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By the Senate
Majority leader
on Tuesday 31st
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Mogere
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ETHICS AND ANTI-CORRUPTION COMMISSION

REPORT ON THE CURRENT STATUS OF CORRUPTION MATTERS UNDER INVESTIGATION TO THE PRESIDENCY

20TH MARCH 2015

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PART I

BACKGROUND

In the recent years, corruption and unethical behaviour in conduct of public and private affairs has gained root in Kenya. Conduct of government or public procurement processes have been questionable in many instances. Public resources have been pilfered through dubious government tender processes as mostly mishandled by the some\public officers facilitated by unscrupulous private businessmen and entities. This has earned the country bad reputation, increased poverty levels and decline in socio-economic and infrastructural development. This state of affairs has led to despair among the public, negative effect on the economy, skewed service delivery and eventually posed challenge to the larger governance of the country.

The Ethics and Anti-Corruption Commission (EACC) is statutory body established under the Ethics and Anti-Corruption Commission Act of 2011. The Act was enacted pursuant to the requirements in Article 79 of the Constitution. The mandate of the Commission is ***to combat corruption and economic crime in Kenya through law enforcement, prevention, public education and promotion of ethical standards and practices***. Apart from Act aforesaid and the constitutional mandate conferred on it specifically in enforcement and ensuring compliance with Chapter Six of the Constitution, the Commission also derives its statutory mandate from a number of other statutes namely, the Anti-Corruption and Economic Crimes Act of 2003, the Leadership and Integrity Act, 2012 and the Public Officer Ethics Act, 2003. It reports to the National Assembly and the **President**, through submission of quarterly and Annual Reports on its activities and also occasional briefs and reports on the need basis.

COMMISSION WORKING STRUCTURE:

The EACC, in its endeavour to serve and reach a wide cross section of Kenyans has recruited qualified staff and developed a Strategic Plan which will drive its activities for the period 2013 to 2018. The Commission comprises of six directorates based on its mandate as provided for in the Anti-Corruption and Economic Crimes (ACECA) Act - 2003, Ethics and Anti-Corruption Commission (EACC) Act - 2011 and the Leadership and Integrity Act, 2012. These are:

- Investigation
- Ethics and Leadership
- Legal Services
- Preventive Services
- Finance and Planning
- Human Resources and Administration

In compliance with Sec 3 (3) of the EACC Act, the Commission opened nine (9) regional offices in, Mombasa (which covers South Coast), North Coast (Malindi), Lower Eastern (Machakos), Upper Eastern (Isiolo), North Eastern (Garissa), North Rift (Eldoret), South Rift (Nakuru), Central (Nyeri) and Western (Kisumu); and two (2) satellite offices in strategic ports of entry, namely Jomo Kenyatta International Airport (JKIA) and Malaba.

EACC CORRUPTION PREVENTION MECHANISMS AND ACTIVITIES:

The Commission mainstreams corruption prevention at the National Government through the performance contracting framework which contains Corruption Eradication Indicator. All public institutions under

performance contracting are required to implement corruption prevention activities under the indicator. The Commission has partnered with the Performance Contracting Department for a period of 8 years.

In the Financial Year 2014/2015, a total of 350 public institutions signed the Performance Contract and committed to level 4 of the Corruption Eradication Indicator (which seeks to ensure zero indices of corruption in public institutions). All institutions submit quarterly progress reports to the EACC. So far, 47 such institutions benefited from PC related advisory.

Currently, the Commission is carrying out an evaluation and impact assessment of the implementation of the Corruption Eradication Indicator under the PC to determine the outcomes and impact of the corruption prevention initiatives being undertaken by public bodies the performance contracting framework. Over 350 public institutions are to be covered in the impact assessment which began on 26th January 2015 and expected to be completed by 31st March, 2014.

The Commission undertakes examination of systems, policies, procedures and practices of public bodies to identify corruption loopholes and recommend measures to seal such loopholes. In the current financial year, the Commission has undertaken 2 Corruption Risk Assessments at Kenya National Bureau of Statistics (KNBS) and National Youth Service (NYS). The KNBS report was completed and formerly launched on 2nd December, 2014. The report on NYS is currently being reviewed and will be completed by 28th February, 2015. Currently, the Commission is undertaking an examination into the systems, policies, procedures and practices of Parliamentary Service Commission focusing on financial management.

Under the Leadership and Integrity Act No. 19 of 2012, the Commission is mandated to promote and enforce ethical practices and standards. To achieve this, Directorate of Ethics and Leadership was created in 2013 and has therefore been operational for the purpose of monitoring and enforcing leadership and integrity issues.

In the period 2012/2013, 2013/2014 and 2014/3015 (up to December 2014), the Commission made tremendous strides in corruption prevention. The focus has been on the national and county government institutions and staff, systems, policies and procedures of operations and services delivery that are prone to corrupt practices.

The Commission has undertaken the Prevention Advisory in 16 counties from January 28th, 2014 to December 31st 2014. The key output of the advisory programme is an action plan signed by the County Government as a commitment to address corruption in their respective departments, functions and operations.

AJOR CASES/PERSONALITIES TAKEN TO COURT FROM JANUARY 2013

S/No	Inquiry No./CR No/ACC No	Allegation	Accused Persons	Institution Involved	Amount Involved	Date to Court
1	KACC/AT/INQ/35/2010 CF. 2/2013	Allegation of irregular procurement of the chancery and the ambassador's residence in Tokyo against the former PS Foreign affairs	Thuita Mwangi Allan Waweru Anthony Mwaniki	Tokyo Embassy	1.6 billion	28 th February, 2013
2	KACC/FI/INQ/15/2012 CR.	Allegation of allegation of abuse Of Office in Allocation of Houses	James Ruitha Elizabeth Mbugua Manasseh	National Housing Corporation	-	17 th October, 2013

S/No	Inquiry No./CR No/ACC No	Allegation	Accused Persons	Institution Involved	Amount Involved	Date to Court
	141/16/2013 ACC 14/2013	against the Managing director Mr. and five other senior managers of the corporation	Wandabwa Bernard Ogolla William Keitany and John Washington Agutu			
3	EACC/FI/INQ/33 /13 CR.141/501/2013 ACC.16/2013	Allegations of irregular award of tender for the procurement electronic voter identification devices (EVID) against IEBC officials.	1.James Oswago 2.Wilson Shollei 3.Edward Karisa 4.Willie Kamanga	IEBC	-	30 th October, 2013
4	KACC/FI/INQ/18 /2012 CR.141/445/2013 CF.ACC.12/2013	Allegations of irregular procurement of medical services (insurance provider) for NHIF civil servant medical scheme against the CEO, other senior managers and the providers (Clinix and Meridian).	1.Richard Kerich 2.Marwa Chacha 3.David Chingi & 4. Meridian Medical Centre	NHIF	-	5 th November, 2013
5	KACC.023/2011 CR.627/19/2014 ACC.01/14 and 02/14 KSM	Allegations of abuse of office against the Kitutu Chache MP Hon Richard Momoima Onyonka in the purchase of sugar for IDPs from Chemelil Sugar Company using CDF.	Hon Richard Momoima Onyonka James George Siro	Kitutu Chache Constituency	Kshs. 132M	13 th January, 2014
6	EACC/FI/INQ/25 /2013	Allegation of irregular award for the tender to supply security CCTV systems to BCBK against the Governor of Central Bank	Mr. Njuguna Ndungu.	Central Bank		17 th Mar 2014
7	KACC/FI/INQ/14 2A/2009 CR. 141/521/2011 ACC 30/2011	Irregularities in procurement of Konza Ranch, against the former PS Information Mr. Bitange Ndemo and 8 others.	Bitange Ndemo Johnstone Muthama Ronard L. Musengi Zablon Agwata mabea David Ndolo Ngilai	Malili Ranch		29 th August, 2014

	Printed Estimates	Resource Requirement (Kshs Millions)			Resource Allocation (Kshs Millions)		
		Estimates	Projected Estimates				
		2014/15	2015/16	2016/17	2017/18	2015/16	2016/17
Recurrent	1,545	2,023	2,312	2,610	1,562	1,796	2,019
Development	278	600	222	0	600	680	793
Total	1,823	2,623	2,534	2,610	2,162	2,476	2,811

With this ceiling, the Commission will be **faced with serious budget deficits** and as such most of its operational requirements will not be funded. Further, the Commission will not be able to address the above challenges. Table 4 below provides a summary of the key requirements of the Commission that are not funded under the current ceiling, which should be catered for under the ceiling for 2015/16 MTEF Budget.

