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THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT - FIFTH SESSION - 2017

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15/6/17
Paper laid
By Hon. Geoffrey Odongo, MP
Member of the Dept. Comm.
on Education, Research
and Technology on 15/6/17
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DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND
TECHNOLOGY

REPORT ON THE PETITION ON THE UNLAWFUL INTERDICTION OF MR.
EPHRAIM KAMUHU WAMBUGU BY THE TEACHERS SERVICE COMMISSION

Directorate of Committee Services,
Clerk's Chambers
Parliament Buildings,
NAIROBI

JUNE, 2017

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1.0 CHAIRPERSON'S FOREWORD

On behalf of the Departmental Committee on Education, Research and Technology and pursuant to provisions of Standing Order 227, it is my pleasant privilege and honour to present to this House the Report of the Committee on the unlawful interdiction of Mr. Ephraim Kamuhu Wambugu by the Teachers Service Commission. The petition was tabled before the House pursuant to Standing Order No. 225 (2)(a) by the Hon. Esther Gathogo, M.P on behalf of Mr. Ephraim Kamuhu Wambugu. The Committee wishes to thank the Offices of the Speaker and Clerk of the National Assembly for providing guidance and necessary technical support without which its work would not have been possible. The Chairperson expresses gratitude to Committee Members for their devotion and commitment to duty during the consideration of this Petition.

On behalf of the Committee, I now wish to table this report for consideration and passage by the House.

HON. SABINA CHEGE, M.P

2.0 MANDATE OF THE COMMITTEE

The Committee on Education, Research and Technology is one of the Committees of the National Assembly established under Standing Order 216 and mandated to,

1. investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;
2. study the programme and policy objectives of ministries and departments and the effectiveness of the implementation.
3. study and review all legislation referred to it;
4. study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;
5. investigate and inquire into all matters relating to the assigned ministries and departments as they may deem necessary and as may be referred to them by the House;
6. vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments); and
7. make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.

3.0 MEMBERS OF THE COMMITTEE

3.1 Committee Membership

Chairperson	Hon. Sabina Chege, M.P
Vice Chairperson	Hon. Julius Melly, MP
Members	Hon. Yusuf Chanzu, M.P Hon. (Dr.) Christine Ombaka, M.P Hon. (Dr.) Wilber Ottichillo, M.P Hon. (Dr.) Susan Chebet, M.P Hon. (Prof.) Helen Sambili, M.P Hon. Cecilia Ng'etich, M.P Hon. Muriuki Njagagua, M.P Hon. Eric Keter, M.P Hon. Joseph M'eruaki, M.P Hon. Joseph Manje, M.P Hon. Kenneth Okoth, M.P Hon. Halima Ware Duri, M.P Hon. Silverse Lisamula Anami, M.P Hon. Richard Makenga, M.P Hon. Opiyo Jared Odhiambo, M.P Hon. Geoffrey Makokha Odanga, M.P Hon. Anthony Kimaru, M.P Hon. Banticha Abdullahi, M.P Hon. Moses Injendi, M.P Hon. Mohamed Adan Huka, M.P Hon. Harrison Kombe, M.P Hon. Zuleikha Juma Hassan, M.P Hon. Rose Rwamba Mitaru, M.P Hon. Mary Seneta, M.P Hon. Michael Kiso Muniyao, M.P Hon. Ibren Nasra Ibrahim, M.P Hon. Andrew Mwadime, M.P.

3.2 Committee Secretariat

Leah Wanjiru	First Clerk Assistant
Abdiaziz Shobay	Third Clerk Assistant
John Mugoma	Third Clerk Assistant
Doreen Karani	Legal Officer
Annceta Gacheri	Research Officer
Eric Kanyi	Fiscal Analyst

4.0 BACKGROUND

4.1 Committal of the Petition to the Committee

Pursuant to Standing Order 227 (1), the petition was referred to the Departmental Committee on Education, Research and Technology for consideration and preparation of a report within 60 days. The Committee considered the petition pursuant to the provisions of Standing Order 227 (1) and (2).

In the Petition, the Petitioner plight was that the Committee investigates into the circumstances that led to the interdiction of Mr. Ephraim Wambugu and recommends that he be reinstated as a principal and his dues be paid.

The Committee proceeded with the consideration of the petition by holding meetings to set up terms of reference and scheduling meetings.

In considering the petition, the Committee invited and held meetings with the petitioner, Mr. Ephraim Kamuhu Wambugu and Hon. Esther Gathogo, M.P. The Committee also received written submissions from the Teachers Service Commission. The meetings were aimed at responding to issues raised by the petitioner.

4.2 Consideration of the Petition

In considering the Petition, the Committee was guided by the Provisions of Standing Order 227 (2) and (3). The Committee held meetings with the Petitioner and the Teachers Service Commission. During the meetings, written and oral evidence was adduced as recorded hereunder:-

4.2.1 Submissions by the Petitioner, Hon. Esther Gathogo, M.P;

The Hon. Esther Gathogo, M.P appeared before the Committee on 7th March, 2017. He was accompanied by Mr. Ephraim Kamuhu Wambugu. Hon. Gathogo informed the Committee that:-

1. That Mr. Ephraim Kamuhu Wambugu was employed by TSC as a graduate teacher and posted to Masinga Girls Secondary School in 1993. He had served as Chairman of Mathira District Schools Heads Association;
2. He was promoted to the position of the Deputy Principal in 1997 and later on promoted to the position of a Principal in 2002 at St. James Kiaritha Secondary School. He was later on in January 2006 he was transferred to Kiamariga Secondary school until December 2011;

3. In 2012, he was demoted and transferred to Kangocho Secondary School as an ordinary classroom teacher. This caused him social, emotional and psychological trauma which led to depression;
4. Mr. Ephraim Kamuhu was interdicted on 16th March, 2015 with allegation of desertion of duty. The said letter was signed by the then Nyeri TSC County Director, Mr. Kinoti Imanyara was appointed as a Commissioner with TSC
5. He lodged several appeals with TSC Commission for intervention regarding the matter but efforts to resolve the matter borne no fruit.
6. The demotion had greatly affected Mr Ephraim Wambugu both psychologically and emotionally and therefore could not attend to his assigned classes.

4.2.2 Submissions by Mr. Ephraim Kamuhu Wambugu TSC No. 334898

The concerned teacher (Mr. Ephraim Kamuhu Wambugu) informed the Committee that:-

1. He was an employee of the Teachers Service Commission from 1993 to 16th March, 2016 when he was interdicted on allegation of desertion of duty and fraudulently earning Kshs. 2, 027, 838.17; this was the second interdiction the first one being on 16th March, 2015 which was later on revoked.
2. He taught as a graduate teacher at Masinga Girls in 1993. In 1994, he was transferred to Magutu Secondary School where he served as an acting Deputy Principal from 1997 to October 2000 when he was confirmed as Deputy Principal;
3. He was deployed to St. James Kiaritha Secondary School in 2002 where he was promoted to the position of a head teacher. He served in the same capacity till 2003 when he was transferred to Mutitu Secondary School in the same capacity till December 2005.
4. In January 2006, he was transferred to Kiamaringa Secondary School as a Principal and served till December, 2011.
5. On December 1st, 2011 he received a transfer letter from the then Provincial Director of Education from Kiamariga Secondary School to Ichuga Secondary School to teach Kiswahili and Geography with effect from 19th December, 2011. The transfer was revoked and instead he was issued with a deployment letter to Kangocho Secondary School to teach the same subjects;

6. He received a letter from TSC dated 12th September, indicating that he had been demoted from Principal to regular teacher due to mismanagement of school funds.
7. Neither did the Teachers Service serve him with a copy of the audit report nor a copy of the disciplinary Committee report;
8. That he was interdicted on 15th December, 2015 but received the letter of interdiction three months later; 22nd August, 2016 ;
9. He was subjected to disciplinary hearings where he defended himself against the allegation of deserting duty. It was while he was awaiting the outcome of the disciplinary hearing that he was informed that it was deferred but a year later he received a second interdiction letter with further allegation.
10. When he was demoted from a Principal to a regular teacher, he developed emotional stress and suffered from severe neurotic depression. He started attending medical sessions and he could not therefore teach students effectively. He was unfairly demoted without being given a hearing
11. He still uses his phone number and that it was possible to obtain Mpesa statement from relevant authorities.
12. He has been out of employment for six years.

4.2.3 Written Submissions by the Teachers Service Commission

The Teachers Service Commission submitted its written Submission vide its letter **Ref. No. TSC/LS/250//2012/VOL.2/46/2012** dated 16th February, 2017. The Commission informed the Committee that:-

13. Mr. Ephraim Wambugu was assigned TSC no. 334898. He was first employed by TSC on or about 19th December, 1992 as a graduate teacher and posted to Masinga Secondary School to teach Kiswahili and Geography;
14. In July, 2011 while at Kiamariga Secondary School, it was alleged by the then school Accounts Clerk against Mr. Wambugu that he had among other things, mismanaged school funds, collected fees through his persona Mpesa and not remitting to the school accounts;

15. The allegations raised against Mr. Wambugu were also touching on the entire School Board of Management. The then Provincial Director of Education invited the Provincial School Auditor to undertake a comprehensive audit of the schools' books of accounts.
16. The Provincial School auditor undertook a comprehensive audit of the schools' books of accounts and prepared an audit inspection report with the following highlights:-
 - (i) Some receipts were not entered in the school fees register hence inflating the fees debtors;
 - (ii) Some receipts were under casted in the cashbook;
 - (iii) There was extreme flouting of procurement procedures in the procurement of goods and services for the school for example members of the Board of Governors were trading with school;
 - (iv) The teacher admitted receiving school fee through personal Mpesa;
 - (v) The teacher had used his office to enrich himself;
 - (vi) The teacher was unable to account for Kshs. 220, 635/= collected from a Harambee on 2010; and
 - (vii) The head teacher and the Board of Management had mismanagement the school.
17. The audit was forwarded to the Provincial Director of Education who recommended that the teacher be redeployed from his administrative position to perform teaching duties.
18. Mr. Wambugu was transferred from Kiamariga Secondary schools head teacher to Icuga Secondary School to perform teaching duties with effect 1st December, 2011.
19. Mr. Wambugu requested through a letter dated 28th Dec, 2011 to TSC requested to be posted to Kangocho Secondary School, Mathira East instead of Icuga Secondary School which was acceded to by the Teachers Service Commission.
20. Following the transfer, Mr. Wambugu reported to Kangocho Secondary School on 10th January, 2012 but left the following day on 11th January, 2012 and hence failed to perform teaching duties.
21. Mr. Wambugu's absence from school persisted for about three years before it came to the knowledge of the TSC County Director in February, 2015. The County Director undertook investigations which revealed that;
 - (i) Mr. Wambugu had never taken up his teaching duties from the time he was posted to the school;

- (ii) He was not allocated duties and his name didn't appear in the school timetable and that the students didn't recognize Mr. Wambugu as one of their teachers;
 - (iii) The Deputy Head teacher confirmed that the teacher had never been recognized as one of the staff.
22. Despite not teaching, Mr. Wambugu was on the payroll and was earning salary irregularly for work not done which amounted to breach of the Code of Regulations for teachers.
23. His salary was therefore stopped with immediate effect and he was served with a letter of interdiction asking him to show cause why disciplinary action should not be taken against him on the following grounds:-
- (i) Desertion of duties;
 - (ii) Fraudulent earning of salary totaling to Kshs. 2,027,838.15/= with effect from 11th January, 2012 to 1st January, 2015.
24. Mr. Wambugu was afforded an opportunity to be heard in person and was advised to prepare a statement of defense in answer to the allegations leveled against him. He prepared a statement of defense denying the allegations.
25. The disciplinary case was heard by TSC on 11th November, 2016 where the panel considered the allegations against him, the investigation report, witness statements and his defense. Mr. Wambugu was given an opportunity to present his case orally and cross examined witnesses present.
26. The discipline panel found that he was guilty of the charges leveled against him as he had indeed had desert duty and earned salary fraudulently.
27. The discipline panel found the teacher guilty and suspended him for one month and surcharged him the sum of Kshs. 2, 027, 838.15 that it was alleged that he earned fraudulently. He was informed of the decision by TSC vide a letter date 19th January, 2017.
28. The Principal, Kangocho Secondary School was also issued with a show cause letter for covering up the absence of Mr. Wambugu.
29. Teachers Service Commission did not receive any appeal from Mr. Wambugu regarding his interdiction.

5.0 COMMITTEE OBSERVATIONS

Having held meetings and considered the submissions presented on the petition, the Committee observed that-

1. The Teachers Service Commission carried out disciplinary proceedings and found the petitioner guilty and suspended him for one month and surcharged him the sum of **Kshs. 2,027,838.15** which it was alleged that he earned fraudulently. He was informed of the decision by TSC vide a letter dated 19th January, 2017.
2. The Petitioner has not been dismissed from employment by the service by the Teachers Service Commission.
3. Following its decision, the Teachers Service Commission had not received any appeal from the Petitioner as at the time the Committee was receiving the submission.

6.0 COMMITTEE RECOMMENDATIONS

In response to the above prayers, the Committee recommends;

1. **THAT** with regard to the prayer that the petitioner be reinstated as Principal by the Teachers Service Commission, the Committee noted that the petitioner has not been dismissed from service and is still an employee of the TSC hence the Committee cannot issue an order of reinstatement. The Petitioner is advised to make efforts to exhaust the appeal mechanisms available in law including applying for review of the decision by TSC as stipulated under the Teachers Service Commission Code of Regulations for Teachers; and
2. **THAT** going forward, in new and pending disciplinary cases, the Teachers Service Commission should strictly observe and adhere to its rules and in exercise of its authority in disciplinary proceedings it should administer justice without undue delay or undue regard to procedural technicalities in order to ensure that a teacher facing such proceedings is not disadvantaged owing to a failure by the Commission to observe rules or owing to procedural technicalities.

