381,180.35.

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

- i. One count of presentation of a forged certificate contrary to Section 34(a) of the Kenya National Examination Council Act (KNEC Act);
- ii. Alternative count of uttering a false document contrary to Section 353 of the Penal Code; and
- iii. One count of fraudulent 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.

The Commission will file a civil suit to recover Kshs. 5,381,180.35 fraudulently earned by the suspect.

The Commission is awaiting the DPP's response.

36. EACC/EL/INQ/007(xi)/2024

INVESTIGATION INTO ALLEGATIONS THAT A FORMER EMPLOYEE OF NAIROBI CITY WATER AND SEWERAGE COMPANY LTD (NCWSC) USED A FORGED KENYA CERTIFICATE OF SECONDARY EDUCATION (KCSE) TO SECURE EMPLOYMENT AT THE COMPANY

The Commission received a report on allegations that a former employee of Nairobi City Water and Sewerage Company used forged certificates to secure employment.

Investigation established that the suspect was employed by NCWSC on 1st August, 2013 as a Driver on contract and was later appointed on permanent and pensionable basis on 19th March, 2014. While applying for the job he submitted a KCSE certificate from Naivasha Mixed Secondary School, bearing his name and indicating that he had attained a mean grade of C - (minus) in the 1993 KCSE examinations. The certificate was verified and KNEC confirmed that the suspect was not registered for the KNEC examination at Naivasha Mixed Secondary School in the year 1993 as indicated on the certificate. The school's examination code for the year 1993 was 51027 and not 21008 as indicated in the forged certificate. The suspect was employed on 1st August, 2013 until 31st December 2023. During his unlawful employment, he fraudulently earned a salary of Kshs. 9, 230, 921.65.

On 13th March, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- i. One count of Forgery contrary to Section 349 of the Penal Code
- ii. One count of fraudulent acquisition of public property contrary to Section 45(1) (a) as read with Section 48 of the Anti-Corruption and Economic Crimes Act.
- iii. One count of Deceiving principal contrary to Section 41 (2) as read with Section 48 of ACECA.
- iv. One count of Presentation of a forged certificate contrary to Section 34 (a)

of the Kenya National Examination Council Act.

- v. One count of false accounting by a public officer contrary to Section 331 (1) and (2) of the Penal Code;

The Commission will file a civil suit to recover Kshs. 9,230,921.65 fraudulently received on account of forged KCSE certificate.

The Commission is awaiting the DPP's response.

37. EACC/EL/INQ/56(xxxiii)/2023

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (IEBC) PRESENTED A FORGED BACHELOR'S DEGREE CERTIFICATE FROM THE JOMO KENYATTA UNIVERSITY OF AGRICULTURE AND TECHNOLOGY (JKUAT) TO BE UPGRADED.

The Commission received a report on allegations that an employee of the Independent Electoral and Boundaries Commission (IEBC) used a forged Bachelor Degree Certificate from the Jomo Kenyatta University of Agriculture and Technology (JKUAT) to be upgraded from an Assistant Officer Grade 8 to Assistant officer Grade 7.

Investigation established that the suspect submitted a forged Bachelor of Science Degree Certificate in Public Administration and Leadership from JKUAT, to be upgraded from an Assistant Officer Grade 8 to Assistant officer Grade 7. Investigation and information from the Jomo Kenyatta University of Agriculture and Technology established that the Degree Certificate said university was not genuine. The suspect did not financially benefit from using the forged degree certificate since he was not upgraded to the position of Assistant officer Grade 7.

On 18th March 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- i. One Count of Forgery contrary to Section 345 as read with Section 349 of the Penal Code
- ii. One Counts of uttering a false document contrary to Section 353 of the Penal Code.

The Commission is awaiting the DPP's response.

38. EACC/EL/INQ/56(vii)/2023

INQUIRY INTO ALLEGATIONS THAT AN EMPLOYEE OF THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (IEBC) PRESENTED A FORGED BACHELOR'S DEGREE CERTIFICATE FROM MOI UNIVERSITY.

The Commission received a report on allegations that an Assistant elections officer at Independent Electoral and Boundaries Commission (IEBC) presented a forged Bachelor Degree Certificate from Moi University to be upgraded from an Assistant Officer Grade 8 to Assistant officer Grade 7.

Investigation established that the suspect submitted a forged Bachelor of Arts in Social Studies Degree Certificate from Moi University. Investigation and information from Moi University of Agriculture and Technology established that the Degree Certificate was not genuine. The suspect did not financially benefit from using the forged degree certificate since he was not upgraded to the position of Assistant officer Grade 7.