Table 4: Additional Budgetary Requirements

Programmes	Key Activities	Estimated Cost (Kshs. Millions)
Expansion of staff complement	<ul style="list-style-type: none"> • Recruitment of 545 officers: <ol style="list-style-type: none"> 1. 170 Investigators; 2. 100 Police Operations Assistants; 3. 35 Report Analysts; 4. 40 Lawyers; 5. 25 Ethics Enforcement; 6. 25 Education and Prevention; 7. 10 officers (Accounts/administration/ICT/Supply Chain); and 8. 140 officers for Huduma Centers. • Promotion of 150 existing staff (Grade 4-12) 	<ul style="list-style-type: none"> • 600 • 32
Enhancing Staff Welfare	<ul style="list-style-type: none"> • Mortgage and Car Loan Scheme 	<ul style="list-style-type: none"> • 400
Regional Expansion	<ul style="list-style-type: none"> • Opening of 12 Regional Centers and 35 County Huduma Reporting Centers – Rental and other related requirements 	<ul style="list-style-type: none"> • 24
Modernization of Investigative Equipment	<ul style="list-style-type: none"> • Purchase of modern and adequate surveillance, investigations and analysis equipment 	<ul style="list-style-type: none"> • 250
Modernization of Office Equipment	<ul style="list-style-type: none"> • Purchase of ICT Equipment, Furniture and vehicles for operations 	<ul style="list-style-type: none"> • 500
Public Education and awareness creation	<ul style="list-style-type: none"> • Conduct outreach programmes in 20 counties 	<ul style="list-style-type: none"> • 35

programmes.	<ul style="list-style-type: none"> • Undertake media anti-corruption awareness • Undertake civic empowerment for civil society organization • Development and production of IEC Materials • Capacity building on Governance for County Government • Purchase of 20 Feet Caravan to support outreach 	<ul style="list-style-type: none"> • 100 • 10 • 20 • 20 • 10
Establishing a system for monitoring and evaluating the impact of Commission's activities and programmes.	<ul style="list-style-type: none"> • Developing a computer based M&E system. 	<ul style="list-style-type: none"> • 30
Provision of Headquarter Office Accommodation	<ul style="list-style-type: none"> • Purchase of Headquarter Office Block 	<ul style="list-style-type: none"> • 400
Estimated Additional Funding Requirement		2,431

As detailed in the above table, the Commission will require **additional budgetary allocation of Kshs 2.431 billion** above its current ceiling as provided in the BPS so as to allow the Commission to effectively discharge its mandate and in particular to address the following key targets and requirements:

- The need to track the expanded national budget, estimated at Kshs 1.7 Trillion, at National and County Government as well as other funds including donor funded programmes;
- The need to respond to the growing public demand for Commission services;
- The need to enhance the quality of work and enhance overall work output in all areas of operations. The Commission will be targeting to trace and recover corruptly acquired assets **valued at over Kshs. 50 Billion** and to disrupt corruption network and avert loss averaging Kshs. 50 Billion;
- Need to undertake systems reviews in about 100 public institution to enhance efficiency in their service delivery;
- The need to execute advisory programmes on anticorruption, ethics and leadership in all the 47 county governments and national public institutions;
- The need to put in place a comprehensive and automated mechanism that is currently manual to review the wealth declaration by state and public officers,
- The need to modernize its investigative equipment to cope with the changing trends of corruption and economic crime; and
- The need to secure adequate headquarter office premise and to release the huge budgetary allocations tied on rental payments to other operational areas.

Based on the above, Commission total budgetary requirement for 2015/16 MTEF Budget period is estimated at **Kshs 5.054 Billion** and is summarized in table 5 below.

Table 5: 2015/16 Budgetary Requirements

S/No	Inquiry No./CR No/ACC No	Allegation	Accused Persons	Institution Involved	Amount Involved	Date to Court
			James kituku Munguti Leornard Kyania Julius mbau nzyuko Julius Kilonzo maweu			
8	EACC/FI/INQ/26/2013 CR 141/520/3013 ACC 19/2013	Allegations of irregular award of tender for supply of solar lanterns against IEBC officials and M/s Solarmak Makena Technologies Ltd	Procurement staff	IEBC		December, 2014
9	KACC/FI/INQ/20/2005 CR 148/4/2015 CF ACC 3/15	Inquiry into allegations of irregular single source contract between the government of kenya and Spacenet corporation of USA for the supply and installation of VSAT equipment to the postal corporation of kenya	David Mwiraria Dave Mwangi Joseph Magari David Onyonka Rashmi Kamani Deepak Kamani Chamanlal Kamani Brian mills	PCK	US \$ 8,330,241.00	4.3.2015
10	KACC/F1/INQ 19/2005 CR 148/4/15 CF ACC 4/15	Inquiry into allegations that the office of the president irregularly entered into a supplier's financing agreement with m/s infotalent systems limited of Switzerland for the computerization of the security, law and order systems and procedures for Kenya police project code name "e-cops".	1.David Mwiraria 2.Dave Mwangi 3.Joseph Magari 4.David Onyonka 5.Rashmi Kamani 6.Deepak Kamani 7.Chamanlal Kamani 8.Bradley Birkenfeld	Kenya police	Euros 59,688,250	4.3.2015
11	KACC/F1/INQ 25/05 CR 148/5/2015 CF ACC 2/15	Inquiry into allegation that the Office of the President irregularly entered into	David Mwiraria Dave Munya Mwangi Joseph Mbui	Kenya police	Euros 40,000,000	4.3.2015

S/No	Inquiry No./CR No/ACC No	Allegation	Accused Persons	Institution Involved	Amount Involved	Date to Court
		agreement with Sound Day Corporation for modernization of Police Equipment and Accessories.	Magari David Onyonka Deepak Kamani Rashmi Kamani Chamanlal Kamani Brian Mills			

It is noteworthy to state that in the history of the Commission this is the highest number of cases the institution has handled involving high profile personalities. It is also important to state that during this period the Commission handled the highest number of investigation files ever.

PART II

RESOURCE REQUIREMENT

In order to carry out more and increase productivity, the Commission needs to be facilitated as outlined hereunder;

A. ALLOCATION OF ADEQUATE RESOURCES TO THE EACC

2014/15 BUDGET ALLOCATION

2014/15 Main Appropriation: The Commission received a total of Kenya Shillings 1,823,600,000 (**One billion, Eight Hundred, Twenty Three Million and Six Hundred Thousand**) budget allocation from the Government in the Printed Estimates to finance its operations over 2014/2015 financial year under the Ethics and Anti-Corruption Programme. The allocation comprises Kshs. 1,546,000,000 and Kshs. 277,600,000, which will finance Recurrent and Development expenditure respectively. **This allocation is lower than what the Commission had requested from the National Treasury. During the 2014/15-2016/17 MTEF Budget circle, the Commission requested for Kshs 3.7 Billion Budget allocation comprising of Kshs 3.1 Billion to finance recurrent expenditure and Kshs 600 to finance Development Expenditure. Further, it should be noted that budget allocation to the Commission has been reducing over time. At worst, recurrent budget allocation to the Commission should average Kshs. 3.5 Billion with adequate development budget allocation to meet capital expenditure requirements.** Past and current financial year budget allocation to EACC is provided in table 1 below.

Table 1: Past and Current (2014/15) Budget Allocation to the Commission

Expenditure Type	Budget Estimates (2011/12)	Budget Estimates (2012/13)	Budget Estimates (2013/14)	Printed Estimates (2014/15)
Recurrent	1,452,000,000	1,416,000,000	1,245,000,000	1,546,000,000

Development	44,000,000	35,000,000	Nil	277,600,000
Total Budget Estimates	1,492,000,000	1,451,000,000	1,245,000,000	1,823,600,000

The implementation of 2014/15 financial year budget portends serious challenge to the Commission given the huge reduction in allocation when compared to request and requirements that continuous to increase year after year. Some of the challenges are:

- 1) **Low staff complement and poor staff welfare:** The Commission has an authorized staff establishment **2246** officers, as per the approved Job Evaluation. By December 2014, the Commission had only 290 Officers in-post. This number increased marginally in January 2015 after finalizing the recruitment of 95 officers (a total of 385 as at February 2015). The details of Commission's past and current level of staff establishment are provided in table 2 below. Given the low staff complement the Commission is not able to effectively discharge its mandate. Besides, most of the staff at the Commission has stagnated for long period at their current grades. The Commission will be seeking additional funds to allow promotion of staff that has stagnated at various grades for long. Besides, the Commission is operating with a **salary structure, which has been in used since 2005 (over 10 years)**. This should also be addressed.

The Commission in her endeavor to enhance staff welfare, converted the terms of service for all staff serving as Deputy Directors to Office Assistants (grade 4 to 12) to permanent and pensionable. Consequently, the Commission has established a staff pension scheme. However, the Commission still has to address certain staff welfare requirements to remain a competitive employer and be able to attract and retain qualified staff. One of the key staff welfare enhancement measures that the Commission intends to put in place is the provision of staff mortgage and car loan facility as a proved by the Salaries and Remuneration Commission.

Table 2: EACC Staff Compliment over the Last Four Financial Years

FY	2011/12	2012/13	2013/14	2014/15
Staff Compliment	279	231	267	385

- 2) **Delays in the implementation of regional expansion programme:** The Commission has managed to open and operationalize its offices in only five regions (Mombasa, Eldoret, Nyeri, Garisa and Kisumu) and has just recently opened offices and posted officers to Isiolo, Nakuru, Malindi, Machakos, JKIA and Malaba. The six new offices are still not properly equipped and therefore cannot operate optimally. Besides, the Commission had intended to open and operationalize additional 12 Regional Offices and County Huduma Reporting Centers in 35 Counties where it does not have a regional office. With low budget allocation this expansion programme had to be delayed.