Signed for Antenew Date..... 15th 06 - 2017

HON. SABINA CHEGE, M.P
CHAIRPERSON
DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND
TECHNOLOGY

APPENDIX I

COPY OF PETITION

for your
reference
10/8

Approved by
SNA
10/8/16



THE NATIONAL ASSEMBLY
ELEVENTH PARLIAMENT
(FOURTH SESSION)

PUBLIC PETITION
BY A FORMER SCHOOL PRINCIPAL ON UNLAWFUL INTERDICTION BY THE
TEACHERS SERVICE COMMISSION

I, the **UNDERSIGNED**, on behalf of Mr. Ephraim Kamuhu Wambugu, a Kenyan Citizen.

DRAW the attention of the House to the following;

- i. **THAT**, in 1993 Mr. Ephraim Kamuhu Wambugu was engaged by the Teachers Service Commission as a graduate teacher and posted to Misanga Girls Secondary School;
- ii. **THAT**, in 1997, the Petitioner was promoted to the position of Deputy Principal and further promoted to the position of Principal at Kiamariga Secondary School in the year 2006;
- iii. **THAT**, in addition to being a Principal, the Petitioner was also elected and served as Chairman of Mathira District Schools Head Association;
- iv. **THAT**, the Petitioner served as a Principal in Kiamariga Secondary School until December 2011;
- v. **THAT**, in the year 2012, the Petitioner was demoted and transferred to Kangocho Secondary School as an ordinary classroom teacher;
- vi. **THAT**, this has caused him social, emotional and psychological trauma and led to depression;
- vii. **FURTHER THAT**, on 16th of March 2015, the Petitioner was interdicted with allegation of desertion of duty;

PUBLIC PETITION
BY A FORMER SCHOOL PRINCIPAL ON UNLAWFUL INTERDICTION BY THE
TEACHERS SERVICE COMMISSION

- viii. **THAT**, the Petitioner lodged several appeals with the Teachers Service Commissioner for intervention regarding the matter but efforts to resolve the matter have borne no fruit; and
- ix. **THAT**, the matter presented in this petition is not pending before any tribunal or court of law;

THEREFORE, your humble Petitioner **PRAYS** that the National Assembly through the Departmental Committee on Education, Research and Technology;

- (i) Recommends re-instatement of Mr. Ephraim Kamuhu Wambugu as a Principal by the Teacher Service Commission and payment of his dues;
- (ii) Ensures that the Petitioner's plight is addressed; and
- (iii) Makes any other order or direction that it deems fit in the circumstances of the case.

And your **PETITIONER** will ever pray.


PRESENTED BY,



HON. ESTHER GATHOGO, MP
MEMBER FOR RUIRU CONSTITUENCY

DATE 9/08/2016

PUBLIC PETITION
BY A FORMER SCHOOL PRINCIPAL ON UNLAWFUL
INTERDICTION BY THE TEACHERS SERVICE COMMISSION

NO.	NAME	CONTACT	SIGN
1	Mr. Ephraim Kamuhu Wambugu	0722316430	

APPENDIX II

COMMITTEE MINUTES

In attendance

Non Committee Members - Petitioner

1. Hon. Esther Nyambura Gathogo, M.P

National Assembly Secretariat

1. Ms. Leah Wanjiru - First Clerk Assistant
2. Mr. John Mugoma - Third Clerk Assistant
3. Mr. Abdiaziz Shobay - Third Clerk Assistant
4. Ms. Anneceta Gacheri - Research Officer III
5. Mr. Eugene Luteshi - Audio Officer

Petitioner

1. Mr. Ephraim Kamulu - Teacher

AGENDA

1. Preliminaries
 - (i) Prayers
 - (ii) Introductions
 - (iii) Communication from the Chair
 - (iv) Adoption of the Agenda
 - (v) **Confirmation of Minutes from the previous sittings**
 - (vi) Matters Arising
2. **Consideration of the following Pending Petitions and Legislative Proposal: -**
 - (i) **Petition by Hon. Moses Lessonet, MP on closure of Kisii University Eldama Ravine University by the Commission for University Education**
 - (ii) **Petition by Hon. Esther Gathogo, MP on behalf of a former School Principal on unlawful interdiction by the Teachers Service Commission**
 - (iii) **The Basic Education (Amendment) Bill, 2016 (Legislative Proposal, 2016) by Hon. Chris Wamalwa, M.P**
3. Any Other Business
4. Adjournment/ Date for the Next Sitting

MIN.NO.DC.D/041/2017: PRELIMINARIES

The Chairperson called the meeting to order at 11.35am and thereafter a prayer was said. She proceeded to welcome the Petitioners to the proceedings of the Committee. This was followed by a round of introductions.

MIN.NO.DC.D/042/2017: ADOPTION OF THE AGENDA

The agenda of the meeting was adopted having been proposed and seconded by Hon. Mary Seneta, M.P and Hon. Michael Kisoi, M.P respectively.

MIN.NO.DC.D/043/2017: CONFIRMATION OF THE MINUTES FROM THE PREVIOUS SITTINGS

Confirmation of the Minutes of the previous sitting was deferred to the next sitting.

MIN.NO.DC.D/044/2017: CONSIDERATION OF THE PETITION BY HON. ESTHER NYAMBURA GITHOGO, MP

The meeting had been called to consider two Petitions and a Legislative Proposal including the Petition presented by Hon. Esther Nyambura Gathogo, M.P on behalf of Mr. Ephraim Kamuhu Wambugu on unlawful interdiction by Teachers Service Commission. The Petition was presented to the House on 10th August, 2016 and subsequently committed to the Committee.

The Chairperson took Members through the Petition highlighting the following key areas: -

- I. That Mr. Ephraim Kamuhu Wambugu was employed by TSC as a graduate teacher and posted to Masinga Girls Secondary School in 1993;
- II. He was promoted to the position of the Deputy Principal in 1997 and later on promoted to the position of a Principal in 2002 at St. James Kiaritha Secondary School. He was later on in January 2006 he was transferred to Kiamariga Secondary school until December 2011;
- III. In 2012, he was demoted and transferred to Kangocho Secondary School as an ordinary classroom teacher. This caused him social, emotional and psychological trauma which led to depression;
- IV. He was also elected and served as the Chairman of Mathira District Schools Heads Association;
- V. Mr. Ephraim Kamuhu was interdicted on 16th March, 2015 with allegation of desertion of duty;
- VI. He lodged several appeals with TSC Commission for intervention regarding the matter but efforts to resolve the matter borne no fruit.

Written Submission by Teachers Service Commission

Members were also taken through the written submission by the Teachers Service Commission as follows, THAT:-

1. Mr. Ephraim Wambugu was assigned TSC no. 334898. He was first employed by TSC on or about 19th December, 1992 as a graduate teacher and posted to Masinga Secondary School to teach Kiswahili and Geography;

2. In July, 2011 while at Kiamariga Secondary School, it was alleged by the then school Accounts Clerk against Mr. Wambugu that he had among other things, mismanaged school funds, collected fees through his personal Mpesa and not remitting to the school accounts;
3. The allegations raised against Mr. Wambugu were also touching on the entire School Board of Management. The then Provincial Director of Education invited the Provincial School Auditor to undertake a comprehensive audit of the schools' books of accounts.
4. The Provincial School auditor undertook a comprehensive audit of the schools' books of accounts and prepared an audit inspection report with the following highlights:-
 - (i) Some receipts were not entered in the school fees register hence inflating the fees debtors;
 - (ii) Some receipts were under casted in the cashbook;
 - (iii) There was extreme flouting of procurement procedures in the procurement of goods and services for the school for example members of the Board of Governors were trading with school;
 - (iv) The teacher admitted receiving school fee through personal Mpesa;
 - (v) The teacher had used his office to enrich himself;
 - (vi) The teacher was unable to account for Kshs. 220, 635/= collected from a harambee on 2010; and
 - (vii) The head teacher and the Board of Management had mismanagement the school.
5. The audit was forwarded to the Provincial Director of Education who recommended that the teacher be redeployed from his administrative position to perform teaching duties.
6. Mr. Wambugu was transferred from Kiamariga Secondary schools head teacher to Icuga Secondary School to perform teaching duties with effect 1st December, 2011.
7. Mr. Wambugu requested through a letter dated 28th Dec, 2011 to TSC requested to be posted to Kangocho Secondary School, Mathira East instead of Icuga Secondary School which was acceded to by the Teachers Service Commission.
8. Following the transfer, Mr. Wambugu reported to Kangocho Secondary School on 10th January, 2012 but left the following day on 11th January, 2012 and hence failed to perform teaching duties.
9. Mr. Wambugu's absence from school persisted for about three years before it came to the knowledge of the TSC County Director in February, 2015. The County Director undertook investigations which revealed that;
 - (i) Mr. Wambugu had never taken up his teaching duties from the time he was posted to the school;
 - (ii) He was not allocated duties and his name didn't appear in the school timetable and that the students didn't recognize Mr. Wambugu as one of their teachers;
 - (iii) The Deputy head teacher confirmed that the teacher had never been recognized as one of the staff.

10. Despite not teaching, Mr. Wambugu was on the payroll and was earning salary irregularly for work not done which amounted to breach of the Code of Regulations for teachers.
11. His salary was therefore stopped with immediate effect and he was served with a letter of interdiction asking him to show cause why disciplinary action should not be taken against him on the following grounds:-
 - (i) Desertion of duties;
 - (ii) Fraudulent earning of salary totaling to Kshs. 2,027,838.15/= with effect from 11th January, 2012 to 1st January, 2015..
12. Mr. Wambugu was afforded an opportunity to be heard in person and was advised to prepare a statement of defense in answer to the allegations leveled against him. He prepared a statement of defense denying the allegations.
13. The disciplinary case was heard by TSC on 11th November, 2016 where the panel considered the allegations against him, the investigation report, witness statements and his defense. Mr. Wambugu was given an opportunity to present his case orally and cross examined witnesses present.
14. The discipline panel found that he was guilty of the charges leveled against him as he had indeed had desert duty and earned salary fraudulently.
15. The discipline panel found the teacher guilty and suspended him for one month and surcharged him the sum of Kshs. 2, 027, 838.15 that it was alleged that he earned fraudulently. He was informed of the decision by TSC vide a letter date 19th January, 2017.
16. The Principal, Kangocho Secondary School was also issued with a show cause letter for covering up the absence of Mr. Wambugu.
17. Teachers Service Commission didn't any appeal from Mr. Wambugu regarding his interdiction.

Submissions by Mr. Ephraim Wambugu, TSC no. 334898

Mr. Wambugu informed the Committee that;

- I. He was an employee of the Teachers Service Commission from 1993 to 16th March, 2016 when he was interdicted on allegation of desertion of duty and fraudulently earning Kshs. 2, 027, 838.17; This was the second interdiction the first one being on 16th March, 2015 which was later on revoked.
- II. He taught as a graduate teacher at Masinga Girls in 1993. In 1994, he was transferred to Magutu Secondary School where he served as an acting Deputy Principal from 1997 to October 2000 when he was confirmed as Deputy Principal;
- III. He was deployed to St. James Kiaritha Secondary School in 2002 where he was promoted to the position of a head teacher. He served in the same capacity till 2003 when he was transferred to Mutitu Secondary School in the same capacity till December 2005.

- IV. In January 2006, he was transferred to Kiamaringa Secondary School as a Principal and served till December, 2011.
- V. On December 1st, 2011 he received a transfer letter from the then Provincial Director of Education from Kiamariga Secondary School to Ichuga Secondary School to teach Kiswahili and Geography with effect from 19th December, 2011. The transfer was revoked and instead he was issued with a deployment letter to Kangocho Secondary School to teach the same subjects;
- VI. He received a letter from TSC dated 12th September, indicating that he had been demoted from Principal to regular teacher due to mismanagement of school funds.
- VII. Neither did the Teachers Service serve him with a copy of the audit report nor a copy of the disciplinary Committee report;
- VIII. That he was interdicted on 15th December, 2015 but received the letter of interdiction three months later; 22nd August, 2016 ;
- IX. He was subjected to disciplinary hearings where he defended himself against the allegation of deserting duty. It was while he was awaiting the outcome of the disciplinary hearing that he was informed that it was deferred but a year later he received a second interdiction letter with further allegation.

Mr. Ephraim Wambugu further informed the Committee that;

1. When he was demoted from a Principal to a regular teacher, he developed emotional stress and suffered from severe neurotic depression. He started attending medical sessions and he could not therefore teach students effectively. He was unfairly demoted without being given a hearing
2. He still uses his phone number and that it was possible to obtain Mpesa statement from relevant authorities.
3. He has been out of employment for six years.

Submissions by Hon. Esther Gathogo, M.P

1. Pursuant to the Provisions of Standing Order No. 90 Hon. Gathogo wished to declare her interest in the matter in that Mr. Ephraim Wambugu was a close relative of hers.
2. Hon. Gathogo submitted to the Committee that the demotion had greatly affected Mr Ephraim Wambugu both psychologically and emotionally and therefore could not attend to his assigned classes.
3. Mr. Ephraim Wambugu got the interdiction letter immediately when the then Nyeri TSC County Director, Mr. Kinoti Imanyara was appointed as a Commissioner with TSC.
4. That Mr. Ephraim Wambugu should be reinstated as a Principal by the TSC and be paid his dues.

Members Observations

Having gone through the TSC submissions and listened to the Petitioner, the Committee observed that there were gaps in the TSC submissions. That TSC was not consistent in following the teachers code of regulation when they handled Mr. Wambugu's case especially when they failed to follow Section 139(1)(a)(b)(c) and 146(8)(9) (10)(11)(12).

Way forward

Having listened to the presentation by Mr. Ephraim Wambugu and gone through the submission by the Teachers Service Commission, the Committee resolved to schedule a meeting with the Teachers Service Commission and the then TSC Director, Nyeri County to deliberate on the issues raised by the Petitioner.

MIN.NO.DC.D/045/2017: CONSIDERATION OF THE BASIC EDUCATION (AMENDMENT) BILL, 2016 (LEGISLATIVE PROPOSAL, 2016) BY HON. CHRIS WAMALWA, M.P

The Consideration of the above Legislative Proposal was deferred to the next Sitting.

MIN.NO.DC.D/046/2017: ANY OTHER BUSINESS

No any other business arose

MIN.NO.DC.D/047/2017: ADJOURNMENT

The Chairperson adjourned the meeting at 1:05 pm.

