

## CONFIDENTIAL WHISTLEBLOWER COMPLAINT

**TO:** Ethics and Anti-Corruption Commission (EACC)  
**ATTN:** Chairperson David Oginde & CEO Abdi A. Mohamud  
**ADDRESS:** Integrity Centre, Jakaya Kikwete/Valley Road  
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**FROM:** Anonymous Whistleblower (NIA Insider)

**DATE:** July 13, 2025

**RE:** URGENT REQUEST FOR INVESTIGATION INTO SYSTEMIC CORRUPTION AT NATIONAL IRRIGATION AUTHORITY SPEARHEADED BY CHARLES MUASYA

### EXECUTIVE SUMMARY

I am writing as an anonymous whistleblower and insider at the National Irrigation Authority (NIA) to formally report systematic corruption, tender manipulation, and abuse of office involving CEO Charles Muasya and his network of accomplices. This complaint details serious violations of public procurement laws, abuse of office, and potential criminal conduct that demands immediate investigation.

### PRINCIPAL SUBJECTS OF INVESTIGATION

#### 1. Charles Muasya - Chief Executive Officer, NIA

- **Primary Allegation:** Systematic manipulation of tender processes, accepting bribes, and facilitating corrupt procurement practices
- **Modus Operandi:** Operating under the influence of State House political cartels and using intermediaries to receive kickbacks

#### 2. Gilbert Maluki - Board Chairman

- **Primary Allegation:** Collusion with CEO in tender manipulation, benefiting from proxy tender awards
- **Pattern:** Coordinating with CEO to control board decisions for personal gain

#### 3. Ubah Kahiye - Board Member

- **Primary Allegation:** Harassment of procurement staff to award tenders to specific companies, ethnic favoritism in tender allocation
- **Pattern:** Intimidating procurement officers and pushing for Somali business interests through questionable means

### SPECIFIC CORRUPT PRACTICES IDENTIFIED

#### A. TENDER MANIPULATION AND PREDETERMINATION

The following tenders have been corruptly predetermined despite public advertisement:

### **Recently Awarded Suspicious Tenders:**

- MWSI/SDI/ONT/018/2024-2025 - Ketut Mokoro Irrigation Project
- MWSI/SDI/ONT/021/2024-2025 - Ugoti Marega Irrigation Project
- MWSI/SDI/ONT/016/2024-2025 - Lari Escarpment Belt Irrigation Project
- MWSI/SDI/ONT/020/2024-2025 - Amboseli Irrigation Water Project
- MWSI/SDI/ONT/017/2024-2025 - Adich Gorge Dam Irrigation Project
- MWSI/SDI/ONT/019/2024-2025 - Nyamaji Irrigation Project

### **Currently Under Corrupt Influence:**

- NIA/T/184/2024-2025 - Athi Dam Project consultancy services (Kilifi County)
- NIA/T/184/2024-2025 - Athi Dam irrigation project (Kitui and Taita Taveta counties)

## **B. SYSTEMATIC BRIBERY AND KICKBACK SCHEME**

- CEO Muasya operates through female intermediaries who collect bribes on his behalf
- One particular woman, described as close to the CEO, is “calling the shots and bagging lucrative deals”
- Sexual exploitation practices referred to as “tender for sex at NIA”

## **C. POLITICAL INTERFERENCE**

- Rift Valley politicians dictate tender awards and bill of quantities
- State House cartels influence which firms receive contracts
- Political connections override merit-based procurement

## **INSTITUTIONAL CAPTURE AND COVER-UP**

### **Compromised Officials:**

- **Jyanne Okello** (Corporate Secretary) - Facilitates improper tender and contract signing
- **Jedidah Oduori** (Deputy Director Finance) - Complicit in financial irregularities
- **Dan Opiyo** (Internal Auditor) - Described as “CEO’s spanner boy,” compromising internal controls
- **Evelyn Akoth** (Assistant Director Supply Chain) - Involved in questionable procurement practices
- **Loise Kahiga** (Director Irrigation Management) - Raising concerns about current practices

### **Sidelined Ethical Officers:**

- **Daniel Atula** (Deputy General Manager Corporate Affairs) - Deliberately excluded from key decisions
- **Jairus Serende** (Director Irrigation) - Sidelined by CEO’s preferred team
- **Joseph Kiragu** (Deputy Director Infrastructure Development) - Excluded from decision-making
- **Florence Ndai** (Director Planning and Strategy) - Marginalized in strategic decisions

## **EVIDENCE OF SYSTEMATIC CORRUPTION**

1. **Predetermined Outcomes:** Public tender advertisements are mere formalities as awards are pre-decided through corrupt negotiations
2. **Ethnic Favoritism:** Board member Kahiye specifically advances Somali business interests through corrupt means
3. **Intimidation:** Procurement staff face harassment when they resist corrupt directives
4. **Proxy Awards:** Board members receive tender benefits through proxy companies
5. **Bypass of Due Process:** Established procurement procedures are consistently ignored

## **REQUESTED IMMEDIATE ACTIONS**

### **1. URGENT INVESTIGATION**

- Immediate forensic audit of all tender processes from 2024-2025
- Investigation of bank accounts and financial transactions of named individuals
- Examination of tender documentation and decision-making processes

### **2. ASSET PRESERVATION**

- Freeze assets of Charles Muasya, Gilbert Maluki, and Ubah Kahiye pending investigation
- Preserve all tender documentation and communication records

### **3. WITNESS PROTECTION**

- Ensure protection for procurement staff who may provide testimony
- Guarantee anonymity for whistleblowers and cooperating witnesses

### **4. INTERIM MEASURES**

- Suspend current tender processes under investigation
- Place independent oversight on ongoing procurement activities
- Install interim management pending investigation outcomes

## **LEGAL FRAMEWORK VIOLATIONS**

This complaint alleges violations of:

- Public Procurement and Asset Management Act
- Leadership and Integrity Act
- Anti-Corruption and Economic Crimes Act
- Public Officer Ethics Act

### **WHISTLEBLOWER PROTECTION REQUEST**

As provided under the Whistleblower Protection Act, I request:

- Complete anonymity and confidentiality
- Protection from retaliation
- Regular updates on investigation progress
- Secure communication channels for additional information

### **CONCLUSION**

The corruption at NIA represents a betrayal of public trust and misuse of resources meant for national development. The systematic nature of these violations demands immediate and comprehensive investigation. I am prepared to provide additional information and evidence as required, subject to appropriate protection guarantees.

The irrigation sector is critical to Kenya's food security and economic development. The current corruption threatens not only public resources but also the livelihoods of farmers and communities dependent on these projects.

I urge the EACC to treat this matter with the urgency it deserves and to take immediate action to stop ongoing corrupt practices while conducting a thorough investigation.

### **CONFIDENTIAL - WHISTLEBLOWER PROTECTION REQUESTED**

*Additional evidence and documentation available upon request through secure channels*