- 3) **In adequate Investigative Equipment:** Currently, the Commission does not have adequate specialized equipment to carry out surveillance and forensic analysis. Besides, most of the equipment it is using today is

obsolete given the speed of change in technological advancement. Adequate budget allocation should therefore be provided to cater for this need.

- 4) **Reduced programmes, operations and maintenance:** In order to discharge its mandate, the Commission had identified and prioritized key programmes and activities, with clear targets, to be implemented over the current financial year. These programmes and activities were estimated to cost Kshs. 840 Million. Given the low funding, the Commission has been forced to lower the number and scope of programmes and activities to be implemented hence lowering its annual performance targets. After factoring the financial resource requirements for personnel emolument, the Commission is only left with Kshs 800 Million to finance Operations and Maintenance. It is also important to note that most of the allocation to Operations and Maintenance will be allocated to non-discretionary expenditure areas thereby leaving very little to finance programmes and activities. The non-discretionary areas/activities are: (a) Provision of Insurance Cover with an estimated cost of Kshs. 99,000,000 to cater for medical, group life, group accident, travel, motor vehicles, building and equipment (will require more funding to accommodate newly recruited staff); (b) Rentals and related expenses (Electricity and Water) with an estimated cost of Kshs. 120,000,000; and (c) Telephone and other related communication licenses with an estimated cost of Kshs. 60,000,000. Adequate budgetary allocation should be provided to cater for programmes, operations and maintenance.
- 5) **Delays in the purchase of headquarter office premise:** The Commission is currently operating on a rental property and is spending on average **Kshs. 70 Million on the rental charges and other related payments.** In the immediate past, the Commission has received a note from the landlord indicating that the tenancy agreement will not be renewed once it lapses by the end of 2014/15 financial year. The need to provide adequate office space for Commission headquarters remains a pressing challenge that should be addressed urgently. Adequate financial allocation will also be required to allow the Commission to purchase an ideal office premise.

2015/16 BUDGET ALLOCATION

The Commission has been allocated tentative budgetary ceiling of Kenya Shillings 2,162,000,000 (Two billion, One Hundred and Sixty Two Million) in the (yet to be finalized) 2015/16-2017/18 MTEF Budget circle to finance its operations over 2015/2016 financial year under the Ethics and Anti-Corruption Programme. The ceiling comprises Kshs. 1,562,000,000 and Kshs. 600,000,000, which will finance Recurrent and Development expenditure respectively. These ceilings are lower than what the Commission had requested from the National Treasury. Considering the budget constraints and measures put in place by the National Treasury, the Commission had requested for a minimum Kshs 2.623 Billion Budgetary allocation comprising of Kshs 2.023 Billion to finance recurrent expenditure and Kshs 600 to finance Development Expenditure. It should therefore be noted that the request made was a constrained one and therefore did not cater for all the urgent requirements of the Commission given that all MDAs had to adhere to guidelines provided by the National Treasury. Commissions' Budgetary requirements and tentative ceilings for 2015/16 – 2017/18 MTEF period are summarized in the table below.

Table 3: 2015/16-2017/18 Budgetary Requirements Vs Allocation

	Requested Estimates (2015/16)	Additional Budgetary requirements	Total Budgetary Requirements (2015/16)
Recurrent	2,023	2,031	4,054
Development	600	400	1,000
Total	2,623	2,431	5,054

The Commission is therefore seeking the support of this Committee in lobbying for an enhanced 2015/16 MTEF Budget ceilings so as to accommodate its additional budgetary requirements.

STRENGTHENING THE LEGAL FRAMEWORK

In order to effectively discharge its mandated the Commission requires a strong legal framework. Though efforts have been made to strengthen the existing Anti-Corruption Laws there is still some inadequacy in the law that needs to be remedied. Towards this end the Commission in 2014 made proposals for amendments of the main anti-corruption laws. Only a few of the proposed amendments were passed through the Statute Law (Miscellaneous Amendments) Act, 2014.

There are some of the proposed amendments that were not considered under the miscellaneous amendment Act. These need to be done.

B. REMUNERATION STRUCTURE:

The Salaries and Remuneration Commission, in the exercise of its mandate, has established a remuneration structure in respect of all state offices. It has set thresholds of remuneration applicable for the various constitutional commissions, which are placed in different categories. EACC holds the view that its placement in the SRC banding was unfair, taking into account the expansive and critical importance of its mandate in the country. EACC has continually engaged the Salaries and Remuneration Commission to enhance the remuneration level of the Commission, but to no avail.

In addition, the SRC purported to advise on the remuneration levels for the rest of the EACC staff, which amounts prescribed were too low such that if they were to be implemented, the Commission would not have managed to retain, let alone attract, staff for the secretariat. The Commission engaged the SRC in negotiations over the matter, culminating in an understanding that EACC retains the existing remuneration. It is noteworthy that the existing rates of remuneration have never been reviewed for the last ten years or so, with the result that the Commission now remains among the most poorly rated institutions in terms of staff remuneration.

Attached hereto are copies of letters exchanged between the EACC and SRC, evidencing the negotiations on remuneration of staff.

THE CASE FOR IMPROVED REMUNERATION FOR ETHICS AND ANTI-CORRUPTION COMMISSION

a) Staff Establishment

As at 27th February, 2015, the staff complement stands at 385 against an approved establishment of 2246. The Commission plans to grow its complement gradually based on the available funding in order to increase its

regional presence. This will be done through opening new regional offices in addition to the current 9 and deploying officers to **Huduma Centres** in areas where it has no established offices.

b) Staff Turnover and Career Stagnation

Since inception, over 200 members of staff have left the Commission citing lack of career progression and static remuneration among other reasons. In the last one year alone 20 members of staff have left the Commission, majority of them in pursuit for better prospects and career growth in the private sector and other government agencies. To address this concern, the Commission undertook a Job Evaluation Exercise through the Ministry of Devolution and Planning, Directorate of Public Service Management and on adoption of the Report, converted its terms to Permanent and Pensionable for positions below EACC Grade 3. (Directors).

c) Salary Structure

The Job Evaluation Report adopted by the Commission proposed a new salary structure which was forwarded to Salaries and Remuneration Commission for approval. The proposed salary scales allowed for broader bands for growth within the scale. However, SRC declined to approve the proposed structure and asked the Commission to hold on the prevailing salary structure. The prevailing remuneration package was issued in 2005 and provides for only three points for growth within the grades. This has led to staff stagnating in the same pay point for 10 years and has contributed to a great extent the high staff turnover. Table 6 below shows the current salary structure, while Table 7 depicts the proposed salary structures (contract and Permanent and Pensionable). It is our considered view that if the proposed salary structure is adopted as envisaged under the Job Evaluation Exercise, salary stagnation and high staff turnover will be addressed to a great degree and staff will be motivated to deliver on the Commission's mandate.

PART III

INVESTIGATION REPORTS

Over the years the commission received numerous reports, which can be categorized into two, those relevant to the commissions mandate and those not relevant which are referred to the relevant government agencies for action.

Reports relevant to the commission are usually many against the limited resources in the commission; hence this has necessitated the commission to develop a criterion that is used when prioritizing and allocating reports for investigations. Prioritisation of matters to be investigated is based on public interest and financial value of the subject matter.

These reports are analysed and once satisfying the standards, forwarded to the DPP for prosecution or any further action pursuant to Section 35 of the Anti- Corruption and Economic Crimes Act, 2003.

Based on these facts, the Commission has received and therefore dealing with the following cases. The reports are handled at various levels and are they are at different stages of receipt, analyses and actions.

1. MINISTRY OF LANDS:

IRREGULAR LAND DEALS

The Ministry of Lands is bedeviled with rampant corruption involving irregular acquisition and fraudulent disposal of public land through a network of **cartel** linked to **Cabinet Secretary Charity Ngilu**, senior ministry officials, politicians and brokers. They include Patrick Kibagendi Osero, of Agricultural Finance Corporation (AFC) Board, lawyer James Mbaluka, Sarah Mwenda, Chief Lands Officer, Businessman Deepak Kamani, and Senator Mike Mbuvi Sonko. The land in question includes those in: Karen, Ruai, Beach Plots, Kenya Meat Commission land in the Coast, 930 acres of land belonging to Evason Waitiki in Likoni.