Signed.....for.....

Hon. Sabina Chege, M.P
(CHAIRPERSON)

Date.....15th 06 - 2017.....

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APPENDIX III
SUBMISSIONS BY THE TEACHERS SERVICE
COMMISSION (TSC)

Tabled
7/03/2017
Lead.

TSC/DISC/06C

"CONFIDENTIAL"

TEACHERS SERVICE COMMISSION

Telephone: Nairobi 2892000/
0722-208-552
Email: info@tsc.go.ke
Web: www.tsc.go.ke
When replying please quote
Ref. No.
and date



TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG- 00100
NAIROBI, KENYA

DATE: 19/1/2017

TSC/DISC/CASE: 0760/03/2014/2015/26
TSC/NO: 334894/102

MR./MRS/MISS: **KAMULU W.EPHRAHIM**
P.O.BOX 1664-10101
KARATINA

SUSPENSION

I am directed by the Teachers Service Commission to say that the Commission has carefully considered your case and has determined that it will not on this occasion have your name removed from the Register of Teachers. You have however been found guilty of the following allegations:

1. You deserted duty with effect from 11th January, 2012 to date while a teacher at Kangocho Secondary School.
2. You therefore fraudulently earned Ksh.2,027,838.15 with effect from 11/1/2012 to 1/1/2015 without working.

The Commission has therefore decided to suspend you from the service without pay for a period of one (1) month with effect from 11.11.2016.

NB: Salary Overpayment will be recovered from you as per payroll record.
Recover Ksh.2,027,838.15.

G.O. ETYANG
FOR: SECRETARY/ CHIEF EXECUTIVE
TEACHERS SERVICE COMMISSION

Copy to: THE T.S.C. COUNTY DIRECTOR,
NYERI COUNTY
P.O.BOX 526-10100, NYERI

THE PRINCIPAL
KANGOCHO SECONDARY SCHOOL
P.O.BOX 1198-10101, KARATINA

THIRTY FIFTH SCHEDULE
TEACHERS SERVICE COMMISSION

Email: cdirnyeri@tsc.go.ke
Web: www.tsc.go.ke
When replying please quote



NYERI COUNTY, TSC OFFICE
P. O. BOX 526-10100
NYERI, KENYA

Ref No. TSC/CD/NYI/DISC/VOL.1/105

Date: 27th October, 2016

TSC/NO: 334894

*Received
main
8/11/16*

✓ MR/MRS/MISS: **KAMUHU WAMBUGU EPHRAIM**
KANGOCHO SEC. SCH
P.O. BOX 1198- KARATINA

RE: INVITATION FOR HEARING OF DISCIPLINE CASE

Further to the interdiction letter dated *16th march, 2015*, i am directed to inform you that, your case will be heard on *11th November, 2016* at *TSC County Director's Office – Nyeri* at *8.30 am* or soon thereafter. You are invited to attend in person together with your witnesses (if any).

Please bring the following documents which the Commission may wish to examine during the hearing:-

- a) Original copies of your academic and professional certificates;
- b) Last payslip;
- c) National Identification card;
- d) Certificate of Registration as a teacher;

You are also advised to bring your letter of interdiction together with any document that may be useful in your defence.

You are advised to contact the Teacher Service Commission if communication of the decision of your case is not communicated to you within 28 days from the date of the hearing.

RITA W. WAHOME
TSC COUNTY DIRECTOR
NYERI COUNTY

c.c.

The Secretary
Teachers Service Commission
Private Bag
NAIROBI

TSC Sub County Director
MATHIRA EAST/WEST

Ephraim Wambugu Kamuhu
P.O. Box 1664-10101
KARATINA

12th September, 2016

The Secretary
Teachers Service Commission
PRIVATE BAG
NAIROBI

Dear Sir,

RE: INTERDICTION

I refer to the above matter and wish to respond to a second letter of interdiction dated 15th December, 2015 which I received on 22nd August 2016.

In the said letter, I am alleged to have committed two (2) offences leading to my interdiction. They are:-

1. You deserted duty with effect from 11th January, 2012 to date while teaching at Kangocho Secondary School.
2. You therefore fraudulently earned Kshs.2,027,838.15 with effect from 11th January, 2012 to 1st February, 2015 without working.

(Attached herein and marked Appendix A is a copy of the said letter).

I had received an earlier interdiction letter dated 16th March, 2015 where I was alleged to have committed an offence leading to my interdiction. The said offence was that I had deserted duty with effect from 11/1/2012 to 16th March, 2015 while a teacher at Kangocho Secondary School. (Attached herein and marked Appendix B is a copy of the said letter).

A. WORK EXPERIENCE

I have been an employee of the Commission since 1993 where I have served the Commission in different capacities.

In 1993, I taught as a graduate teacher at Masinga Girls. In 1994 I was transferred to Magutu Secondary School where I served as an acting Deputy Principal from 1997 till 2000 when I was confirmed as Deputy Principal of Magutu Secondary School (October 2000).

In 2002 I was deployed to St. James Kiaritha Secondary School where I was promoted to the position of head teacher. I served in the said capacity till 2003 when I was transferred to Mutitu Secondary School to serve in the same capacity till December 2005. In January 2006 I was transferred to Kiamariga Secondary School as Principal and served till December, 2011.

I received a transfer letter on 1st December 2011 from the Provincial Director of Education, Central Province which indicated that I had been transferred from Kiamariga Secondary School to Ichuga Secondary School to teach Kiswahili/Geography with effect from 19th December 2011. (Attached and marked Appendix C is a copy of the said letter). However, the said deployment to

Ichuga Secondary School was cancelled and replaced with deployment to Kangocho Secondary School to teach the same subjects (Attached and marked Appendix D is a copy of the said letter).

By a letter dated 3/7/2013, to your offices I challenged the said demotion and deployment. (Attached and marked Appendix E is a copy of the said letter). I got a response from your offices via letter dated 20/8/2013, confirming my deployment to Kangocho Secondary School. (Attached and marked Appendix F is a copy of the said letter). I got further communication from your offices via letter dated 12/9/2013 indicating that I had been demoted from Principal to regular teacher due to mismanagement of school funds (attached herein and marked Appendix G is a copy of the said letter). I continued to serve in the said capacity till 16th March, 2015 when I received a letter of interdiction. The same has been marked as Appendix 'B' above.

B. INTERDICTION

By a letter dated 16/3/2016, I was interdicted from employment on allegation that I had deserted duty with effect from 11/1/2012 to date (I suppose it is till the date of the letter i.e. 16/3/2015).

I responded to the interdiction letter through a letter dated 2/4/2015 (attached and marked Appendix H is a copy of the said letter). During the time I am alleged to have absconded my duties, I was a teacher at Kangocho Secondary School and reported to the said school on 10/1/2012 and a casualty was written by the Principal to that effect and sent to your offices.

By a letter dated 14/7/2015 I was invited to hearing of my disciplinary case that was scheduled to be heard on 4/8/2015 at 8.30 a.m. at the TSC Headquarters Upper Hill Nairobi (attached and marked Appendix I is a copy of the said letter). On 4/8/2015 I attended the said disciplinary hearing where I defended myself. I later on received a letter dated 07/9/2015 from your offices informing that my disciplinary case that was heard on 4/8/2015 had been deferred. (Attached and marked Appendix J is a copy of the said letter).

~~While still on interdiction and awaiting further communication from your office with respect to my disciplinary case, I received a letter dated 15th December 2015 but received the same on 22/8/2016. This was a 2nd interdiction letter. The said letter is said to be an amendment to my earlier interdiction.~~

C. DEFENCE

The 2nd interdiction letter dated 15/12/2015 contains a 2nd allegation of fraudulently earning Kshs.2,027,838.15 with effect from 11th January, 2012 to 1st February, 2015.

I find the 2nd interdiction letter as a case of double jeopardy on me. This is because I have been out of employment since 16/3/2015 when I received my first interdiction letter; I have been subjected to a disciplinary hearing where I defended myself against the allegation of deserting duty. It is while awaiting the outcome of the disciplinary hearing that I was informed the same has been deferred and a year later on received a second interdiction letter with a further allegation.

I have served this Commission faithfully and diligently and have risen through ranks since I was employed in the year 1993. It is my hard work and commitment to my job that has seen me get promotion after promotion (Attached herein and marked Appendix K 1-12 is a bundle of documents evidencing the same). I have always had the best interest of the students I teach at heart and would never engage in any activities prejudicial to them or the public at large. I reported to my work station following my demotion despite going through difficult moments as a result of the demotion I underwent treatment and was given a clean bill of health. (Attached herein and marked Appendix L is a copy of the said letter).

It was during the period I am alleged to have deserted duty that I was appointed to Principal Graduate/Approved Teacher, Job Group 'N'. This was communicated to me via letter dated 13th October 2014 (Attached herein and marked Appendix M is a copy of the said letter). It is not practical for the Commission to upgrade my job group and salary and yet allege that I had committed offences that warranted me to be interdicted.

I have worked for this Commission for over 22 years and my work record speaks for itself. I have been appointed to various positions. In 2010 I was appointed as a member of the District Education Board- Mathira West by the then Minister for Education Prof. Sam K. Ongeru. While serving in this capacity I was invited to various meetings. I was also the head of Kenya Secondary Schools Heads Association. I was elected to this position as I am a man of integrity and had a track record of good performance in the schools I headed. (Attached herein and marked Appendix N 1-4 are copies of documents evidencing the same).

It is not fair for me to be subjected to such unfair treatment. I seek the indulgence of this Commission in exonerating me from all the allegations leveled against me and have me reinstated to work and promoted to position of Principal in order to continue serving people in the best way I know how.

I remain,

Yours faithfully,

EPHRAIM WAMBUGU KAMUHU

T.S.C. NO. 334894

2017
1993
24
2017

C. 760/03/2014/15

TSC/DISC/01

TEACHERS SERVICE COMMISSION

Telephone: Nairobi
2892000
Fax: 211818
Email: info@tsc.go.ke
Web: www.tsc.go.ke
When replying please
quote
Ref. N°:



TSC HOUSE
KILIMANJARO ROAD UPPER
HILL
PRIVATE BAG- 00100
NAIROBI, KENYA

MATHIRA

CONFIDENTIAL

Received
22/08/2016
wahn

REF/NO: TSC/334894

DATE: 15TH DECEMBER, 2015

MR/MRS/MISS: KAMUHU WAMBUGU EPHRAIM

TSC/NO: 334894

GRADE: GRADUATE

STATUS: ASST. TEACHER

ADDRESS: P.O. BOX 1164-10101, KARATINA

NAME AND ADDRESS OF INSTITUTION: KANGOCHO SECONDARY SCHOOL
P.O. BOX 1198-10101, KARARINA

SUB-COUNTY: MATHIRA EAST

COUNTY: NYERI

LETTER OF INTERDICTION

I am directed by the Teachers Service Commission to say that it is alleged that you should have your name removed from the register of teachers.

The allegation(s) made against you are as follows: -

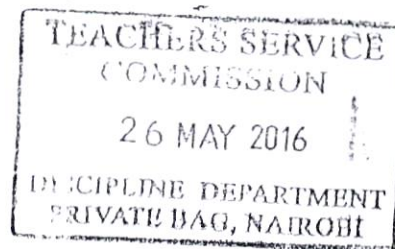
1. You deserted duty with effect from 11th January, 2012 to date while teaching at Kangochō Secondary School.
2. You therefore fraudulently earned Ksh 2,027,838.15 with effect from 11th January, 2012 to 1st February, 2015 without working.

Before the Commission proceeds to investigate, consider and determine your case, you are invited to make a statement to the Commission in writing, which should be received by the Commission within **21 days** from the date of this letter. Before your case is determined, you will be given an opportunity of being heard by the Commission in person.

Signed: MARY C. ROTICH (MRS)
FOR: SECRETARY/CHIEF EXECUTIVE
TEACHERS SERVICE COMMISSION

Copy to: THE TSC COUNTY DIRECTOR
NYERI COUNTY

THE PRINCIPAL
KANGOCHO SECONDARY SCHOOL



N.B. 'This is an amendment of the earlier interdiction Ref No.
TSC/CD/TR/DISC/CONF/VOL.1/126 dated 16th March, 2015 which still stands'

CONFIDENTIAL

Ref No: TSC/CD/TP/DISC/CON/VOL.1/126

DATE: 16th March, 2015

NAME: MR. KAMUHU WAMBUGU EPHRAIM

TSC NO: 334894

GRADE: PRINCIPAL GRADUATE

STATUS: ASSISTANT TEACHER

ADDRESS: P O BOX 1198, KARATINA

NAME OF INSTITUTION: KANGOCHO SECONDARY SCHOOL

SUB-COUNTY: MATHIRA EAST COUNTY: NYERI

LETTER OF INTERDICTION

I am directed by the Teachers Service Commission to say that, it is alleged that you should have your name removed from the register of teachers.

The allegation(s) made against you are as follows:-

DESERTION OF DUTY

Your deserted duty w.e.f 11/1/2012 to date while a teacher at Kangocho Secondary school.

Before the Commission proceeds to investigate, consider and determine your case, you are invited to make a statement to the Commission in writing, which should be received by the Commission within 21 days from the date of this letter. Before your case is determined, you will be given an opportunity of being heard by the commission in person.


KINOTI IMANYARA
TSC COUNTY DIRECTOR
NYERI COUNTY

TSC COUNTY DIRECTOR
NYERI
P.O. Box: 526 - 10109,
NYERI

Copy to:

The Secretary
Teachers Service Commission
Private Bag
NARIOBI

DISTRICT STAFFING OFFICER
MATHIRA WEST/EAST

TEACHERS SERVICE COMMISSION

Telephone: 020 2892000
Telegrams: "MWALIMU"
Nairobi
E-mail: info@tsc.go.ke
Website: http://www.tsc.go.ke
When replying please quote
TSC/334894/77



TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG
NAIROBI, KENYA

1st December 2011

Ephraim W. Kamuhu - TSC/334894
The Headteacher
Kiमारिगा Secondary School

Through:
The Provincial Director of Education,
Central Province.