On 18th March 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the suspect with the following offences;

- i. One count of Deceiving principal contrary to Section 41 (2) as read with Section 48 of ACECA.
- ii. One Count of Forgery contrary to Section 345 as read with Section 349 of the Penal Code
- iii. One Counts of uttering a false document contrary to Section 353 of the Penal Code.

The Commission is awaiting the DPP's response.

39. EACC/KSI/EL/INQ/04/2021

INQUIRY INTO ALLEGATIONS THAT AN ASSISTANT CHIEF OF WINAM SUB-LOCATION, NYATIKE SUB-COUNTY WAS IRREGULARLY RECRUITED WITHOUT MEETING THE MINIMUM REQUIREMENTS.

The Commission received a report on allegations that an Assistant Chief of Winam Sub-Location, Nyatike Sub-county was irregularly recruited without meeting the minimum requirements.

Investigation established that while applying for the position of an Assistant Chief the suspect submitted a forged KCSE certificate from Rarage Secondary School, which falsely indicated that she had attained a mean grade of C+ (Plus) in the KCSE examinations in the year 1990. Investigation and information from Kenya National Examinations Council (KNEC) confirmed that the submitted KCSE certificate was altered from D+(plus) and also the grades for five of the subjects had been altered. Investigation also established that the suspect used the said forged certificate to enroll for a Bachelor of education degree at Laikipia university in the year 2013 and also to secure employment as an Assistant Chief. She was employed on 30th December 2020 to July 2022. The suspect had fraudulently earned a salary of Kshs. 495,935.60 during her unlawful employment.

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

- i. One count of fraudulent acquisition of public property contrary to Section 45(1) (a) as read with Section 48 of the Anti-Corruption and Economic Crimes Act.
- ii. One count of Deceiving principal contrary to Section 41 (2) as read with Section 48 of ACECA.
- iii. One count of Forgery contrary to Section 349 of the Penal Code.

iv. Two Counts of uttering a false document contrary to Section 353 of the Penal Code.

The Commission will file a civil suit for recovery of Kshs. 495,935.60 fraudulently earned during her employment.

The Commission is awaiting the DPP's response.

40. EACC/MCKS/OPS/INQ/12/2024

INQUIRY INTO ALLEGATIONS OF KSHS. 3,000.00 BRIBE DEMAND AGAINST KAJIADO COUNTY LABOUR OFFICERS.

The Commission received a report that a Kajiado County Labour Officer demanded a Kshs. 7,000.00 bribe which he reduced to Kshs. 3,000.00 from the complainant. This bribe was an inducement for the labour officer to issue a labour report to the complainant who had reported a case of unfair dismissal from employment by his employer.

Investigation established that the alleged Labour Officer was an unidentified person. The Labour Officer who is alleged to have demanded the bribe was not aware of the caller or the subject of the call.

On 28th January 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to close the inquiry file.

On 10th March 2025, the DPP returned the inquiry file with instructions for further investigations.

41. EACC/OPS/INQ/93/2024

INQUIRY INTO ALLEGATIONS OF BRIBE DEMAND AGAINST POLICE OFFICERS BASED AT THE CAPITOL HILL POLICE STATION, NAIROBI.

The Commission received a report that two Police Officers based at Capitol Hill police Station arrested the complainant on 31st May, 2024 for driving motor cycle

registration number KMGM 342M with a Provisional Driver's License. The two Police Officers demanded Kshs. 5,000.00 bribe as inducement to release the motor cycle. Upon negotiations the bribe was reduced to Kshs. 4,000.00.

Investigation established that indeed the complainant was arrested on 31st May, 2024 and was booked in the Occurrence Book under OB No. 45/31/05/2024. That on 3rd June he went to the Police station and met one of the police officers who demanded Kshs. 5,000.00 bribe as inducement to release the motor cycle and upon negotiations he reduced the bribe Kshs. 4,000.00. The police officer received the Kshs. 4,000.00 bribe from the complainant and released the impounded motor cycle.

On 28th January 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the Police Officer with the following offences;

- i. Two counts of requesting a bribe contrary to Section 6 (1) (a) as read with Section 18 of the Anti- Bribery Act. No 47 of 2016.
- ii. One count of requesting a bribe contrary to Section 6 (1) (a) as read with Section 18 of the Anti- Bribery Act. No 47 of 2016.

The DPP returned the inquiry file on 14th April, 2025 with instructions to prosecute.

42. EACC/OPS/INQ/20/2024

INQUIRY INTO BRIBERY ALLEGATIONS AGAINST A COURT ASSISTANT AT MAKADARA LAW COURTS.