Specific cases at the ministry where investigations have been concluded include;

No	Depart	Date Reported	Name of suspect	Position of suspect	Nature of Allegations	Status
1.	Lands	17/10/2014	Sarah Mwenda Geoffrey Birundu Pauline Gitimu Mark Wanderi	Chief Land Registrar D/Chief Land Registrar Senior Deputy Director of Survey Registrar of Titles	It is alleged that top government officials are among beneficiaries of the 134.4 acre land in Karen	About to be submitted to DPP
2.		08/05/2014	Hon. Charity Ngilu, Mr. Evason Waitiki	Cabinet Secretary (CS) for Lands, Housing and Urban Development, owner of land	Information alleging that Mrs. Charity Kaluki Ngilu the Cabinet Secretary (CS) for Landss, Housing and Urban Development in collusion with Mr. Evason Waitiki owner of Plot No. Mombasa/MN/1/397 Waitiki farm in Likoni inflated the actual market price for the Lands by Ksh 110,000,000. The CS allegedly instructed valuers from her ministry to over value the Lands by the same margin. From the aforementioned figure, Mrs. Ngilu allegedly is going to get a kickback of Ksh 65,000,000 once the	Investigation commenced

					Lands is bought by the government for settling of squatters currently occupying it. The remaining Ksh 45,000,000 is allegedly going to be shared by other interested parties in the transaction.	
3.	Ministry of Lands, Housing and Urban Development	14.1.2015	Charity Ngilu,	Cabinet Secretary,	Inquiry into allegations by Myta Limited that there is a scheme orchestrated by the Ministry of Lands Officials to derive him off his parcel of land L.R No. 209/19473 located along Statehouse Crescent road Nairobi. The said official are namely Charity Ngilu CS, Sara Mwendwa-Chief Land Registrar, officers Under the Chief Land Registrar, The director of Survey, and its officers Julius Kitur and Albert Kitur	Under active Investigation
4.		18/10/2012	Hon James Orengo; George Aladwa;	Former Minister, Lands, Former Mayor of Nairobi	Allegations that public land in Westlands was irregularly disposed by a private developer in collusion with Mayor Aladwa, Hon. Orengo, Commissioner of Lands Mr. Mabeya. The land is alleged to be on Ring Road next to Apollo. Transaction allegedly done silently at Ardhi House. Orengo and	Under Investigation

					Mabeya alleged to have each received 5 million bribe. The land reportedly sold for 320 million, 80 million for the mayor, 80 million for those whose name have been used.		
5.		28/06/2012	Hon James Orengo	Former Lands Minister	Allegations that Hon Orengo the Minister for Lands and Settlement visiting the Madhvani Family in Jinja Uganda on several occasions. Its alleged that the Madhavani's had been sending their private chopper to pick Hon Orengo from Nairobi to Jinja and back on regular occasions	Under Investigation	
6.		13/07/2011	James Orengo	Former Lands Minister	The Minister for Lands Hon. James Orengo is alleged to have been irregularly allocated land parcel No.I.R 861 .The Minister vide a letter dated 19th March,2008 wrote to the Commissioner of Lands that the said parcel was transferred to him in 1975. The lease for the said property had expired, and the minister requested the Commissioner of Lands to be allocated the property.	Under Investigation	

2. MINISTRY OF ENERGY: IRREGULARITIES ON VARIOUS PROJECTS

The Ministry of Energy and Petroleum is riddled with massive corruption. The CS **Davis Chirchir** is alleged to be perpetrating corruption in the Ministry's tenders and procurement process. He is accused of working to ensure that corrupt deals in the energy sector are successfully executed. A case in point is where there was an attempt to influence award of a **Kenya Pipeline Company [KPC] tender costing US\$500 million to SINOPEC instead of ZAKHEM**. The tender was meant to corruptly yield US\$ 15 million which was to be shared between Davis Chirchir and Senator Mike Mbuvi.

3. MINISTRY OF LABOUR, SOCIAL SECURITY AND SERVICES

I. Cabinet Secretary **Kazungu Kambi** is allegedly involved in corruption deals at NSSF which falls under his Ministry. Kambi has Come out strongly in support of the NSSF Tassia 11 project despite clear indications that the Board of Trustees did not approve the project's **revised cost estimate of Kshs.5,053billion from KShs.3.304 billion** as required by procurement laws and that the alleged approval by way of email circulation was improper and irregular.

II. TASSIA Phase II Upgrade Project [100 acres]

The controversy of the TASSIA Phase II Upgrade involves Cabinet Secretary Kazungu Kambi, NSSF senior management and Property Development Manager.

4. MINISTRY OF INFRASTRUCTURE:

The Cabinet Secretary for Infrastructure **Eng. Michael Kamau** has various roads tender award manipulation cases. These include conflict of interest that involves a consultancy company that is associated with him, APEC consulting. This company is alleged to have inflated the SGR consultancy fees involving billions of Kenya shillings.

In this same ministry, the PS for Transport **Mr Nduva Muli** has various Kenya Railways lands issues that have continued even after he left the corporation for his current office at the ministry.

No	Depart	Date Reported	Name of suspect	Position of suspect	Nature of Allegations	Status
7.	Min. of Infras. and Roads	15/01/2013	Eng. Michael Kamau	Cabinet secretary Roads	Allegations that M/S Kundan Singh Construction Company Limited, Resident Engineer and other Public Servants involved in the ongoing construction of Kamukuywa - Kaptama – Kapsokwony – Kimilili Roads (Road 275) colluded by trashing aside a consultant's design without following	Evidence analysis

					the proper procedures and redesigning the road leading to massive embezzlement of funds.	
8.		10/02/2015		Cabinet Secretary for Transport	The complainants claim that the Cabinet Secretary for Transport illegally contracted one local Firm in the Clearing and Forwarding Business to undertake 80% of Imported Cargo passing through the Port of Mombasa belonging to a Chinese Company Contracted to Build the Mombasa-Nairobi-Malaba Railway Line. The contract was awarded to Land Mark Clearing and Forwarding Company for a period of 14 years	Under investigation
6			Nduva Muli	PS Transport	Allegations that he irregularly facilitated disposal of Kenya Railways properties in Nairobi and various cities in Kenya. Another allegations that he is still influencing procurement processes at the Kenya Railways and other state corporations under his ministry.	Under investigation
9.	Std Gauge R/way	24/02/2014	Nduva Muli	Former Managing Director(current Principal Secretary Transport) and Tender Committee members	Irregular award of Tender for the Construction of Standard Gauge Railway To China and Bridges by Kenya Railway Corporation involving Kshs. 320 Billions	Under Investigation

MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES:

No	Depart	Date Reported	Name of suspect	Position of suspect	Nature of Allegations	Status
10.		14/11/2014	Felix Koskei	Cabinet Secretary, Ministry of Agriculture -	<p>Allegation that the Cabinet Secretary, Ministry of Agriculture - Felix Koskei has secretly allocated permits to some importers to import sugar in the country without going through open tendering and against the procurement laws of Kenya and the policy under COMESA rules. Allegations that the importers are even importing from a country which is a net importer.</p> <p>Also various allegations of conflict of interest and abuse of office; and intimidation and bribery demands from Parastatal heads</p>	Under investigation
11.		03/11/2014	Mr. Koskei	Cabinet Secretary Agriculture	<p>It is reported that The Cabinet Secretary Agriculture Mr. Koskei under unclear circumstances has rented government land Kenya Veterinary Vaccines production Institute (KEVEVAPI) at Tigoni and has ploughed 100 acres where he has planted potatoes. It is reported that the farming is being managed by his PA Mr. Kigen. Allegations of conflict of interest since</p>	Preliminary

					the same CS is supposed to implement action plan for increased satellite seeds in the Country.	
12.	Agric Finance Corp. (AFC)	23/03/2015	Patrick Osero	Chairman, AFC board	Allegations of land grabbing; involving in mega land scandals Including Langata Road Primary school, State road.	Under investigation

MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT:

The former PS in the Ministry for Provincial Administration and Internal Security, **Mutea Iringo**, is under focus to be investigated. Both the Auditor General and the Public Accounts Committee [PAC] reports on Kenya government accounts for 2012/13 on defunct Kenya Police Service Account are being analysed.

No	Depart	Date Reported	Name of suspect	Position of suspect	Nature of Allegations	Status
1.	Anglo Leasing -KMD - Security Equipments (AP)	April 2014	Various former Office of the president, treasury, transport ministries' officials	Former Senior Government officials and Directors of Companies	Inquiry into allegations that the office of the president and the Ministry of transport irregularly entered into a supplier's financing agreement with AP equipments, Kenya Meteorological department	The joint EACC and DPP team will finalise the two files in two weeks
2.		08/01/2015	Mr Francis Kimemia, Hon Makwere, Esther Koimett	Sec to Cabinet, Ambassador, investment Secretary	Allegedly used their offices to deprive former employees of the Kenya Railways Corporation houses that had been set aside for them to purchase under the tenant purchase scheme. It is alleged that in 2006, an inter-ministerial Committee in 2006 approved that 7 per cent of corporation's non-strategic assets in Nairobi of an estimated value of Ksh 5 billion be	Under investigation

					sold to employees that were in occupation	
3.		11/04/2014	Mr Francis Kimemia	Sectary to Cabinet	Allegations that there are irregularities in the tendering the award of a tender worth Kshs. 1 billion at the Ministry of Interior and Coordination of National Government. The tender OOP/APHQS/06/2014-2016	Under investigation
4.	Office of the Deputy President	22/10/2014	Marianne Kittany,	The Deputy President, Chief of Staff,	Accused of abuse of office and misappropriation of Ksh 200 million. allegations that Kittany diverted Ksh 100 million from the Legislative and Inter-Governmental Relations Office to mobilize MPs in the abortive campaign in July 2014 to impeach powerful cabinet secretary Anne Waiguru	preliminary
1	Immigration	10/02/14	Jane Waikenda Abraham Mwaura	Former Director of Immigration and now Acting Ambassador, South Africa In charge of Permits	Inquiry into allegation of corruption, abuse of office and giving false information by director of immigration; Inquiry into allegations of irregular issuance of work permit passports and visa	Evidence Analysis
5.		11/04/2014	Mr. Paul Kamau Ms. Moraa Angela w	Senior Finance Officer	on 11/04/2014 collected a number of irregular Payment Vouchers and took them to the Principal Administrative Secretary did not take action against the officer	Under investigation
6.		2014	Dominic Kyenza	Deputy County	EACC/GSA/FI/INQ/9/2014	Sent back from Nairobi