FORWARDED
[Signature]
Provincial Director of Education
Central Province
Date: 01/12/2011

TRANSFER OF HEADS OF INSTITUTION

It has been decided that you be transferred from **Kiमारिगा Secondary School** and you be deployed at **Icuga Secondary School** to teach **Kiswahili/Geography** with effect from **19th December 2011**

You will hand over the administration of the school to **Ngocho G. Charles TSC/113736** who in a separate communication has been advised appropriately.

By copy of this letter, the Provincial Director of Education is requested to supervise the hand/take over of the school and inform this office once the exercise is finalized.

[Signature]
ABDIRIZAK H. FARAH
FOR: SECRETARY
TEACHERS SERVICE COMMISSION

Copy to: The District Education Officer,
Mathira West District.

The Chairman, B.O.G.,
Kiमारिगा Secondary School.

The Headteacher,
Icuga Secondary School,
P.O. Box 685-10101
KARATINA

TEACHERS SERVICE COMMISSION

Telephone: Nairobi 2892000
Email: info@tsc.go.ke
Website: <http://www.tsc.go.ke>
When replying please quote:
Ref.No.

TSC/334894/79



TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG
NAIROBI, KENYA

28th December, 2011

Ephraim W. Kamuhu
Headteacher
Kiamariga Secondary School

Through:

The Provincial Director of Education,
CENTRAL PROVINCE.

FORWARDED
.....
Provincial Director of Education
Central Province
Date: 10/1/2012

TRANSFER OF HEADS OF INSTITUTION

Reference is made to our letter Ref:TSC/334894/77 dated 1st December, 2011 in which you were transferred from Kiamariga Secondary School to Icuga Secondary School to teach Kiswahili/Geography with effect from 19th December, 2011.

It has been decided that the said letter be cancelled and you be transferred to **Kangocho Secondary School** to teach **Kiswahili/Geography** with immediate effect.

By a copy of this letter, the Headteacher, Kangocho Secondary School is requested to inform this office the date you report for duty.

MARY C. ROTICH (MRS)
FOR: SECRETARY
TEACHERS SERVICE COMMISSION

Copy to: The District Education Officer – **Mathira East District**

The Headteacher,
Kangocho Secondary School,
P.O. Box 1198 - 10101,
KARATINA.

The Headteacher,
Icuga Secondary School,
P.O. Box 685 - 10101,
KARATINA.

10
KAMUHU E. WAMBUGU
T.S.C. 334894.
C/O KANGOCHO SEC. SCHOOL,
P.O. BOX 1198-10101
KARATINA.
3-7-2013.

THE SECRETARY,
TEACHERS SERVICE COMMISSION,
NAIROBI.

THRO'

THE PRINCIPAL,
KANGOCHO SECONDARY SCHOOL,
P.O. BOX 1198-10101
KARATINA.

Forwarded
5/7/2013
Principal
KANGOCHO SEC. SCHOOL
P.O. Box 1198
KARATINA

Dear Sir,

REF; DEPLOYMENT

I write to request you sir to deploy me as a principal in a secondary school.

Having gained valuable experience as a teacher since my employment in 1993, I was promoted to a deputy principal in 2000 at Magutu secondary school in Nyeri County. I was further deployed as a principal in the year 2002 to ST. James Kiaritha Sec. School and Mutitu secondary school in 2003 Kirinyaga County. Mutitu secondary being a newly started school, I oversaw;

- Its establishment
- Registration
- Staffing
- Infrastructural development e.t.c.

The school eventually grew to a fully established one stream mixed day school. By the time I took over the administration of the school from the Head teacher of Mutitu primary school, it had a student population of **47**. The population progressively increased during my leadership to **253** in 2005, the year that I was transferred to Kiamariga secondary school in Nyeri county. The school's mean grade equally improved to **3.6**.

During my leadership in Kiamariga secondary school from 2006-2011;

- the school's population increased tremendously while the boarding population rose from 70 to 240.
- I changed the school's status from a mixed school to a boy's boarding/day school.
- I also registered a third stream.
- The school's mean improved from 2.3 to 4.2 in 2011.
- Several infrastructural developments like a modern administration block, one boy's dormitory, a modern toilet block and a school gate were built.

My vision was to make the school a purely boy's boarding school.

Since the year 2009, I was the **chairman** Mathira Secondary Schools Heads Association where I created a cohesive team of principals.

In the year 2011, the teacher's service commission deployed me to Kangocho secondary school to teach Kiswahili/ Geography.

In the year 2011, I enrolled at Karatina University for a course leading to the award of Master of Education in Leadership and Policy. I have successfully defended my thesis and I hope to graduate sometimes this year.

I humbly wish to be deployed as a principal to utilise the skills and competencies that I have attained in my Masters course in Leadership and Policy. I strongly believe that my performance in all the schools that I headed registered continual improvement due to my commitment and effectiveness.

Sir, I do hope this request receives favourable consideration.

I remain,

Yours faithfully,



KAMUHU E. WAMBUGU- T.S.C. NO. 334894

C.C.

T.S.C. COUNTY DIRECTOR- NYERI COUNTY

T.S.C. STAFFING OFFICER- MATHIRA

THE D.E.O. - MATHIRA EAST DISTRICT

THE PRINCIPAL - KANGOCHO SECONDARY SCHOOL

TEACHERS SERVICE COMMISSION

Telephone: Nairobi 2892000/
0722-208-552
Email: info@tsc.go.ke
Web: www.tsc.go.ke



TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG- 00100
NAIROBI, KENYA

When replying please quote

Ref. N^o: please quote

TSC/334894/86

Date 20th August, 2013

KAMUHU W. EPHRAM

*forwarded
3/9/2013*

Through

The Principal
Kangocho Secondary School
P.O. Box 1198-10101

KARATINA

RE: DEPLOYMENT

Your letter dated 3/7/2013 refers.

Your deployment to Kangocho Sec. School to teach
Kiswahili/Geography was due to reasons well known to you.

You are advised to contact the TSC County Director who will
advise you accordingly.

J. B. OGONGO
FOR: SECRETARY/CHIEF EXECUTIVE
TEACHERS SERVICE COMMISSION



TEACHERS SERVICE COMMISSION

Telephone: Nairobi
2892000/
0722-208-552
Email: info@tsc.go.ke
Web: www.tsc.go.ke



TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG- 00100
NAIROBI, KENYA

When replying please
quote

Ref. N°: TSC/334894/88

12th September, 2013

Ephram W. Kamuhu

Thro'

The Headteacher
Kangocho Secondary School
P.O. Box 1198-10101
KARATINA

Forwarded
17/09/2013

RE: DEPLOYMENT TO KANGOCHO SECONDARY SCHOOL

Further to our letter dated 20th August, 2013, it has been noted that you were dropped from headship due to mismanagement of school funds.

It is therefore not possible to grant your request.

J. B. OGONGO
FOR: SECRETARY/CHIEF EXECUTIVE
TEACHERS SERVICE COMMISSION



EPHRAIM W. KAMUHU
KANGOCHO SEC SCHOOL
P.O. BOX 1198, 10101
KARATINA
2nd APRIL 2015

THE SECRETARY
TEACHERS SERVICE COMMISSION

P.O. PRIVATE BAG
NAIROBI

Dear Sir,

RE; INTERDICTION

I am in receipt of your letter dated 16th March 2015 on the above subject to which I wish to respond as follows;

- 1) I started teaching in 1993 in Masinga girls as graduate teacher. Later, I was transferred to Magutu secondary school in 1994 where I rose to a position of acting deputy Principal in the year 1997, this position was confirmed in the year 2000. In 2002, I was deployed Principal, St. James Kiaritha secondary school and later to Mutitu Secondary School in 2003. I was appointed principal Kiamariga Secondary School where I served from January 2006 to December 2011.

While serving as a principal Kiamariga Secondary school, I also served as a chairman District schools head Association, Mathira west District and a member of D.E.B for three years, a position only held by people of high integrity. My achievements in all the schools I served during the period of my administration is also a true testimony of my ability and integrity.

2) I was deployed from Kramuiga Secondary School on 10th January 2012 to Ichuga Secondary and subsequently to Kangocho Secondary School as an ordinary classroom teacher where I reported on the same day (see deployment letters attached). My demotion without any tangible case, affected me socially, emotionally and psychologically to an extent that I had to go undergo treatment for trauma and depression (Attached are my medical document for ease of reference).

3) After sharing my experiences with the school principal, he took my case to the Board of management who agreed that I be given light duties until I fully recover. The principal verbally communicated the Board's decision to me.

I was performing those duties up to and including 20th March 2015, the date I received your interdiction letter. There is therefore absolutely no truth in the allegations that I deserted duties w.e.f 11th January 2012 to date.

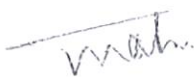
It took me by shock, amazement and surprise when I received your letter dated 16th March 2015 on the above mentioned.

Given the foregoing, I believe that the Commission will be well informed and will take action to review and vacate the decision to interdict me.

Attached please find relevant copies of academic certificates, letters of promotion, achievements, professional certificates and other letters of correspondences to you for ease of reference.

Thank you,

Yours faithfully,



EPHRAIM W. KAMUHU

Tsc No. 334894

TEACHERS SERVICE COMMISSION

Telephone: Nairobi 2892000/
0722-208-552
Email: info@tsc.go.ke
Web: www.tsc.go.ke
When replying please quote
Ref. No.
and date



TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG- 00100
NAIROBI, KENYA

DATE: 14.7.2015

TSC/334894

TSC/DISC/NO **0760/03/2014/2015/5**

MR/MRS/MISS: KAMUHU WAMBUGU EPHRAIM
THRO' THE PRINCIPAL
KANGOCHO SECONDARY SCHOOL
P.O. BOX 1198-10101
KARATINA

RE: HEARING OF DISCIPLINE CASES (INVITATION TEACHERS)

I am directed to inform you that, your case will be heard at the **TSC Headquarters, Upper Hill Nairobi** on **04.08.2015** at 8.30 a.m. You are invited to attend.

Please bring the original copies of your academic and professional certificates, your last payslip as well as your identity card and Certificate of Registration as a teacher which the Commission may wish to examine during the interview.

You are also advised to bring with you your letter of interdiction together with any documents that may be useful in your defence.

You are advised to contact the Teachers Service Commission if the decision of the above hearing is not communicated to you within 28 days from the date of the hearing.

SEBASTIAN K. MUGUONGO
FOR: SECRETARY/CHIEF EXECUTIVE
TEACHERS SERVICE COMMISSION

TEACHERS SERVICE COMMISSION

Telephone: Nairobi 2892000/
0722-208-552
Email: info@tsc.go.ke
Web: www.tsc.go.ke
When replying please quote
Ref. No.
and date



TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG- 00100
NAIROBI, KENYA

DATE: 07.9.2015

DISC CASE: **0760/03/2014/15/11**


TSC: **334894/97**

MR/MRS/MISS Kamuhu Wambugu Epiphaim
P.O Box 166410101
KARATINA

DEFERRED DISCIPLINE/REINSTATEMENT CASE

I am directed to inform you that your case which was heard by the Teachers Service Commission on **04.8.2015** was deferred due to **unavoidable circumstances**.

You will be informed of the next hearing as soon as possible. If you have changed your address, please advise the Commission.


SEBASTIAN K. MUGUONGO
FOR: SECRETARY/CHIEF EXECUTIVE
TEACHERS SERVICE COMMISSION

Copy to: TSC County Director - Nyeri County
The Principal - Kangocho Secondary School

TEACHERS SERVICE COMMISSION

CONFIRMATION OF APPOINTMENT

To: (full name) Kamuhu W Ephraim

Registration Number : TSC 334894

Through: The Headteacher

Magutu Secondary School

P. O. Box 635 - KARATINA

Forwarded
11/6/96

Your appointment as a teacher employed by the Teachers Service Commission under the terms of a Letter of Probationary Appointment is hereby confirmed.

J M Kelonye

Signed J M KELONYE

for Secretary
Teachers Service Commission

Date 6-3-96

TSC/REG./2

TEACHERS SERVICE COMMISSION

CERTIFICATE OF REGISTRATION

IT IS HEREBY CERTIFIED that:

(full name) KAMUHU W. EPHRIM

of (address) THRU THE REGISTRAR, KENYATTA UNIVERSITY

has been registered as a teacher in the register established and kept by the Teachers Service Commission in accordance with section 7 (1) of the Teachers Service Commission Act (Cap. 212).

Registration No. TSC/334894

Date 19/11/92

(Signed) J. E. MURIUKI

for the Teachers Service Commission

NOTES

1. This certificate is the property of the Commission and must be surrendered to the Commission on demand.
2. In all correspondence with the Commission, the full name and the registration number should be quoted.
3. It is an offence to deface, amend or erase this certificate in any way, or to apply for employment as a teacher in any name other than the full name as shown in this certificate of registration.
4. Where there is a change in the particulars to be entered in the register (for example, a change of address), this certificate should be returned to the Commission with an explanation of the changes proposed to be made in the register. Where the full name is changed on marriage, the Commission may require a marriage certificate to be submitted as proof.
5. Any teacher whose name has been removed from the register must return this certificate to the Commission immediately for cancellation. The possession or use for any purpose of this certificate by such a teacher is an offence.

TEACHERS SERVICE COMMISSION

ORIGINAL
DUPLICATE
TRIPLICATE

LETTER OF PROBATIONARY APPOINTMENT

REGISTRATION NO. 334894

THIS AGREEMENT is made between the Teachers Service Commission and
(full name) Kamuhu W Ephraim of
(address) Thro' The H/M, Magutu S. S., Box 635 - KARATINA
(hereinafter called the teacher) with effect from the 1st day
of February, 1993 on the following terms:

1. Salary Kf 2973 per annum in the scale Kf 2973 to Kf 4311 per annum.
Grade Graduate
2. Status under the Pensions Act (Cap. 189) on confirmation in appointment after completion on probation, (if any) Permanent and Pensionable
3. During any period of probation, employment may be terminated by either party giving to the other, one month's notice in writing, or by paying to the other an amount equal to one month's salary in lieu of notice.
4. After the completion of any period of probation, this agreement may be terminated by either party giving to the other party three months' notice in writing or by paying to the other party an amount equal to one month's salary in lieu of notice.
5. A condition of employment is readiness to serve anywhere in Kenya in any school in which the teacher is qualified to teach.
6. Employment is subject to the Code of Regulations compiled and published by the Teachers Service Commission under section 6 of the Teachers Service Commission Act 1966 (No. 2 of 1967), and to any amendment of such Code which may be made from time to time.