The Commission received a report on an allegation of bribery against a Court Clerk assistant attached to Makadara Law courts who requested for a bribe of Kshs. 400,000.00 and agreed to receive a bribe of Kshs. 50,000.00 from a complainant to facilitate typing of proceedings relating to a Makadara Chief Magistrate Court Criminal Case.

Investigation established that the said Court Clerk Assistant received Kshs. 50,000.00 from the complainant.

On 7th February 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the officer with two (2) counts of receiving a bribe contrary to Section 6(1) as read with Section 18 of the Anti-Bribery Act.

The DPP returned the inquiry file on 18th March, 2025 with instructions to prosecute.

43. EACC/OPS/INQ/165/2024

INQUIRY INTO BRIBERY ALLEGATIONS AGAINST TWO EMPLOYEES OF NAIROBI CITY COUNTY GOVERNMENT

The Commission received a report on bribery allegations against two employees of Nairobi City County Government. The two demanded Kshs. 9,600.00 from the complainant as an inducement so as to release his impounded motor vehicle registration KCZ 734Q

Investigation established that the motor vehicle was impounded on 18th September 2024, for non - payment of parking fees. A search of the vehicles status on the Nairobi City County digital parking system showed that the vehicle was not booked on 18th September 2024 for non-payment hence the justification for the bribe demand. One of the officers demanded the money and received it as a bribe because he did not issue a receipt for the money.

On 12th March, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the two officers each with two counts of receiving a bribe contrary to Section 6 (1) as read with Section 18 of the Anti-Bribery Act 2023.

The Commission is awaiting the DPP's response.

44. EACC/MLD/OPS/INQ/03/2023

INQUIRY INTO BRIBERY ALLEGATIONS OF IMPERSONATION AND BRIBE DEMAND AGAINST THE SUSPECTS WHO IMPERSONATED AS KENYA DEFENCE FORCES (KDF) OFFICERS AND DEMANDED FOR A BRIBE OF KSHS. 50,000.00 TO FACILITATE RECRUITMENT TO THE KENYA DEFENCE FORCES

The Commission received a report on allegations of bribery against the suspects who requested and received Kshs. 50,000.00 bribe from the complainant on 29th August 2023. The bribe was facilitation to recruit the complainant's son to the Kenya Defence Forces.

Investigation established that prior to the Kshs. 50,000.00 bribe demand that was reported to EACC, the suspects had earlier requested and received Kshs. 220,000.00 on 31st January, 2022 for the KDF recruitment. On 12th August, 2023 the suspects demanded an extra Kshs. 50,000.00 as facilitation for issuance of the calling letter so that the complainant's son could finally report to the KDF. The suspects were arrested after receiving a bribe of Kshs. 50,000.00.

On 13th March, 2025, a report was compiled and forwarded to the Director of Public Prosecutions (DPP) with recommendations to charge the two suspects jointly and severally with the following offences:

- i. One count of conspiracy to commit a crime Section 47a of the Anti-Corruption and Economic Crimes Act, 2003.
- ii. Two counts of receiving a bribe C/S 6 (1) as read with S. 18 of the Anti-Bribery Act.

In the alternative;

- iii. One count of obtaining by false pretence c/s 313 of the penal code.
- iv. Two counts of receiving a bribe C/S 6 (1) as read with S. 18 of the Anti-Bribery Act.

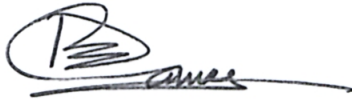
The DPP returned the inquiry file on 16th April, 2025 with recommendation for further investigations.

STATISTICAL SUMMARY OF FILES FORWARDED TO THE DIRECTOR OF PUBLIC PROSECUTIONS

1.	Total No. of files forwarded to the Director of Public Prosecutions	44
2.	No. of files recommended for prosecution	42
3.	No. of files recommended for administrative or other action	0
4.	No. of files recommended for closure	2
5.	No. of files recommended for prosecution and the cases are already lodged before Court	0
6.	No. of files where recommendation to prosecute accepted	4
7.	No. of files where recommendation for administrative or other action accepted	0
8.	No. of files where recommendation for closure accepted	0
9.	No. of files returned for further investigation	8
10.	No. of files where recommendation to prosecute not accepted	2
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	28

DATED AT NAIROBI THIS 19th DAY OF May 2025


DAVID OGINDE, PhD
CHAIRPERSON
 oan/wk/ogm


ABDI A. MOHAMUD, MBS
SECRETARY/CHIEF EXECUTIVE OFFICER