				Commissioner Garissa County,	Inquiry into alleged misappropriation of Relief food by the Deputy County Commissioner of Garissa	for evidence analysis on 5/2/15
7.		2014	Mike Kimoko	Deputy County Commissioner, & Clerk Ministry of Interior and National Coordination	EACC/GSA/ INQ / FI /7/2014 Allegation into sale of relief food in Tana North, Bura Sub-County by the DCC and his clerk	Cover points 95% complete
8.		08/12/2014		Marsabit DO 1 Clerical officer	An inquiry into allegations of sale of relief food by Marsabit DO 1 and clerical officer	Under investigation
9.	National Police Service Com	07/07/2010 re-started in May 2013	Ronard L. Musengi	Commissioner National Police Service Commission	Irregularities in procurement of Konza Ranch / Malili Ranch, against the former PS Information Mr. Bitange Ndemo and 8 others	Case in court
10.	National Police Service Com	26/06/2013	Johnston Kavuludi	Chairperson, NPSC	Allegation into financial impropriety, misappropriation, abuse of office at the National Police Service Commission; Made various trips abroad and not accounted for funds	Under investigation
11.	National Police Service	10/09/2013	James Muhoro Gabriel Mburu James Njunge	Chief Executive Officer County Works Officer Contractor	Allegation into financial impropriety at the National Police Service Commission in the partitioning of their offices at Westlands	Evidence analysis
12.	National Police Service Commission	20/02/2015	Police officers/ Constables The list of about 100 officers of various ranks is with the IG	Police officers	Dealing with suspect property contrary to section 47 (1) (2) (a) as read with section 48 (1) of the anti-corruption and economic crimes act no.3 of 2003.	Charged and hearing in court Continues

			for punishment			
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MINISTRY OF WATER, ENVIRONMENT AND NATURAL RESOURCES

The PS water, **Mr. James Teko** is under focus for various irregular awards of tenders and allegations of inflating project costs on water projects under his ministry, including projects implemented by the National Water and Pipelines Corporations.

No	Organization	Date Reported	Name of suspect	Position of suspect	Nature of Allegations
13.	Ministry of Water, Environment and Natural Resources	17.11.14	Mr Teko; Jeremiah Matoke ; Mrs. Mary Musoma	PS Water Principal Accounts Controller Chief Finance Officer (CFO)	Inquiry into allegation that the Permanent Secretary, Ministry of Water and Irrigation in collusion with the Principal Accounts Controller (PAC), Mr. Jeremiah Matoke and Chief Finance Officer (CFO) Mrs. Mary Musoma are conspiring with the District Water Officers within Western and Nyanza regions to send AIE's to their district amounting to Ksh.10 m each. Allegedly, this is after an agreement with the District Procurement Managers so that the works are not advertised and the tendered are awarded to companies associated with the said public officers. The allegation further reads that the said public officers prefer working with the DWOs because they hail from the region

MINISTRY OF MINING

The PS Mr. Patrick Omutia is under investigations for various irregular deals in his previous positions in the government before he moved to the current ministry.

No	Department	Date Reported	Name of suspect	Position of suspect	Nature of Allegations	Status
14.			Patrick	PS Mining	Allegations of irregular	Under investigation

			Omutia		tender and procurement processes, Abuse of office	
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NATIONAL TREASURY:

No	Dept	Date Reported	Name of suspect	Position of suspect	Nature of Allegations	Status
15.	Nat. Treasury	18.11. 14		Procurement Director	Inquiry into allegations of Irregularities in the implementations of IFMIS re-engineering in the Ministry of Finance. It is alleged that there was non-adherence to procurement procedures and exaggerated consultancies, most notably in the Budget System Project (BSP) and implementation of additional components of the Financial Management System (FMS). It is reported that the additional component costed more than Ksh.1.5 B whereas this could have cost less than Ksh.0.5 B. On the other hand the BMS cost more than Ksh.0.9 B whereas it could have cost Ksh.0.3 B.	Under investigation
16.		09/04/2014	Auditor General	KENAO	Auditor General. 1. Defrauding the World Bank Allegations of fraudulent budget, more than double, costs. To the tune of Kshs. 500 million. KENAO paid Kshs. 100 million in advance for the purchase of audit vault whose procurement was	Under investigation

					through single sourcing.	
17.		04/03/2011	Caroli Omondi	Chief of staff of the Former Prime Minister	<p>The Kenya Commercial Bank stands to lose over Ksh 400 million in a transaction involving sale of prime parcel of land belonging to the bank.</p> <p>It is alleged that the bank has reached an agreement to dispose-off the parcel of land on Loita Street, Nairobi, near Barclays Plaza for Ksh 220 million to one Caroli Omondi who is represented in the transaction by lawyer, George Sichangi.</p> <p>Alleged that the purchaser has also reached an agreement to dispose-off the same property to a businessman of Asian descent at Ksh 650 million</p>	Under investigation

OTHER MINISTRIES AND DEPARTMENTS:

No	Dept	Date Reported	Name of suspect	Position of suspect	Nature of Allegations	Status
18.	Info and ICT	Malili Ranch 07/07/2010 But re-started in May 2013	Bitange Ndemo Johnstone Muthama Ronard L. Musengi Zablon	Former Permanent secretary Ministry of information Senator Machakos Commissioner National Police Service Commission	Irregularities in procurement of Konza Ranch, against the former PS Information Mr. Bitange Ndemo and 8 others.	In court

			Agwata mabea David Ndolo Ngilai James kituku Munguti Leornard Kyania Julius mbau nzyuko Julius Kilonzo maweu	Former Commissioner of Lands		
19.	IEBC	27/05/2013	1. James Oswago 2. Wilson Shollei 3. Edward Karisa 4. Willie Kamanga	Chief Executive Officer Deputy Chief Executive Officer Director Finance Head of procurement	Allegations of irregular award of tender for the procurement electronic voter identification devices (EVID) against IEBC officials.	In court
20.	IIEC	27/05/2014		Former IIEC Senior officials	Allegation that officials of the defunct IIEC were bribed to offer contracts to M/S Smith and Ouzman, a UK based firm. The bribes are alleged to have been given by the firm through a local agent by the name Trevy James Oyombra	Under Investigation
21.	UWEZO FUND	2.12.14		Mr Alex Musyoka Kimatu – the Chairman of Uwezo Fun in Mwala sub-County of Machakos County	Fraudulent acquisition and mass embezzlement of public funds out of the Uwezo Fund in Mwala Sub-County of Machakos County by Mr Alex Musyoka Kimatu – the Chairman. It is specifically alleged that Mr. Kimatu who is a close ally to Hon Vincent Musyoka; MP for Mwala, cannot account for funds which he	Full investigation and asset tracing on-going;

					claims to have given to the following group: Name of Group Sub location Mwangaza Wajitu Self Help Group Mbaani Winners Youth Group Mathunthuni Twone Mbee Youth Group Mbaani Tujengane Youth Group Mbaani
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COUNTIES:

No	Depart	Date Reported	Name of suspect	Position of suspect	Nature of Allegations	status
22.	Nairobi County	42249	Lillian Ndegwa, Jimmy Kiamba , Osiro, Nancy Kiruri and Regina Chepkirui	- County Secretary, - Chief Finance Officer and - Head of Finance	Inquiry into allegations of abuse of office against top Nairobi County Officials to include Lillian Ndegwa - County Secretary, Kiamba - Chief Finance Officer and Osiro - Head of Finance, Nancy Kiruri and Regina Chepkirui	Forwarded to DPP
23.		28.08.2014	Dr. Evans Kidero	Governor	Inquiry into allegations of procurement irregularities by officers of Nairobi County Government in the signing of an MOU with Foton East Africa. It is alleged that the Governor has signed a deal worth 4.6 billion in a plan to launch the Metro Transportation system and the process is suspected to have been flawed.	Investigation on going
24.	Kiambu County	15/04/2014	Nick Githinji Ndichu	Former Kiambu County Speaker	Allegation that Nick Githinji Ndichu Former Kiambu County Speaker used Public funds about Kshs. 600,000 without authorization for a trip to Brazil	Under investigation

25.	Narok	42249	Samuel Tunai	Governor	Inquiry into several allegations ranging from irregular procurements, Mismanagement of the county Revenue, Nepotism among many other allegations labeled against Governor Ole Tunai and other county officials.	Investigation Ongoing
26.	Trans Nzoia County	30/09/2014	Sifuna Wakofula	County Secretary	Inquiry into allegation of irregular acquisition of Vipul House by the Trans Nzoia County Government.	Evidence Analysis
27.		06/02/2015	Ainea Indakwa	Clerk to the Assembly	Allegations of corruption against the Clerk Tran Nzoia in the provision of insurance services to the county property. It is alleged that the Clerk, Ainea Indakwa has attempted to award M/S Johncele Insurance brokers a contract for Ksh. 20 Million for a cover for WIBA, fire and peril burglary, group life and motor insurance	Under investigation
28.		05/02/2015	David Sifuna	Speaker of the Assembly	Inquiry into allegation of misappropriation of Kshs 3m at Trans Nzoia county assembly	Under investigation
29. 30.		10/10/2014	Richard Ngoni Joseph Tevulo	Former Interim Chief Finance Officer Head of Procurement	Irregular Tender for the Renovation of Kenyatta Stadium Kitale in the County of Trans Nzoia	Under Investigation
31.	Makueni County	15/12/2014	Stephen Mutunga Ngelu Bernard Kiswii Cosmas Mutunga Bensley Mathuku Timothy Maneno	Assembly Speaker MCA MCA MCA MCA MCA MCA	Allegations that six (6) MCA's from Kibwezi West Constituency recently went on a private trip to Dubai sponsored by the area MP Hon. Musimba and upon return conspired with the County Assembly Speaker Hon. Stephen Mutunga Ngelu and the County Assembly Clerk, Mr. Edward	Completed and Submitted for review.