Date 2-4-96

Signed


The TeacherJ. M. KELONYE
J M KELONYE

Signed

for Secretary,

Date 6-3-96

Please sign and dispatch as follows:- Teachers Service Commission

SIGNED COPIES:

Teachers Service Commission (2).
Teacher (1).

Original to be kept by you
Duplicate to the TSC
Triplicate to the R/M



TEACHERS SERVICE COMMISSION

Telephone: Nairobi 331144/3/6/7/8/9 and 331150

Telegrams: "MWALIMU", Nairobi

When replying please quote

Ref. No. TSC/334894/3.....
and date

CO-OPERATIVE HOUSE
HAILE SELASSIE AVENUE
PRIVATE BAG
NAIROBI

19/12/..... 19..92

Mr./Mrs./Miss KAMUHU EPHRAIM W.....

TUMUTUMU PRIMARY SCHOOL,

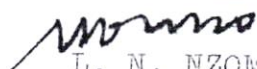
P. O. Box 315, KARATINA.

OFFER OF EMPLOYMENT ON PERMANENT TERMS

1. I am pleased to inform you that your application for employment as a
Graduate Teacher..... has been successful and that you are initially posted to
Masinga Girls' Sch. to teach Kisw/Geo.....
2. Your salary will be K£ 2973.... p.a. on the scale K£ 2973 to K£ 4311 ... p.a.
3. Subject to your acceptance of the terms of this letter, you are hereby appointed on
probation in the service of the Teachers Service Commission. You should report to
The Headteacher..... to be assigned duties in order to enable you to start teaching
on 4/1/93 without failure.....

N.B.—The date you start teaching will be the effective date of your appointment.

4. The normal period of probation is two years, but this may be extended or the appointment may be terminated before the completion of that period by either party giving to the other one month's notice in writing or by paying to the other an amount equal to one month's gross salary in lieu of notice.
5. At the end of the two years probation period, you should apply to the Teachers Service Commission for confirmation of appointment on permanent and pensionable terms. If you are then confirmed, the appointment may be terminated by either party giving to the other three months notice in writing or by paying to the other one month's gross salary in lieu of notice.
6. Employment is subject to the Code of Regulations compiled and published by the Teachers Service Commission under section 6 of the Teachers Service Commission Act (Cap. 212) and to any amendment of such Code which may be made from time to time.
7. A condition of employment is readiness to serve anywhere in Kenya in any school in which the Teachers Service Commission considers you are qualified to teach.
8. Your TSC/No. is In all correspondence with the commission the full name and the registration number should be quoted.


E. N. NZOMO (MRS)
for Secretary,
Teachers Service Commission.

cc. The PEO/DEO/Head of Institution,
MASINGA GIRLS' HIGH SCHOOL,
P. O. Box 7, MASINGA.
P.E.O. EASTERN
REGISTRAR KENYATTA UNIVERSITY

/mwj

Please inform the TSC when the teacher started teaching



TEACHERS SERVICE COMMISSION

Telephone: 331144, 5, 3, 7, 8, 9, 50

Telegram: 'MWALIMU'

TSC/NC 334894/16

Co-operative House
Hails Sollasse Avenue
Private Bag
NNAIROBI

MR/MRS/MISS Kamuhu w. Ephraim

DATE: 3/1/1994

THRO'

THE HEADTEACHER

Masinga Girls' Sec. School

P O Box 7

MASINGA

*Received
13/1/94
To await physical
replacement
Dombaf
12/1/94*

RE: TRANSFER OF TEACHERS

The Teachers Service Commission has decided that you should be transferred to Magutu Sec. School W.E.F. 10/1/1994 to teach Kisw/Geog. You should make arrangements to report to the new station immediately your present Headmaster/Mistress clears and releases you.

By a copy of this letter, the Headmaster/Mistress Masinga Girls' Sec. is requested to inform this office the date you were released.

Similarly the Headteacher Magutu Sec. School is requested to inform this office the date you report for duty so that your salary could be paid through the new station.

Note that it is an offence to leave your present station and join another without formally being released in writing by your Head Teacher (TSC Code of Regulation) Section 25 (3) A & B. Please refer to Regulation 30 (2) of the Code of Regulation for teachers regarding the Mode of Transport.


H. K. JUMA

FOR: SECRETARY

TEACHERS SERVICE COMMISSION

C.C. THE HEADMASTER/HEADMISTRESS

Magutu Secondary School

P O Box 635

KARATINA

P.E.O. EASTERN
CENTRAL

TEACHERS SERVICE COMMISSION

TELEPHONE: 331144/5/6/7/8/9/50

TELEGRAMS: 'MWALIMU' NAIROBI

Co-operative House
5 Mile Selassie Avenue
Private Bag
NAIROBI

When replying please quote

REF:TSC/NO. 334894

DATE: 6-3-96

MR/MRS/MISS Kamuhu W Ephraim

THRO' The Headteacher

Magutu Secondary School

P. O. Box 635

KARATINA

MAGUTU SECONDARY SCHOOL

P. O. Box 635 Tel. 71017

KARATINA

23/4/96

PROMOTION

I am pleased to inform you that following the implementation of the Scheme for Graduate/Approved Teachers (Viz:TSC/Circular No.2/88 of 15th August, 1988) you have been promoted to

Graduate Teacher II, Job Group 'K' with effect from

1-2-95

The salary scale attached to this Job Group is

K& 4827x165 - 5322x186 - 6252x222 - 7140 per annum.

You will enter the salary scale at K& 4827 and your incremental date will be 1st January.

Please note that this promotion does not affect your present duties as a teacher in any way.

On behalf of the Commission, please accept my sincere congratulations for this promotion and best wishes for the future as you continue to serve the Commission.

J M Kelonye

J M KELONYE

for: SECRETARY
TEACHERS SERVICE COMMISSION

Forwarded
28/3/96
DISTRICT EDUCATION OFFICER
P.O. BOX
NAIROBI

MAGUTU SECONDARY SCHOOL

• P.O. Box 635, Karatina • Tel: (0171) 71017



Our Ref: TSC/334894/36

Date: ~~THE~~ 13 - 11 - 97

MR KAMUHU W. EPHRAIM ,
MAGUTU SECONDARY SCHOOL ,
P.O BOX 635 ,
K A R A T I N A

R E : D E P U T Y H E A D T E A C H E R

I hereby wish to inform you that , it has been decided that you start performing the duties of the Deputy Head Teacher with effect from 1 - 9 - 1997 .

Your appointment to this office is as a result of your loyalty , dedication, ~~se~~ and committed service to Magutu Secondary School at all time .

It is expected that you will continue giving the same kind of service to the Institution and even better in future .

I also take this opportunity to congratulate you for this appointment .

Wish you the best as you execute the duties of this office .

Thank you .

Yours faithfully


MAGUTU SECONDARY SCHOOL
P. O. Box 635 Tel. 71017
KARATINA

J . G . Mwaniki

Principal

C.C.

The Secretary ,
Teachers Service Commission ,
Private Bag ,
N A I R O B I .

The District Education Officer,
P.O BOX 208 ,
N Y E R I

The Provincial Director of Education ,
Central Province ,
P.O BOX 80 ,
N Y E R I

The Chairman ,
Magutu Secondary School ,
P.O BOX 635 ,
K A R A T I N A .

TEACHERS SERVICE COMMISSION

Telegrams "MWALIMU", Nairobi
Telephone Nairobi 331144/5/6/7/8/9 & 331150

When Replying please quote

Ref No. TSC/334894/42
and date



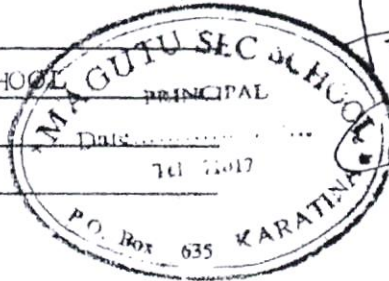
THE BAZAAR
MOI AVENUE/BIASHARA
STREET
PRIVATE BAG
NAIROBI, KENYA

Date 30/7/2000

Mr/Mrs/Miss KAMUHU W. EPHRAIM

Thro'
The HEADTEACHER

MAGUTU SEC SCHOOL
P.O. BOX 635
KARATINA



*Forwarded
and
congratulations
for
Principal*

Dear Sir/Madam,

P R O M O T I O N

I am pleased to inform you that following the implementation of TSC Circular NO. 5/97 dated 3rd February, 1997, you have been promoted to GRADUATE TEACHER I

Job Group 'L' with effect from 1.7/99.

The Salary Scale attached to this grade is K£.7,278 x 222 - 8,166 x 276 - 9,270 x 318 - 10,860 x 375 - K£.11,235 per annum.

You will enter the scale at K£. 8166 per annum and your incremental date will be 1st July.

Please accept my sincere congratulations upon this promotion and best wishes as you continue to serve the Commission.

Yours faithfully,

[Signature]
G. W. BOSIRE

FOR: SECRETARY
TEACHERS SERVICE COMMISSION

CC: THE PROVINCIAL DIRECTOR OF EDUCATION
CENTRAL PROVINCE

MINISTRY OF EDUCATION

Telegrams: "SCHOOLING", Nyeri
Telephone: Nyeri (0171) 30619
When replying please quote



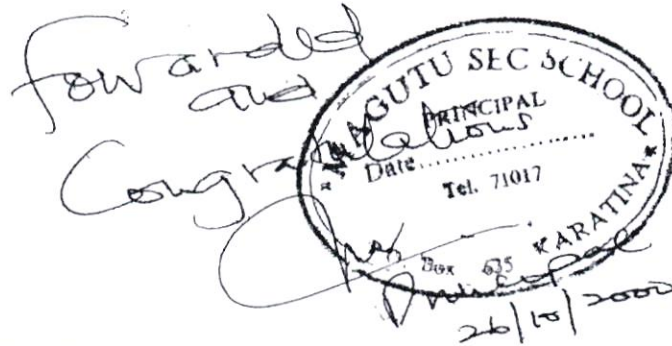
OFFICE OF THE PROVINCIAL
DIRECTOR OF EDUCATION
CENTRAL PROVINCE
P.O. Box 80, NYERI.

Ref. No. TSC/334894/8
and Date

19th October, 20 2000

Ephraim K. Wambugu
TSC/334894

Thro'
The Principal,
Magutu Sec. Sch.
P.O Box 635,
KARATINA.



RE: DEPLOYMENT AS A DEPUTY
PRINCIPAL MAGUTU SEC. SCHOOL

I am pleased to inform you that it has been decided that you be deployed as a Deputy Principal - Magutu Sec. School with immediate effect.

Please accept my sincere congratulations on this appointment and best wishes in the performance of your duties.

(P. M. MACHARIA)
PROVINCIAL DIRECTOR OF EDUCATION
CENTRAL PROVINCE

c.c.

The Secretary,
Teachers Service Commission,
Private Bag,
NAIROBI.

District Education Officer,
P.O Box 208,
NYERI.

TEACHERS SERVICE COMMISSION

Telephone: Nairobi
331144/5/6/7/8/9 & 331150
Telegrams: "MWALIMU".
Nairobi
When replying please quote
Ref.N°TSC/334894/53



THE BAZAAR
MOI AVENUE/BIASHARA
STREET
PRIVATE BAG
NAIROBI, KENYA

2nd December 2002

And date

Mr. Ephraim W. Kamuhu,
Through,

The principal,
Magutu Secondary School.
P. O. Box 635
karatina



RE: DEPLOYMENT AS HEADTEACHER

It has been decided that you be transferred from Magutu Secondary School to St. James Kiaritha Secondary School and be deployed as Headteacher with effect from 1st December 2002.

You will take over the administration of St. James Kiaritha Secondary School from Mrs. Pauline Gatimu TSC/No 56890 who in a separate communication has been advised accordingly.

By a copy of this letter, the Principal Magutu Secondary School is requested to inform this office on the date you were released. Similarly, the Provincial Director of Education is requested to supervise the hand/take over of the administration of the school and inform this office once the exercise is finalized.

On behalf of the Teachers Service Commission, I congratulate and wish you success in the performance of your duties.


S. M. KAVISI

FOR: SECRETARY

TEACHERS SERVICE COMMISSION

Copy to:

The Provincial Director of Education,
Central Province

The District Education Officer (s)
Nyeri/Kirinyaga District

The Chairman, Board of Governors
St. James Kiaritha Secondary School.

MINISTRY OF EDUCATION

Telegrams: "SCHOOLING", Nyeri
Telephone: Nyeri (0171) 30619
When replying please quote



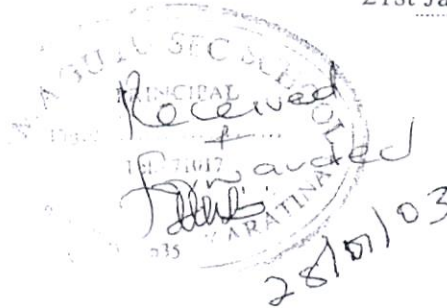
OFFICE OF THE PROVINCIAL
DIRECTOR OF EDUCATION
CENTRAL PROVINCE
P.O. Box 80, NYERI.

TSC/334894/15

Ref. No.
and Date

21st January, 2003 20

Ephraim W. Kamuhu TSC/334894,
Thro'
The Principal,
Magutu Sec. School,
P.O. Box 635,
KARATINA



DEPLOYMENT AS HEADTEACHER

The TSC letter Ref. No. TSC/334894/15 dated 2nd December, 2002 has been cancelled.

Following your application for Headship and subsequent interview, I am pleased to inform you that you were successful.

It has therefore been decided that you be appointed as Principal Mutitu Sec. School with immediate effect.