			John Muli Mwenze Bernard Musau		Libendi and were paid full per diem.	
32.		04/12/ 2014	Rael Muthoka Alex Mutuku	County Secretary Supply Chain Manager	Allegation that the Kikima Dairy Milk processing project was implemented without following proper procurement procedures and exceeded the budget set by the County Government and such is a ghost project	Under Investigation
33.	Machakos County	07/03/ 2014	Francis Mwaka Morris Alwanga John Mrisha	County Secretary Chief officer Procurement	Allegation of renovations and refurbishment of the Machakos County Government Executive Committee members offices through single sourcing	Evidence analysis
34.		06/11/ 2013	Tender Committee members	Tender Committee members	Allegations that Machakos County Government irregularly single sourced a contractor for renovation and construction of Kenyatta Stadium at a cost of Kshs. 87 Million not budgeted for.	Compiling report
35.		7/3/20 14	Alfred Mutua Irine Kamau	Governor Interim County Secretary	Inquiry into allegations of irregular purchasing of 14 Subaru Model for all County Executive Committee members through single sourcing that were not only overpriced but also older than allowed when purchasing Government offices	Evidence analysis
36.	Siaya County	23/10/ 2014	Kefa Marube Zakayo Ojuok	Interim County Secretary Tender Committee Secretary	Allegation of irregular award of tender for pre-fabricating offices at Kshs. 22.5M at the Siaya County Government	Evidence Analysis
37.		18/02/ 2015	Kefa Marube	Interim County Secretary	Allegation of irregular procurement of construction and erection of	Under investigation

			Zakayo Ojuok	Tender Committee Secretary	perimeter wall at the County's Headquarters at Kshs 10.4 M at the Siaya County Government	
38.		18/02/2015	Kefa Marube Zakayo Ojuok	Interim County Secretary Tender Committee Secretary	Allegation of irregular procurement of installation and payment of Kshs. 13.5 M of solar streets light at the Siaya County Government	Under investigation
39.	Kisumu County	23/02/2015	Anne Atieno Adul Nelly Kosangwe	County Assembly Speaker, Clerk to the Assembly	Allegation of embezzlement of public funds at Kisumu County Assembly	Evidence Analysis
40.			James Oduor	MCA	Allegations that in January 2014 Mr. Jabes Oduor, Kongowea Ward representative, obtained Kshs 4.2 million from the County of Mombasa Government for training of 17 members of the houses Planning in Kisumu. However, the training never took place. Although Mr. Oduor has refuted the allegation, the matter is under investigations by the CID. It is further claimed that a firm associated with Mr. Oduor, Vision Advertising Company has not paid the county government Kshs 8 million for billboards it had erected in town. On the other hand Mr. Walid Khalid, Mombasa County Assembly members in charge of finance is accused of corruption and incompetency.	Undergoing evidence analysis
41.			Joseph Omulo Okal,	Executive member for Treasury.	Allegations of irregularities in award of a tender for solid waste management	

					<p>awarded to M/s Madam R. Enterprises, P. O. Box 15, Katito vide letter Ref. MR/CONTRACT/2013/VOL1 dated 13th September, 2013 The contract is reportedly to run for 15 years from 2013 ? 2028 for a sum total of Kshs. 1,200,000,000 (Kshs. 1.2 billion) per year.</p> <p>After queries being raised about Madam R. Enterprises registration status, Yogo Advocate (0722-465311) has reportedly been contracted to incorporate it into a limited company The incorporation is being done after the award of the contract.</p>	
42.	Kisumu County assembly	19/2/3015	Mrs Adul	Assembly Clerk and Finance officer	Allegations of embezzlement of public funds by way of fictitious trips	
43.		8/4/2014		Procurement Officer and Finance officer	Irregularities in the procurement of furniture for the speakers residence estimated at Ksh. 4.8 million	Evidence analysis
44.	Homa Bay	10/03/2014	Hezron Awiti	Governor	Kshs. 200 million irregularly paid to an investor in respect of the proposed Agro City Project without a feasibility study being conducted. This was allegedly a ploy to embezzle funds as the said project has stalled and the investors reportedly disappeared soon after the funds were transferred to them.	Under investigation
45.	Turkana	24/11/	Augustine	County	Allegations that the Turkana	Evidence

	County	2014	Lokiron Lawrence Lolii	Executive Member for Roads County Works Officer	County Government awarded a contracts to M/s Nadome Construction Co. Ltd and paid for works not done amounting to overpayment of Kshs 9,023,711	analysis
46.		24/11/2014	Lawrence Lolii	County Works Officer	Award of tender to rehabilitate Kalokol- Lobolo – Eliye Springs for Kshs. 10,728,000 by Turkana County Government	Evidence Analysis
47.		20/2/2015	Josephat Nanok, Paul Naibuin	Turkana County Governor, CEC Finance, and Principal Finance officer	Allegation of irregular payments of Kshs 14 million to a contractor by Turkana County for construction of bridge when no work was done.	Under investigation
48.	Mombasa County	22/05/2013		Governor H. A. Joho	Allegation that the Mwembe Tayari Market, which was designated a public market and whose foundation stone was laid by the first President of the Republic of Kenya in 1965 has been grabbed by Mr. Bawazir and Zubedi. The grabbing was allegedly facilitated by the Mombasa County Governor, who authorized for the demolition of the original burnt structure ostensibly to flush out muggers, drug users and criminals.	Under Investigation
49.	Kilifi		Amason Kingi Matano Riziki Choga	Governor Kilifi County Procurement Head	Inquiry into allegations that the County Government of Kilifi irregularly procured Governors House at Kshs. 140 Million without following Procurement Procedures	File finalised
50.	Taita Taveta	March 2015	Maxwell Mtende Mkalla	Procurement officer	The complainant claimed that one lady Scholar Okwaro, who works in the procurement department of	Under investigation

					the Taita- Taveta County Government has a company called Vicron registered in the name of her bother Mr. Anthony Okwaro, that she connives to ensure it is awarded tenders by the County Government.	
51.	Nandi County	20/4/2014		Nandi County	Irregular payment of 22 million in a county employees personal account in Nandi County	File compilation
52.		20/2/2015	Josiah Kiprotich Korir Henry Maritim Koech	Nandi County CEC Trade, Principal Finance Officer	Allegation of misappropriation of about Kshs 30 millions of Public funds in fencing and construction of 21 Nandi County Markets by the CEC and the Governor Nandi county government.	Pending Witness statements
53.	Elgeiyo Marakwet	21/03/2014	Mr. Albert Kochei .	County of Elgeyo Marakwet speaker,	Allegation of misappropriation of funds by the speaker, County Assembly of Marakwet	Under investigation
54.	Trans Nzoia	17/6/2014	Fred Wanyama Simiyu	FINANCE Officer, Trans Nzoia County	Allegation of misappropriation of funds by finance officer, Trans Nzoia County	Under investigation
55.	Uasin Gishu	25/11/2014	Nicholas Ngeno, (currently CEC Lands Kericho)	County Government of Uasin Gishu	Allegation of misappropriation of over 28 million in paying uncompleted work at Langas Market by the Current CEC member of Kericho County then employee of Eldoret Municipal Council by Kenya Slum Upgrading Program (KENSUP)	File at an advanced stage
56.	Isiolo	2014-01-08	Asha Abdi; Charles Mungai	CEC Finance and Economic Planning, Procurement Director	Inquiry into allegations that the procurement process for Tender No. ICG/07/2013/14 - Proposed supply and delivery of empty branded Gunny bags(No. 2,500 for 90 kgs Bags and no 19,955 of 50Kgs bags)	Ready to go to DPP

57.		2014-01-08	Asha Abdi; Charles Mungai	CEC Finance and Economic Planning, Procurement Director	Allegations that the procurement process for tender no ICG/038/2013-14 - Proposed rehabilitation of public baraza park by Isiolo County Government was riddled with corruption, abuse of procurement rules and regulations, bid rigging and conflict of interest. Project also stalled for unclear reasons.	Crime Reading
58.		31/10/2014	Ibrahim Wako	County Secretary, and Payroll Manager	An inquiry into allegations of payroll manipulation by Isiolo County Government	Under investigation
59.		11/12/2014	Godana Doyo Ibrahim Wako,	The Governor Isiolo County The County Secretary,	An inquiry into fraudulent and illegal document purported to be supplementary appropriation budget at the Isiolo County.	Under investigation
60.		21/01/2015	Godana Doyo	Governor, Isiolo County	An inquiry into irregular appointments and promotions of individuals in the Isiolo county Government	Under investigations – file at =70% progress.
61.	Embu	2014-05-04	Laura M. Kariuki	County Secretary - Embu	Allegations that the Governor Embu County Government irregularly procured renovation Embu Municipal Stadium.	Ready to go DPP
62.	Migori	29/08/2014	Okoth Obado	Governor Migori	Allegations of various improprieties in the Migori County Government involving procurement and misuse of public funds; conflict interest; Over 600 Million shillings	Under investigation
63.	Bomet		Hon. Isaac Rutto	Governor Bomet County Government	Allegations that the county government of Bomet hired ambulances at a monthly cost of Ksh 650,000/- each. The ambulances were acquired from the Kenya	Preliminary

					Red Cross through single sourcing.	
64.	Bomet	29/09/2014	Isaac Rutto	Governor	Allegations of accumulating immense wealth including; 40 earth movers/tippers/graders all estimated at Ksh 400 million, chopper (helicopter) estimated at ksh 300 million. He bought a palatial house in Ngong worth ksh 33 million. He operates numerous petrol service stations.	Under investigation
65.	Garissa	15-Jan-15	Nadhif Jama,	Governor Garissa County Government	EACC/GSA/PI/INQ/01/2015 Inquiry into alleged engagement in a project without prior planning / engaging in unplanned projects by officials of Garissa County Government - Ambulance services leasing	Ongoing investigation
66.		03.10.2014	Nadhif Jama	Governor Garissa County	Inquiry into allegations that the county government of Garissa hired eight (8) ambulances at a monthly cost of Ksh 650,000/- each. The ambulances were acquired from the Kenya Red Cross through single sourcing.	Investigation Completed, to be forwarded soon to DPP
67.		03.10.2014	Nadhif Jama,	Governor Garissa County	Inquiry into allegations that the process of hiring a helicopter for the Garissa governor's trip to Hulugho, Modogashe, Dadaab and Masalani was not competitive.	Investigation Commenced
68.	Tana River	2013	Ismail Jillo, Salim M. Dame, Hassan Bare Kuno, Swaleh	CEC Finance, CEC Water and sanitation, CEC Education,	EACC/GSA/PI/08/2013 Alleged irregular procurement for construction of the fence of Tana River County Government	evidence analysis

			Salad Abashora	Procurement Officer		
69.		02/03/2015	Ismail Kodobo	Revenue Administrator	Allegations of Irregular recruitment of Revenue Administrator in the Tana North Sub county in the Tana River County Government.	Under investigation
70.	Tana River County Assembly	02/03/2015	Mohamed Hassan Dube	Ag. County Assembly Clerk	Allegations of Irregular recruitment of Deputy Clerk in the County Assembly of Tana River County Government.	Under investigation
71.		02/03/2015	Mohamed Hassan Dube	Ag. Clerk and Galecha Contractors Ltd	Allegations of Conflict of Interest and Irregular award of Tender No.TRCG/18/13/-14 for spot improvement of DC's office road to a company associated with the Deputy Clerk.	Under investigation
72.	Mandera	2014	Ukash M.	County Secretary Mandera	EACC/GSA/F1/INQ/1/2014 Abuse of office, allegations of financial misappropriation at Mandera County Government	Under investigation
73.	Wajir	05.09.2014	Abdullahi Sheikh and Mohamed Noor Farah	County secretary Procurement officers;	Inquiry into allegations of procurement irregularities, conflict of interest and misappropriation of public funds against the governor of Wajir County. It is alleged that governor has awarded several tenders to companies associated with himself and that implementation and management of other tenders has been irregular.	Investigation Commenced
74.	Marsabit	18/02/2015	Hon. Yatani Ukur Kanacho	Governor Marsabit County	Abuse of office against Marsabit Governor in the purchase of Motor vehicles.	Under investigation
75.		18/02/2015	Hon. Yatani Ukur Kanacho	Governor Marsabit County	Abuse of office against Marsabit Governor in the fencing by the county	Under investigation

					Government.	
76.		13.03.15		County Government of Marsabit	Allegations of manipulation of budget, Mismanagement, Abuse of office and corruption	Under investigation
77.	Meru	21.2.14	Hon. Peter Munya	Governor, former area MP	Inquiry into allegations of abuse of office and misuse of public funds by the Meru County Governor Peter Munya on fuel, service and repair of a private vehicle registration TCD 385 EAC.	under Investigation
78.	Nyamira County	13/1/2014	Richard Nyaiyo Ondiek	Clerk to County Assembly and Finance Officer	Irregularities in the procurement of motor vehicle insurance covers estimated at Ksh. 6 million	Evidence analysis
79.		15/5/2014	Richard Nyaiyo Ondiek	Clerk to County Assembly and Finance Officer	Irregularities in the procurement of medical insurance covers for the Members of the County Assembly estimated at Ksh. 30 million	Evidence analysis
80.	Busia County	27/2/2014	Leonard Wanda Obinda	Procurement Officer, Chief Officer Finance of Treasury Accounting and Head of Bio-Medical Engineering at Moi Teaching and Referral hospital Eldoret	Irregularities in the procurement of ICU equipments estimated at Ksh. 174 million	Evidence analysis
81.	Kakamega County	3/2/2015	Paul Otsola	CEC Finance and Economic Planning, Chief Officer finance	Allegation of Embezzlement of funds meant to help pay farmers estimated at Ksh. 200 million	Under investigation

PARASTATALS:

82.	Geot'mal Dev't Company	11/04/2014	Dr. Silas Simiyu	Managing Director	Inquiry into allegations of procurement irregularities during a	Under investigation
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	(GDC)				tender for purchase of land Rigs, two incidence of financial improprieties and gross staff mismanagement at the Geothermal Development Company (GDC) – 3 projects valued at over 2 billion shillings	
83.	Nzoia Sugar		Francis Oyatsi	Managing Director	Allegation of misappropriation of 600 million by MD Nzoia sugar company Mr. Francis Oyatsi	Under investigation
84.	NSSF	09/01/2014	Richard Langat Mutemi Nzatu Gideon Kyengo	Managing Trustee Property Development Manager GM Finance & Investment	An Inquiry into allegations that the Board of Trustees National Social Security Fund (NSSF) irregularly approved budget of Kshs 5,053,520,321.06 for the regularization and infrastructure development of Tassia II scheme and awarded tender to China Jiangxi International Kenya Ltd	Under investigation
85.	NSSF	31/07/2013	Richard Langat	Managing Trustee	Design, supply, installation and commission of Electronic Security Surveillance System - Closed Circuit Television (CCTV) and Restricted Access Control System at NSSF	Evidence Analysis
86.	KURA	14.12.14	Engineer Nderitu	Roads Engineer Nderitu, KURA Garissa	Alleged irregular procurement of construction services by KURA – Garissa Regional Office	Investigation ongoing
2	KNEC	27/05/2014	Paul Wasanga	Chief Executive Officer	Bribery allegations against CEO and Senior Officers of Kenya National Examination Council (KNEC) in respect of purchasing of	Under Investigation

					examination materials	
87.	Garissa Water	15-Jan-15	Mr. Bulale	Garissa Garissa Water and Sewerage Company	Irregular procurement of two generator sets and 16 pump sets by the Managing Director Garissa Water and Sewerage Company	Ongoing investigation
88.	National Water Conservation and Pipeline Corporation (NWPC),	05/01/2015	Mr Ngibuini	acting Chief Executive Officer	Impropriety in regard to the implementation of the Ksh 10 billion West Pokot dam (Sinohydro). Other allegations are that the structural cabling of the headquarter building was not property done.	Under investigation
89.	KENTRADE		ALEX KABUGA	CEO	allegation of irregularities in procurement and recruitment of staff; <ul style="list-style-type: none"> • Single sourcing of window system worth over Ksh 1 billion. • Falsification of tender committee minutes to favour certain bidders. • "Doctoring" of management reports and books of account to conceal loss of public funds. 	Under investigation
90.	LAPSSET	13/02/2015	Kassim Athmani Hassan	Lamu Ward Representative	Allegations that Lamu Hindi ward representative by the name Mr. Kassim Athmani Hassan has abused his office by including his family members, relatives and friends to be beneficiaries in the ongoing compensation of persons to be affected by the LAPSSET project.	Under investigation