By a copy of this letter the District Education Officer, Kirinyaga is requested to supervise the handing/taking over of the administration of Mutitu Sec. School and to inform the Teachers Service Commission and this office the date the exercise is completed.


P.M. MACHARIA
PROVINCIAL DIRECTOR OF EDUCATION,
CENTRAL PROVINCE

c.c.

The Secretary,
Teachers service Commission,
Private Bag,
NAIROBI.
The District Education Officer,
Kirinyaga District,
P.O. Box 96,
KERUGOYA
The Chairman,
Board of Governors,
Mutitu Sec. School,
KIRINYAGA

DISTRICT EDUCATION OFFICER
KIRINYAGA DISTRICT
P.O. BOX 96
KERUGOYA

30TH JANUARY 2003

THE HEADTEACHER
MUTITU PRIMARY SCHOOL
P.O. BOX 56
KERUGOYA

RE: HANDING/TAKING OVER - MUTITU SECONDARY SCHOOL.

Further to the posting of Mr. Ephraim W. Kamuhu - TSC 334894 as the Principal of Mutitu Secondary School, you are required to prepare the Handing/Taking over Report (9 copies) for onward transmission to the relevant offices.

By a copy of this letter the school Management Committee should make arrangements to wind up to pave way for Constitution of a Board of Governors to manage the school as per the Education Act Cap. 211 of the Laws of Kenya.

Please note the formal handing/taking over will take place on 6th February, 2003 at 10.00 a.m.

KAMUHU W. KAMUHU

(KARIUKI MANYIRA)
FOR: DISTRICT EDUCATION OFFICER
KIRINYAGA DISTRICT.

C.C. THE PROVINCIAL DIRECTOR OF EDUCATION
CENTRAL PROVINCE

THE CHAIRMAN
MANAGEMENT COMMITTEE
MUTITU SECONDARY

MR. EPHRAIM W. KAMUHU

TEACHERS SERVICE COMMISSION

Telephone: Nairobi
331144/5/6/7/8/9 & 331150
Telegrams: "MWALIMU".
Nairobi
When replying please quote
Ref.N° TSC/334894/55



THE BAZAAR
MOI AVENUE/BIASHARA
STREET
PRIVATE BAG
NAIROBI, KENYA

6th March, 2003

Kamuhu W. Ephraim
The Head teacher
Mutitu Sec. School
P O Box 56
KERUGOYA

**RE: PROMOTION OF TEACHERS TO SENIOR GRADUATE
TEACHER JOB GROUP 'M'**

Following the revision of the Scheme of Service for Graduate Teachers, it has been decided that you be promoted to the grade of Senior Graduate Teacher Job Group 'M' in the salary scale of K£8,718 to K£13,485 p.a. with effect from 1st July, 2002.

It has also been decided that you be retained in your current station.

Please accept my sincere congratulations upon this promotion and my best wishes in the performance of your duties.

A.S.SANG
FOR: SECRETARY
TEACHERS SERVICE COMMISSION

Copy to; The Provincial Director of Education
CENTRAL PROVINCE

The District Education Officer
KIRINYAGA DISTRICT

TEACHERS SERVICE COMMISSION

Telephone: Nairobi
331144/5/6/7/8/9 & 331150
Telegrams: "MWALIMU".
Nairobi
When replying please quote

Ref.N° TSC/334894/67
And date



THE BAZAAR
MOI AVENUE/BIASHARA
STREET
PRIVATE BAG
NAIROBI, KENYA

30TH November, 2005

✓ Ephram W. Kamuhu
Headteacher
Mutitu Secondary School

Through
The Provincial Director of Education
CENTRAL PROVINCE

FORWARDED
Phillip Amadi
Provincial Director of Education
Central Province
Date: 9/12/05

TRANSFER OF HEAD OF INSTITUTION

It has been decided that you be transferred from Mutitu Secondary School to Kiamariga Secondary School as Headteacher with immediate effect.

You will hand over the administration of the school to J. Karanja TSC/175107 who in a separate communication has been transferred to the school as Headteacher.

By copy of this letter, the Provincial Director of Education is requested to supervise the hand/take over of the administration of the school and inform this office once the exercise is finalized.


NANCY N. MACHARIA (MRS)
FOR: SECRETARY
TEACHERS SERVICE COMMISSION

c.c.
The District Education Officer
KIRINYAGA DISTRICT
NYERI

The Chairman B.O.G.
Mutitu Sec School
P.O. BOX 799
KIRINYAGA

The Chairman B.O.G.
Kiamariga Sec School
P.O. BOX 1349
KARATINA



COUNTY GOVERNMENT OF NYERI
DEPARTMENT OF HEALTH SERVICES

karatinadhospital@yahoo.com

MEDICAL SUPERINTENDENT
KARATINA HOSPITAL
P.O. Box 133-10101
KARATINA

OUR REF: KRT/MS/5/11/VOL.8/389

DATE: 1st April, 2015

TO WHOM IT MAY CONCERN

RE: EPHRAIM W. KAMUHU

The above named patient has been our patient since February, 2012. He suffers from severe neurotic depression. He has been treated severally but is on follow up and drug maintenance.

However, he is now stable to resume his daily activity of life. He expresses work related crisis and if any authority is able to assist him, this will enhance recovery and maintenance of his mental health.

Yours faithfully,

KARATINA DISTRICT HOSPITAL
MEDICAL SUPERINTENDENT
P. O. Box 133. KARATINA.

P. NDIRANGU (I/C PSYCHIATRIC CLINIC)
FOR: MEDICAL SUPERINTENDENT
KARATINA HOSPITAL NYERI SUB COUNTY

TEACHERS SERVICE COMMISSION

Telephone: Nairobi
2892000

Email: info@tsc.go.ke
Website: <http://www.tsc.go.ke>
When replying please quote:
Ref.N° TSC/334894/91



TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG
NAIROBI, KENYA

13th October 2014

ADVERT NO. 34/2012
S/NO. 1079

Kamuhu Ephraim Wambugu

Thro'

The Principal
Kangocho Secondary School
P. O. Box 1198-10101
KARATINA

Congratulations
3-11-2014
PRINCIPAL
KANGOCHO SEC SCHOOL
P.O. Box 1198,
KARATINA

Dear Ephraim,

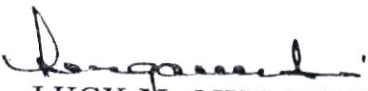
REF: APPOINTMENT
PRINCIPAL GRADUATE/APPROVED TEACHER, JOB GROUP 'N'

I am pleased to convey the decision of the Teachers Service Commission that further to your application and subsequent interview, you be appointed **Principal Graduate/Approved Teacher, Job Group 'N'** in the salary scale of **Ksh.578280 to Ksh.783480 p.a.** with effect from **1st July 2014**.

It has further been decided that you be retained at your current station.

Please accept my sincere congratulations upon this appointment and best wishes in the performance of your duties.

Yours sincerely


LUCY M. MUGAMBI (MRS)
FOR: SECRETARY/CHIEF EXECUTIVE
TEACHERS SERVICE COMMISSION

Copy to: TSC County Director
NYERI COUNTY

MINISTRY OF EDUCATION

Telegrams: EDUCATION, Nairobi

Telephone: 318581
When replying please quote



REPUBLIC OF KENYA

JOGOO HOUSE 'B'
HARAMBEE AVENUE
P. O. Box 30040
NAIROBI
KENYA

Ref: MOE/GEN/G162/39/3/(11)

15th February, 2010

Chairperson
Kenya Secondary Schools Heads Association

Thro'

The District Education Officer
Mathira West District
P.O. Box 1628
KARATINA

RE: APPOINTMENT OF DISTRICT EDUCATION BOARD – MATHIRA WEST .

In exercise of the powers conferred to me by Section 29(1)(f) of Education Act Cap.211 of 1968, revised 1980, I am pleased to appoint you a Member of the District Education Board of Mathira West.

This appointment is for a period of three (3) years beginning from the date of this letter.

Please let me have your written acceptance of this appointment.

HON. AMB. PROF. SAM K. ONGERI, EGH, EBS, M.P.
MINISTER FOR EDUCATION

The Provincial Director of Education
Central Province
P.O. Box 80
NYERI

MINISTRY OF EDUCATION



Telegrams, Schooling Nyeri
Telephone: (061) 2030518, 2030540
Fax: 0612030535
When replying please quote

District Education Office
Mathira West District,
P. O. Box 1628,
KARATINA

Date:..... 9th August 2010.....

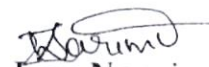
To: EPHRAIM WAMBUGU KAMUHU
K.S.S.H.A.

REF: INAUGURAL MEETING ON 16TH AUGUST AT D.E.O'S KAIYABA

You have been invited to attend a D.E.B. inaugural meeting on 16th August at the D.E.O's office Kaiyaba starting at 11.00 a.m.

Please be punctual.

DISTRICT EDUCATION OFFICER
MATHIRA WEST
P.O. Box 1628-10101, KARATINA
Date:..... Sign:.....


Jane Ngari

D.E.O. Mathira West District

MINISTRY OF EDUCATION



Telegrams: "Schooling", Nyeri
Telephone: (061) 2030518, 2030540
Fax: 0612030535
When replying please quote

District Education Office,
MATHIRA WEST DISTRICT
P. O. Box 1628,
KARATINA.

9th Nov 2010

Our Ref: NYI/MW/ED.5/VOL.1/58

TO EP. RAIM MATHIRA WEST DISTRICT

REF: DISTRICT EDUCATION BOARD MEETING

The above mentioned meeting will be held on 22nd November 2010 at the D.E.O's Office at 10.00 a.m.

AGENDA

1. Examinations / Assessment Brief.
2. Approval of 2011 Schools Project.
3. Schools Registration Approval.
4. D.E.B Budget year 2011.
5. D.E.B work plan.
6. A.O.B

Please Avail yourself and be Punctual.

Kirimi Miriti
FOR: DISTRICT EDUCATION OFFICER
MATHIRA WEST
DATE: _____
FOR: DISTRICT EDUCATION OFFICER
MATHIRA WEST

OFFICE OF THE PRESIDENT
PROVINCIAL ADMINISTRATION & INTERNAL SECURITY

Telegrams: "DISTRICTER" Mathira West
Telephone: 0612313140
Fax: 0612300198
Email: dcMathirawest@gmail.com
When replying please quote:



District Commissioner
Mathira West
P.O.BOX 2058 - 10101
KARATINA.

REF: ADM/1/18/(69)

Date: 01/11/2011


TO:
E.W. KAMUHU - KESSHA CHAIRMAN

RE: COUNTRY-WIDE STAKEHOLDERS PARTICIPATION IN THE 2012/13 – 2014/15
MEDIUM TERM EXPENDITURE FRAMEWORK (MTEF) BUDGET MAKING PROCESS

"It is now a constitutional requirement to engage the public in financial matters and to build the capacity of/support the County Government to provide services for which they are responsible."

You are nominated to attend the Country Consultative Forum (CCF) for Nyeri County on Monday 7th November 2011 to deliberate on budget making process for the next Government financial year.

The forum will be held at IFAD HALL/DIDC Ministry of Planning and National Development starting at 8.30 a.m. to 4.00.p.m. Participants to the forum will be reimbursed public transport expenses.


DISTRICT COMMISSIONER
MATHIRA WEST

A.G. HIDDI
DISTRICT COMMISSIONER
MATHIRA WEST



Inspiring Innovation and Leadership

KARATINA UNIVERSITY

This is to certify that

Kamuhu Ephraim Wambugu

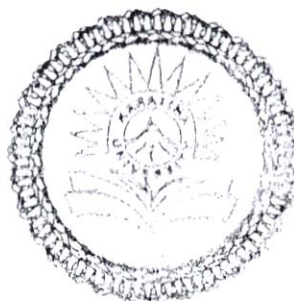
*having satisfied all the requirements for the award
of the degree of*

**EXECUTIVE MASTER OF EDUCATION IN
LEADERSHIP AND POLICY STUDIES**

*was admitted to the degree at a congregation
held at this University*

*on the 25th Day of November
in the Year 2013*

Vice Chancellor



Registrar
(Academic Affairs)

Deputy Vice Chancellor
(Academic Affairs)



KENYATTA UNIVERSITY

This is to certify that

Ephraim Wambugu Kamukhu

having satisfied all the requirements

was awarded the degree of

BACHELOR OF EDUCATION (ARTS)

Second Class Honours (Lower Division)

at a congregation

held at this University

on the Nineteenth Day of November

in the Year

One Thousand Nine Hundred and Ninety-Three

E. S. J. J. J.

Vice-Chancellor

J. J. J.

Registrar
(Academic)

KIAMARIGA SECONDARY SCHOOL
P.O BOX 1349
KARATINA

2010 K.C.S.E ANALYSIS.

SUBJECT	ENTRY	A	A-	B+	B	B-	C+	C	C-	D+	D	D-	E	PTS	MEAN SCORE 2010	MEAN GRADE 2010	MEAN SCORE 2009	DEVIATION	RANK BY DEVIATION	TARGET 2011
ENG 101	65	-	-	-	-	2	5	7	10	9	14	17	1	256	3.938	D+	3.202	+0.736	7	4.5
KISW 102	65	-	-	-	-	-	3	6	12	7	17	16	4	232	3.569	D+	2.824	+0.745	6	4.5
MATH 121	65	-	-	-	-	-	2	1	-	1	13	19	29	130	2.000	D-	1.432	+0.568	8	2.5
BIO 231	33	-	-	-	-	3	2	2	3	3	10	8	2	125	3.788	D+	2.640	+1.148	2	4.5
PHY 232	32	-	-	-	-	-	-	1	-	3	4	13	11	67	2.094	D-	1.625	+0.469	9	3.5
CHEM 233	65	-	-	-	1	2	2	7	5	6	13	20	9	218	3.354	D	2.594	+0.760	5	3.5
HIST 311	31	-	-	1	1	3	5	3	3	4	3	4	4	148	4.774	C-	3.815	+0.959	4	4.5
GEO 312	34	-	-	-	-	-	1	1	1	4	7	16	4	91	2.676	D	2.369	+0.307	11	3.5
CRE 313	65	-	-	1	1	4	8	6	5	5	19	13	3	274	4.215	D+	3.851	+0.364	10	3.5
AGRI 443	36	-	-	-	3	3	1	7	6	1	9	4	2	171	4.750	C-	3.621	+1.129	3	3.5
B/ST 565	29	-	-	-	-	-	1	4	5	5	5	7	2	107	3.690	D+	2.318	+1.372	1	4.5

SUMMARY

ENTRY	A	A-	B+	B	B-	C+	C	C-	D+	D	D-	E	X	Y	PTS	MEAN SCORE 2010	MEAN GRADE	MEAN SCORE 2009	DEVIATION	MEAN SCORE 2009	MEAN SCORE 2008	DEVIATION
65	-	-	-	-	-	4	6	9	11	12	18	5	-	-	230	3.538	D+	2.811	+0.727	2.811	2.896	-0.085

SCHOOL TARGET 2010 5.000

SCHOOL TARGET 2011 4.5

PREPARED BY..... *[Signature]*

DATE: *8/3/11*

CONFIRMED BY..... *[Signature]*

DATE: *8/3/11*

Principal
KIAMARIGA SEC. SCHOOL
P.O Box 1349 KARATINA
TEL: 061 2031817
Sign: _____

OFFICE OF THE PRESIDENT
PROVINCIAL ADMINISTRATION & INTERNAL SECURITY

Telegrams: "DISTRICTER" Mathira West
Telephone: 0612313140
Fax: 0612300198
Email: dcMathirawest@gmail.com
When replying please quote:



District Commissioner
Mathira West
P.O. BOX 2058 - 10101
KARATINA.

REF: ADM/1/18/(69)

Date: 01/11/2011

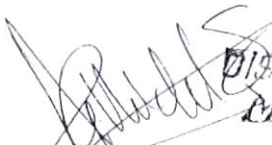
✓ TO:
E.W. KAMUHU - KESSHA CHAIRMAN

RE: COUNTRY-WIDE STAKEHOLDERS PARTICIPATION IN THE 2012/13 – 2014/15
MEDIUM TERM EXPENDITURE FRAMEWORK (MTEF) BUDGET MAKING PROCESS

"It is now a constitutional requirement to engage the public in financial matters and to build the capacity of/support the County Government to provide services for which they are responsible."

You are nominated to attend the Country Consultative Forum (CCF) for Nyeri County on Monday 7th November 2011 to deliberate on budget making process for the next Government financial year.

The forum will be held at IFAD HALL/DIDC Ministry of Planning and National Development starting at 8.30 a.m. to 4.00.p.m. Participants to the forum will be reimbursed public transport expenses.


DISTRICT COMMISSIONER
MATHIRA WEST

A.G. HIDI
DISTRICT COMMISSIONER
MATHIRA WEST

BRIEF TO THE NATIONAL ASSEMBLY ON THE DISCIPLINARY CASE OF
KAMUHU WAMBUGU EPHRAIM TSC/334894

- 1) Mr. Ephraim Wambugu (teacher) assigned TSC no. 334898, was employed by the TSC on or about 19th December, 1992 as a graduate teacher and initially posted to Masinga Girls Secondary School to teach Kiswahili and Geography.
- 2) The teacher was subsequently transferred to Magutu Secondary School as per his request.
- 3) While at Magutu Secondary School, the teacher was appointed to the position of Deputy Head teacher sometimes in October, 2000.
- 4) Sometimes in December, 2002, the teacher was appointed as head teacher and posted to St. James Kiaritha Secondary School then to Mutitu Secondary School and thereafter to Kiamariga Secondary School.
- 5) Sometimes in July, 2011, while at Kiamariga Secondary School, there were allegations by the then School Accounts Clerk against Mr. Wambugu in that, he had among other things, mismanaged school funds, was collecting fees through his personal MPESA and not remitting to the school accounts.

- 6) Taking into account the veracity of the allegations raised against Mr. Wambugu and which were also touching on the entire School Board of Management, the then Provincial Director of Education, Central Province invited the Provincial School Auditor to undertake a comprehensive audit of the school books of accounts.
- 7) The Provincial School Auditor undertook a comprehensive audit of the schools' books of accounts and prepared an Audit Inspection Report.
- 8) The audit team interviewed the teacher, his deputy and some members of staff.
- 9) The highlights of the Audit Inspection Report are as follows;
 - i. *Some receipts were not entered in the School Fees Register hence inflating the fees debtors;*
 - ii. *some receipts were under-casted in the cashbook;*
 - iii. *There was extreme flouting of procurement procedures in the procurement of goods and services for the school e.g members of the Board of Governors were trading with the school;*
 - iv. *The teacher admitted receiving school fees through his personal MPESA;*
 - v. *The teacher had used his office to enrich himself;*
 - vi. *The teacher was unable to account for Kshs 220,635/= collected from a Harambee in 2010; and*

vii. In summary, the head teacher and the Board of Governors had mismanaged the school.

(The said Audit Inspection Report is annexed hereto and marked Appendix 1)

- 10) The Audit Report was forwarded to the Provincial Director of Education, whereupon examining the same and noting the findings, recommended that the teacher be redeployed from his administrative position to perform teaching duties.
- 11) Subsequently, the teacher was transferred from Kiamariga Secondary School as head teacher to Icuga Secondary School to perform teaching duties w.e.f 1st December 2011.
- 12) The teacher vide his letter dated 28th December, 2011 to TSC, requesting to be posted to Kangocho Secondary School, Mathira East instead of Icuga Secondary School. **(The said letter is annexed hereto and marked Appendix 2)**
- 13) Following his request, the teacher's posting was on the same date changed from Icuga Secondary School and was re-routed to Kangocho Secondary School. **(The said transfer letter is annexed hereto and marked Appendix 3)**

- 14) Following the transfer, he reported to Kangocho Secondary School on 10th January, 2012. However, he left the following day on 11th January, 2012 and hence failed to perform teaching duties.
- 15) The teacher's absence from school persisted for about 3 years before the same came to the knowledge of the TSC County Director sometimes in February, 2015.
- 16) Subsequently, the County Director undertook investigations which revealed among others that;
- i. The teacher had never taken up his teaching duties from the time he was posted to the school;*
 - ii. He had not been allocated lessons to teach and his name did not appear in the School time table;*
 - iii. The students did not recognize him as one of their teachers;*
 - iv. The staff did not recognize him as one of their colleagues;*
and
 - v. The deputy head teacher confirmed that the teacher had never been recognized as one of the staff;*
- (The said investigation report is annexed hereto and marked Appendix 4)
- 17) Despite not teaching, the teacher was on the payroll and was earning salary irregularly for work not done. This act amounted to breach of the Code of Regulations for Teachers.

- 18) Subsequently, Mr. Wambugu's salary was stopped with immediate effect and he was served with a Letter of Interdiction asking him to "*show cause*" why disciplinary action should not be taken against on the following grounds;
- i. Desertion;*
 - ii. Fraudulent earning of salary totaling the sum of Kshs 2,027,838.15 w.e.f 11th January, 2015 to 1st January, 2015.*
- 19) He was informed through the said letter that he will be afforded an opportunity to be heard in person and was also advised to prepare a statement of defence in answer to the allegations levelled against him.
- 20) The teacher prepared a statement of defence denying the allegations.
- 21) The teacher's disciplinary case was heard by TSC on 11th November, 2016 where the panel considered the allegations against him, the investigation report, witness statements and his defence.
- 22) The teacher was given an opportunity to present his case orally and to cross examine witnesses present.

- 23) The discipline panel found that he was guilty of the charges leveled against him as he had indeed had desert duty and earned salary fraudulently.
- 24) Accordingly, the discipline panel found the teacher guilty and suspended him for one month and surcharged him the sum of Ksh.2,027,838.15 he earned fraudulently.
- 25) The teacher was informed of the decision by TSC vide its letter of 19th January, 2017.
- 26) The Principal, Kangocho Secondary School was also issued with a Show Cause letter for covering up the absence of the teacher; (The said Show Cause letter is annexed hereto and marked Appendix 5)
- 27) TSC has not received any appeal from the teacher in regard to his interdiction.

KIAMARIGA SECONDARY SCHOOL AUDIT INSPECTION REPORT 2ND AGUST 2011

1.0 INTRODUCTION

Kiamariga Secondary School is a mixed day and Boarding school with an enrolment of 320 boys (178 – Boarders and 142 day scholars).

The school was situated at Runguru zone, Kiamariga Division of Mathira West District.

The current principal Mr.Ephraim Wambugu Kamumuhu TSC.NO.334898 took over the school on 4th January, 2006.

1.1 STATEMENT OF PROBLEM

The Board of Governor Chairman Mr.Eustace G.Karanja wrote a letter to the principal dated 22nd July, 2011 and copied to the Provincial Director Education and attached a copy of another letter written by the suspended school accounts clerk (The Accounts Clerk letter was dated 8th July, 2011 and addressed to the principal/BOG/PTA secretary) which had raised several issues of financial mismanagement in the school by the Accounts Clerk on instructions of the principal (see App.I & II attached)

The following were the allegations as contained in the Accounts Clerk letter:-

- i. Collecting school fees using parallel Receipt Books
- ii. Failure to remit cash collected in school for banking
- iii. Non appearance before the Board of Governors Audit committee on various dates
- iv. Inflated goods payments to Board of Governor members
- v. Board of Governor secretary cashing money orders from the post office and not banking nor accounting for the same
- vi. Receiving of fees through M-pesa through the principal's mobile phone and not issuing receipts nor accounting for the same
- vii. Board of Governor having vested interests in the procurement process and payment to the suppliers
- viii. Buying and paying for relief food
- ix. The principal purchased his personal car using school funds by instructing the Accounts Clerk to issue cheques to none existing suppliers.

- x. Imprest surrendered using fictions cash sale receipts and invoices
- xi. The principal transferring building materials from the school to his own construction sites
- xii. The principal receiving and pocketing Kshs.1000/= admission fees for all the new students

1.2 OBJECTIVE

The objective of the Audit Investigation was to ascertain whether the allegations made by the School Accounts Clerk M/S Mary Wangai Wachira had any truth or not and to recommend any necessary remedial measures to arrest and correct the situation in order to enhance good governance and prudent financial management for the institution to be able execute and realize its goals.

1.3 TERMS OF REFERENCE

- i. Establish whether the recommended books of account were being maintained in the school
- ii. Examine all the financial transactions made in the school to determine and establish whether they were a proper charge as per the laid down financial procedures and regulations.
- iii. Establish the mode of fees collection in the school and the mode of accounting for the same
- iv. Establish whether the school had sound internal controls systems in place including maintainances of stores ledgers
- v. Determine whether the current procurement procedures and regulations were in place and operational in the school.

1.4 METHODOLOGY

The team used the following methods in carrying out the Audit investigations

- a. Examination and perusal of all financial records and documents for the years 2010 and 2011
- b. Physical verification of stores records
- c. Interviewed some school workers, deputy principal and principal,
- d. Visited the institution

1.5 TEAM MEMBERS

The team which carried out the Audit Investigations was composed of the following:-

- D.M.Mutia - PSA Central
- H.M. Kisinga - DSA Nyeri

1.6 SCOPE:-

The Audit Investigation covered the period from 1st January 2010 to 31st December 2010 and 1st January 2011 to 2nd August 2011

1.7 FINDINGS

i. COLLECTING FEES USING PARALLEL RECEIPT BOOKS

The principal was requested to ask the parents to submit their original receipts. However, all the original receipts the principal handed over to the Auditors were all genuine.

The Board of Governors had formed an Audit Committee which had earlier asked for the original receipts from specific parents (see the Audit committee report App.2 attached)

A further examination of the receipts revealed the following

- a. There were receipts not entered into the fees registers hence inflating the fees debtors amount (see App.3 attached)
- b. Some receipts were under casted into the cash book e.g. receipt number 16808 in the name of Joseph K. Gathatwa Adm.No.1584 for Kshs.2000.00 had only Kshs.500/= entered into the cash book thus it was under casted by Kshs.1500.00 (see App.4 attached) from the foregoing it was clear that the accounts clerk was using several methods to defraud the school which included not using carbon paper on the duplicates, under casting when posting into the cash book e.t.c. When submitting the original receipts, a defaced duplicate receipt was also submitted which did not conform to the serial numbers in the 2010 submitted books of account. It was also not clear who defaced it (see App.5 attached)

It was further established that the principal was not checking the work of the accounts clerk. There was no formal handing over of the day's collection even when banking.

ii. **PROCUREMENT OF GOODS AND SERVICES IN THE SCHOOL**

The school had a tender committee in place. However, the following was noted:-

- a. During a tender committee meeting held on 21st November 2011 to award tenders for the year 2011, except for text books, stationers and food stuff cereals which had at least three bids, the rest of the items had either one or two bids thus the procurement process in the school lacked competition as provided for in the procurement procedures and regulations currently in force (see App.6 attached)
- b. Some of the tender committee meetings lacked quorum and therefore the award given were not binding as per the Act.(see App.6(i) attached)
- c. During a tender committee meeting held on 2nd June 2010 which was to award the tender for the construction of the dormitory and supply of materials, the chairman of the committee Mr.Francis Ngari Migwi and a Mr.Lawrence Macharia Mbawa were not members of the Board of Governor nor the teaching paternity in the school, nor ex-officials from the various government ministries. It was therefore not clear why they took part in the school tendering process where even one of them chaired the meeting. The school principal Mr.Ephraim Wambugu Kanuhu TSC.No.334894 failed to advise the Board and even went ahead to take part in the process (See App. 6(ii) and App.7 attached)

Further, during the tender committee meeting held on 9th November 2008 (App.6 (ii) attached), a Mr. Peter Gachie was awarded a tender to supply computers in the school. He was not only a Board member, but was also the chairman of the P.T.A. in the school.

The other Board of Governor members who have been trading with the school were:-

- Mr. Eustace G. Karanja chairman Board of Governor. He was paid through payment voucher No.456 dated 15th Sept.2010 in respect of supply of 16 buckets of potatoes @Kshs.300.00 total

Kshs.4800.00 cheque No.00779 was issued (See App. (8) attached). This payment was also not supported.