					It is estimated that the government may lose over Kshs 100 million in the said scam.	
91.	Export Processing Zone Authority (EPZ)	04.02.2013	EACC/PI/IN Q/07/13	Richard Mutule, former Chief Executive Officer	Allegation of fraud and financial improprieties by the former chief executive officer of the EPZA on matters of bank transfers, advances, spending on foreign travel, training and imprest.	Evidence Analysis
92.	Football Federation of Kenya	2013	Sam Nyamweya	Secretary General	Allegation of embezzlement of funds at football Kenya federation.	under Investigation
93.	Kenya Meat Com	01/11/2013	Dr. Ibrahim Haji Isaac	Former Managing Commissioner	Allegation of misappropriation of funds by the former Managing Director of Kenya Meat Commission	Evidence analysis
94.	Kenya Meat Com	01/11/2013	Irene Mbito	Former Corporation Secretary	Allegation of irregular withdrawal of Kshs 3 million by the Company Secretary of the Kenya Meat Commission	Under investigation
95.	Kenya Airports Authority	25.08.2014	Hobadiah Orora	Director Procurement	Inquiry into allegations of procurement irregularities at KAA in tender No. KAA/193/2013-2014. The PPARB directed KAA to retender afresh using standard tender documents but the one Mr. Hobadiah Orora was overheard saying that KAA would not be bound by the directive.	Under Investigation
96.		25.08.2014	Hobadiah Orora	Director Procurement	Inquiry into allegations that the Government could lose a lot of money if the Management of the Duty Free Retail Master Consession at JKIA is awarded to a	Investigation ongoing

					concessionaire at 12.5%. Initially the tender No. KAA/193/2013-2014 awarded to M/s Belgian Sky Shops at a concession rate of 33% of total sale.	
97.		25.11.2014	Lucy Mbugua	Managing Director	Inquiry into allegations of irregularities in the award of Tender No. KAA/193/2013-2014 for development and operation of duty free shops under a single license at JKIA.	Under Investigation
98.	Kenya Pipeline Corp	13.06.2014	Charles Tonui	Managing Director, KPC,	Inquiry into allegations of procurement irregularities against the KPC Managing Director in the award of tenders to Petro City, Redline Company and Lelan Koech and Company advocates; Land acquisition at an inflated price of 545 million.	Investigation Ongoing
99.	Tourism Fund / Catering Levy Trustee	25/05/2011	Mrs. Rebecca Nabutola; Mr. Allan Chenane	Former PS The Chief Executive	Irregularities in tender for the construction of Catering Levy Trustee Headquarters along Valley Road and various corrupt practices in the organization. It is reported that the award of tenders to build CLT House at Valley Road was riddled with corruption. PS Ministry of Tourism that time, Mrs. Rebecca Nabutola and The Chief Executive Mr. Allan Chenane manipulated the tender process.	Under investigation

					Awarded the tender to Cementers ltd without any justifiable reason at Ksh 800 million.	
					Allegations of misappropriation of public funds	
100	Mumias Sugar Company	16/02/2015	Dr. Evans Kidero,	former Managing Director	Inquiry into allegations that before Hon. Kidero, now Nairobi Governor, left Mumius Sugar Company, he processed legal fees of Ksh.300 million and instantly paid Ksh.280 million for services not rendered to the company. The payments is alleged to have been paid to Mr. Ojienda's personal account and not to an account held by the contracted law firm of Ojienda & Co. Advocates.	Under Investigation
101		11/2/2015		CEO and procurement officer	Allegation of embezzlement of public funds through irregular tendering process in the procurement of fertilizers estimated at Kshs. 11 million	Under investigation
102		23/02/2015	Peter Kebati Chris Chepkoiit Paul Murgor Emily Otieno	Managing Director, Finance Director, Commercial Director Company Secretary	Allegation of irregular importation of 10,000MT of sugar	Under investigation
103		23/02/2015	Christine Cherotich	Warehouse Manager	Allegation that Transporters were paid for delivery of sugar, yet the same was never delivered to the warehouses during Inter	Under investigation

					warehouse Transfers	
104	National Housing Corp (NHC)	04/04/2012	James Ruitha Elizabeth Mbugua Manasseh Wandabwa Bernard Ogolla William Keitany John Agutu	Managing Director Company secretary	Allegation of allegation of abuse Of Office in Allocation of Houses against the Managing director and five other senior managers of the corporation	Under investigation
105	N H C	41465		Managing Director	Allegation of fraudulent acquisition of land LR No 209/19715 in Imara Daima Estate by the National Housing Corporation.	Recommended for full Investigation
106	Lake Victoria south water Services Board	2/5/2014		Chief Manager finance	Allegations of fraudulent payments to ghost workers estimated at Kshs. 12 million	Under active investigation

PARLIAMENT:

107	KNA	20/03/2015	PAC members	Principal Secretary, Defence Members of Parliament	Allegations that members of the Public Accounts Committee received Kshs 1.5 million from the former Interior Permanent Secretary, Mr. Mutea Iringo to expunge his name from the Committee's report on unexplained expenditure at the Office of the President	preliminary Investigation
108	KNA	20/03/2015	Parliamentary Committee on Agriculture Former Managers of	Members of Parliament Former Managers of Mumias Sugar	Allegations that members of the Parliamentary Committee on Agriculture, Livestock and Cooperatives received Kshs 60 million in form of bribes so as to	Preliminary Investigation

			Mumias Sugar		expunge the former manager's names report on the sugar sub-sector.	
109	Ganze	18/12/2014	Peter Shehe	Member of Parliament for Ganze Constituency	<p>The complainant in a letter dated 25/6/2014 accused the Member of Parliament for Ganze Constituency Hon. Peter Safari Shehe of misappropriating Constituency development fund and flouting of public procurement and disposal regulation. These allegation are that:</p> <ol style="list-style-type: none"> 1. He gave a local mason the work of constructing a five classroom block at Chapungu Primary School in Bamba ward and he is the one supplying building materials and paying the mason. 2. He has been supplying building material for rehabilitation of Godoma Secondary School Lab building no tendering was done. 3. Picked his own contractor to under the rehabilitation of Ganze Youth Polytechnic in Ganze Ward and has been supplying the building material himself. 4. Imported timbers from Tanzania that was delivered to Jaribuni Timber Yard in Jaribuni Ward which was meant for making of furniture such as lockers, door 	Under investigation

					shutters, frames etc. that were to be distributed to local schools in Ganze Constituency free of charge.	
110	Lamu West	11/09/2014	Hon. Julius Ndegwa	Member of Parliament for Lamu West	<p>Allegation that the Member of Parliament for Lamu West has unilaterally awarded seven (7) tenders to his cronies. It is alleged that the Tender Committee were not involved in the award of these tenders. The Tender Committee only got to know of the award when the sites were handed over to the contractors on 7th and 8th August 2014. These tenders are as follows:</p> <p>1. Construction of dining hall and kitchen at Mkunumbi Secondary School awarded to one Hiram. The dining hall project was approved in the previous financial year but both projects valued at Ksh 13 million were awarded to the same person.</p> <p>This tender</p> <p>It is further alleged that the Project management Committee (PMC) of Mkunumbi Secondary school is not properly constituted where the Chairman, Bakari Athman and Treasurer, Barke Aboud, are husband and wife.</p>	Under investigation

					<p>2. Construction of Laboratory at Hindi Secondary School awarded to Rems Investments.</p> <p>3. Construction of Dormitory at Witu Secondary School awarded to Ivanene Investments.</p> <p>4. Construction of Staff quarters at Mpeketoni Secondary School awarded to Beamsport.</p> <p>5. Construction of Dormitory at Lamu Girls Secondary School awarded to Saary General Suppliers.</p> <p>6. Roofing of classrooms at Matondoni Primary School awarded to Dynatech General Suppliers.</p> <p>7. Construction of Classrooms at Sina Mbio Primary School awarded to Lizam Enterprises.</p> <p>It is alleged that the Chairman, Secretary and Treasurer of the Lamu West Constituency Development Committee (DC) are used to rubber stamp the decision of the MP</p>	
111			Hon. Alfred Keter	MP Nandi Hills	Allegations of breach of chapter 6 of the Constitution and intimidation of public officers while executing their duties	File complete to be forwarded to DPP
112			Hon. Sonia Birdi	Nominated	Allegations of breach of chapter 6 of the Constitution and intimidation of public	File complete to be forwarded to DPP

					officers while executing their duties	
113		25.10.13	Hon. John Serut	MP Mt Elgon	Allegation of fraudulent acquisition of public money belonging to Chepkurkur SA Primary School, Mt.Elgon	Under investigation
114		19.2. 14	Sen. Johnston Muthama,	Former MP Kangundo	Inquiry into allegations of corruption at the Kangundo CDF for water and road projects in the year 2012. Kshs 57 million for rural access roads was embezzled while the Kyaume/Ngonda village water supply is un-completed.	
115	Kitutu Chache CDF	23.05. 11	Hon Richard Momoima Onyonka James George Siro	Member of Parliament for Kitutu Chache	Allegations of abuse of office against the Kitutu Chache MP Hon Richard Momoima Onyonka in the purchase of sugar for IDPs from Chemelil Sugar Company using CDF.	Before Court

JUDICIARY:

116	JSC		2013	Gladys Boss Shollei, former High Court Registrar	Inquiry into allegation of procurement irregularities in the purchase of a fully furnished property for the judiciary under tender number JUD/13/2012-2013	Evidence analysis
117		29/01/2014	Gladys Boss Shollei	Chief Registrar	Allegations of direct procurement for goods and services for repair works at the CJ's parking area and kitchen refurbishment for Supreme Court at a total cost of Sh. 9,783,853.70 from Arreda Home	Under investigation
118		11/04/2	Gladys Boss	Chief Registrar	Inquiry into allegations	Under