- Mr Eustace G.Karanja was issued with cheque No.963 of Kshs.10, 500.00 dated 30th January, 2010 which was posted in the cash book without any supporting document or a payment voucher. Another payment voucher No.46 in favour of Mary G. Murigu for Kshs.300.00 dated 1st February, 2010 supported with a petty cash voucher was raised and entered into the cash book in February 2010 (see App.(9) attached)
Mrs Alice Wangui Kainga a Board of Governor member supplied the school with the following (see app.7 attached)

P.V.NO.	DATE	AMOUNT	COMMODITIES SUPPLIED
45	29-1-2011	80,000	Firewood and potatoes
36	5-7-2011	40,000	Sukuma, maize and beans
TOTAL		120,000	

It is worthy to note that the two members of the Board of Governor were not among the tenderers and were not among the list of those awarded tenders to Supply the school (see App.(6) attached)

iii. **PRINCIPAL CASHING MONEY ORDERS AND COLLECTING SCHOOL FEE THROUGH HIS PERSONAL MPESA ACCOUNT AND NOT REMITTING THE SAME FOR ACCOUNTING PURPOSES**

The school did not maintain a cheque and money orders register. The money orders taken to the post office did not have any kind of a record in the school. It was therefore difficult to establish this. However, further investigations shall be carried out on this matter.

The principal admitted that he once received school fee through his Mpesa account in favour of a form three student, David Mugwe Kshs.3025.00. However, he could not remember when this was. Further, it was beyond the scope of this team to investigate this matter further.

iv. **BUYING AND PAYING FOR RELIEF FOOD**

— The school received relief-food from the area Chief Mr. Wilfred Karangi Murigu in June 2011 as follows:-

1st consignment 11th June 2011

- o 19 bags of Maize 90kgs
- o 20 bags of Beans 90kgs

2nd consignment June 2011

- o 16 bags of Maize 50kgs
- o 12 bags of Beans 50kgs

During the year 2011, there was no payment voucher raised in respect of the Area Chief Mr. Wilfred Karangi Murigu ID.NO.0268006. However, the school paid him Kshs.51, 000.00 vide payment voucher No.57 and cheque No.000828 for supplying 30 bags of maize supplied in 2010 at a cost of Kshs.1700.00 per bag. It should be noted here that the Area Chief was not among the list of those who had won tenders in the school during this period. Further, the payment voucher was supported with only a invoice note which apparently was stamped and signed on 3rd February 2011 and yet the supply was paid under creditors.(lunch). The Headteacher should therefore be called upon to explain how he paid a creditor who was supported by an invoice stamped and signed this year. Further, the said creditor was not appearing in the list of creditors for the year 2010.

v. **THE PRINCIPAL USING HIS OFFICE TO ENRICH HIMSELF**

Examination of the school payment vouchers revealed the following anomalies (see App.11(9) – App.11

S/NO	P.V.NO	DATE	NAME OF PAYEE	AMOUNT	ANOMOLY NOTED
1	260	22/5/2010	Mr.Wanjohi Gachies – student councillor	2000/=	Support with a K-gas cash sale dated 4/6/2010 for Kshs.1600/= from Gachamio enterprises - Karatina
2	461	15/9/2010	Ngendo Kariuki	80,000/=	Cheque No.000770 issued. Not supported. Not among the school tenderers nor those

					awarded to supply. Goods not in stores ledgers
3	511	7/10/2010	Martha Nyokabi Kang'au	100,000/=	Cheque No.000770 Not supported with any documents Not among the school suppliers. Goods not in stores ledgers.
4	445	18/9/2010	Harambee committee members	11,000/=	No names of members given and the amount of money use. No signatures.
5	579	11/12/2010	Charles Muriuki	3000/=	Not supported. Receipts – never signed, No narration given on the P.V.
TOTAL				196,000/=	

Further, the principal entered into a sale agreement with one Catherine Wairimu holder of ID.NO.9669144 on 9/11/2009 and which was witnessed by the school Accounts Clerk M/S Mary W. Wachira for the purchase of a calf at a cost of Kshs.13,000/=. Kshs.7,100/= was to be used to pay fees for Kelvin Murathimi Macharia Form one 'W'. On the face of the payment voucher, no receipt number was indicated. The parent was supposed to have received Kshs.2000/= as a refund leaving a balance of Kshs.3, 900.00.

Further on the same date another payment voucher No.53 was raised where the whole amount Kshs.13, 000/= was again paid out thus the school lost Kshs.13,000.00

(See App.13 attached)

1.8 OTHER FINDINGS

a. B.O.G

The school had a functional Board of Governors. However, an examination of their profile and length of stay as B.O.G members in the school revealed the following anomalies:- (see App.7 attached)

- The following members have been B.O.G. members for a long period and therefore should not have been nominated in the current B.O.G.

S/NO.	NAME OF MEMBER	POSITION	LENGTH OF STAY AS BOG MEMBERS
1	Mr.Eustace G.Karanja	Chairman	25 years with 17 years as BOG chairman
2	Alice Wangui Kainga	Executive B.O.G members	27 years as B.O.G member

The following members have not attended any B.O.G. meetings this year

1. Johnson Maina Baaru
2. Joseph Ndereba Gitari
3. Peter Maina Munyiri
4. Joyce Mawira

In view of the above, the current B.O.G of Kiamariga Secondary School should be reconstituted in order to give the school committed members who can be able to give the school a new beginning.

b. HARAMBEE

In the year 2010 the school conducted an Harambee where a total of Kshs.915, 700.00 was raised. A total of Kshs.695, 065.00 was utilized in the construction of a semi-permanent dormitory. There was no indication of how the balance of Kshs.220, 635.00 was utilized.

c. PHYSICAL FACILITIES

All the structures in the school except the administration block were all semi-permanent. The school had no site plan and structures were erected in an haphazard manner. The administration block had big cracks thus suggesting poor workmanship. Though there were suggestions that the land might not be fit for construction, the school management never sort the advise of the public work and there was absolutely no indication that they ever supervised any of the school

construction works. There was no rational explanation why the school management would construct semi-permanent structures even when the resources to put up better structures were available e.g. the construction of a semi-permanent dormitory where Kshs.220,635.00 remained.

d. **NON-TEACHING STAFF**

A perusal of the non-teaching staff files revealed the following anomalies:-

- Most of the workers did not have a copy of their identity cards in their files
- Most had no application letters and therefore not clear how they were employed
- Most of them did not have appointment letters.
- Most did not have copies of their education certificates and testimonies.

These included the school Accounts Clerk M/S Mary Wangui Wachira

1.9. **CONCLUSION**

In view of the foregoing it was evident that the current principal Mr.Eprahaim Wambugu Kamuhu TSC.NO.334894 and his entire Board of Governors have mismanaged the Institution and used their position for personal gain by having vested interest in the procurement of goods and services leading to conflicts of interest.

Therefore, the Board of Governors of Kiamariga Secondary school should be dissolved forthwith and the principal deployed in order to allow for the proper nomination of a new Board of Governors, to inject new governance and give stability and new focus to the school.

1.10 **RECOMMENDATIONS:**

1. The principal should ensure that all receipt books have been registered with the District Schools Auditor before being issued for use in the school. A counterfoil receipts book register should be in use where the person using the receipt books signs for it.
2. The school administration should ensure that effective internal controls are put in place. Cash books, receipt books and banking etc should all be counter checked and signed for.
3. The school tender committee should be re-constituted and inducted properly of what is expected of them.
4. The school Board of Governor should stop trading with the school.

5. The current Board of Governor should be dissolved and a fresh one constituted.
6. The principal-Mr.Ephrahim Wambugu Kamuhu-should be called upon to account for a total Kshs.209,000.00 being unsupported payments he made. This includes Kshs.13, 000.00 refunded twice for purchase of a calf from a parent.
7. The Board of Governor should be called upon to explain why they have continued putting up semi-permanent structures and the only permanent structure was in poor state and had developed cracks.
8. The Board of Governor should regularize the employment of all the non-teaching staff and those not qualified for their positions should be done away with.
9. The principal should explain the source of the food stuff purchased and paid to Mr.Wilfred Karangi Mirugi.


D.M. MUTIA

PROVINCIAL SCHOOL AUDITOR

CENTRAL PROVINCE

E. W. K. Amululu
Box 1349
Kampala
28/12/11

THE SECRETARY

TEACHERS SERVICE COMMISSION

TSC HQ

P.O. PRIVATE BAG

NARUSI

SOCP

Dear Sir

Ref:

Change of Station

I write in reference to the above to request that I be re-deployed from Icuca Secondary School to Kanyicho Sec School Mathira East or to Kagumo T.C. Myer.

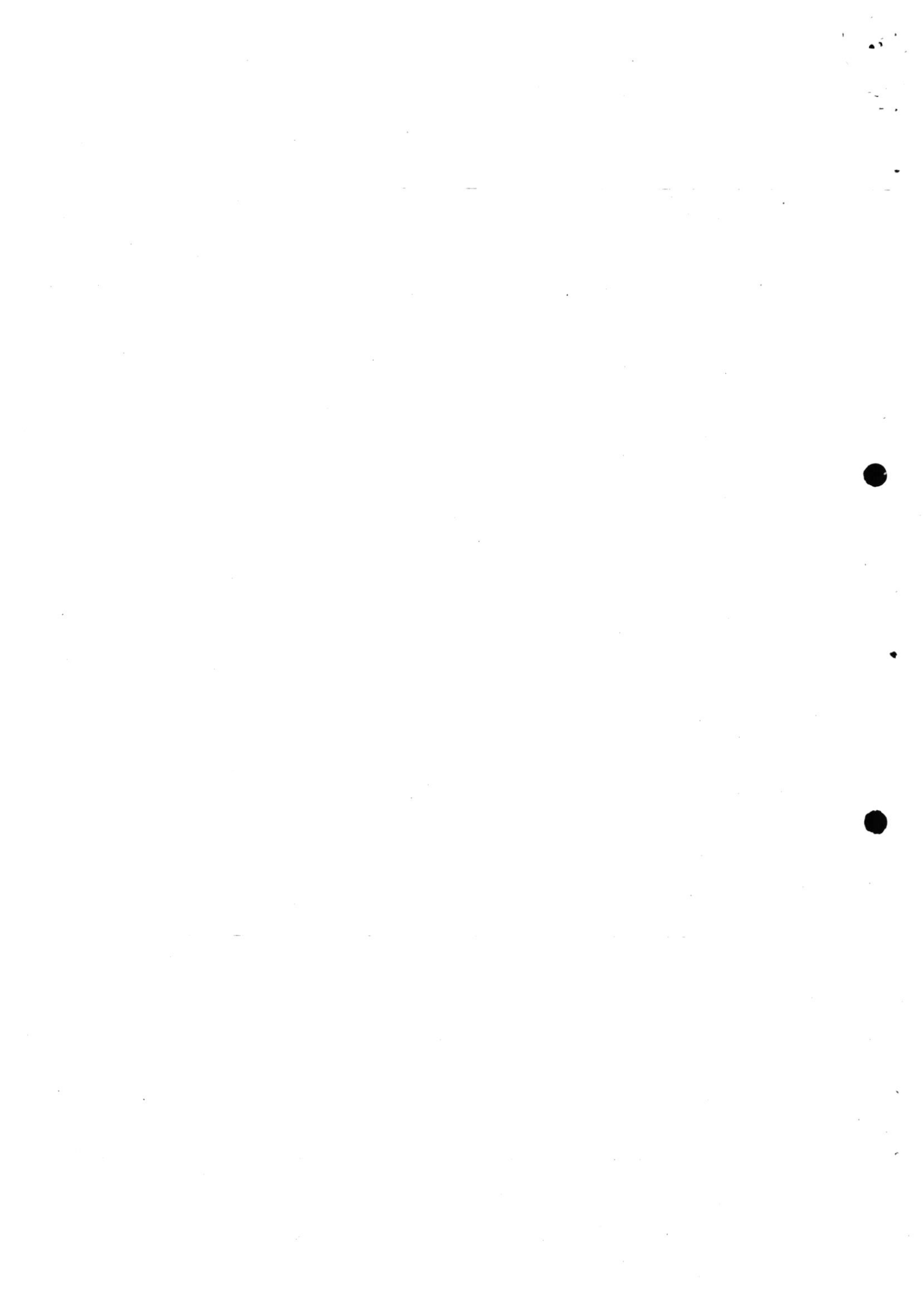
I was redeployed as a head teacher Komanza Sec School Mathira West to Icuca Sec which is within its neighbourhood. I have been the Chairman Heads Association in Mathira West and I would not be comfortable with teaching in a school within the neighbourhood of my former station.

Sir I also feel not fairly treated since pressure to remove me from my former station have been alot and the P.D.C Central is aware. Attached herewith please find a report that I forwarded to the P.D.C Central. I was also not given chance to defend myself and only came to learn of my trip recently to my surprise. I also pray that I be reconsidered and deployed as a Head teacher when a chance arises. I'm also advancing my education at Karatina University thus I'd pray to be considered to work within. Looking forward for your kind consideration

Yours faithfully

W. K. Amululu

To: 28/12/11



TEACHERS SERVICE COMMISSION

Telephone: Nairobi 2892000
Email: info@tsc.go.ke
Website: <http://www.tsc.go.ke>
When replying please quote:
Ref:No.
TSC/334894/79



TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG
NAIROBI, KENYA

28th December, 2011

Ephraim W. Kamuhu
Headteacher
Kiamariga Secondary School

Through:

The Provincial Director of Education,
CENTRAL PROVINCE.

791 - Reg
pls Bly with cor
on 6/2/12.
PSO oppc
27/1/2012.

TRANSFER OF HEADS OF INSTITUTION

Reference is made to our letter Ref:TSC/334894/77 dated 1st December, 2011 in which you were transferred from Kiamariga Secondary School to Icuga Secondary School to teach Kiswahili/Geography with effect from 19th December, 2011.

It has been decided that the said letter be cancelled and you be transferred to **Kangocho Secondary School** to teach **Kiswahili/Geography** with immediate effect.

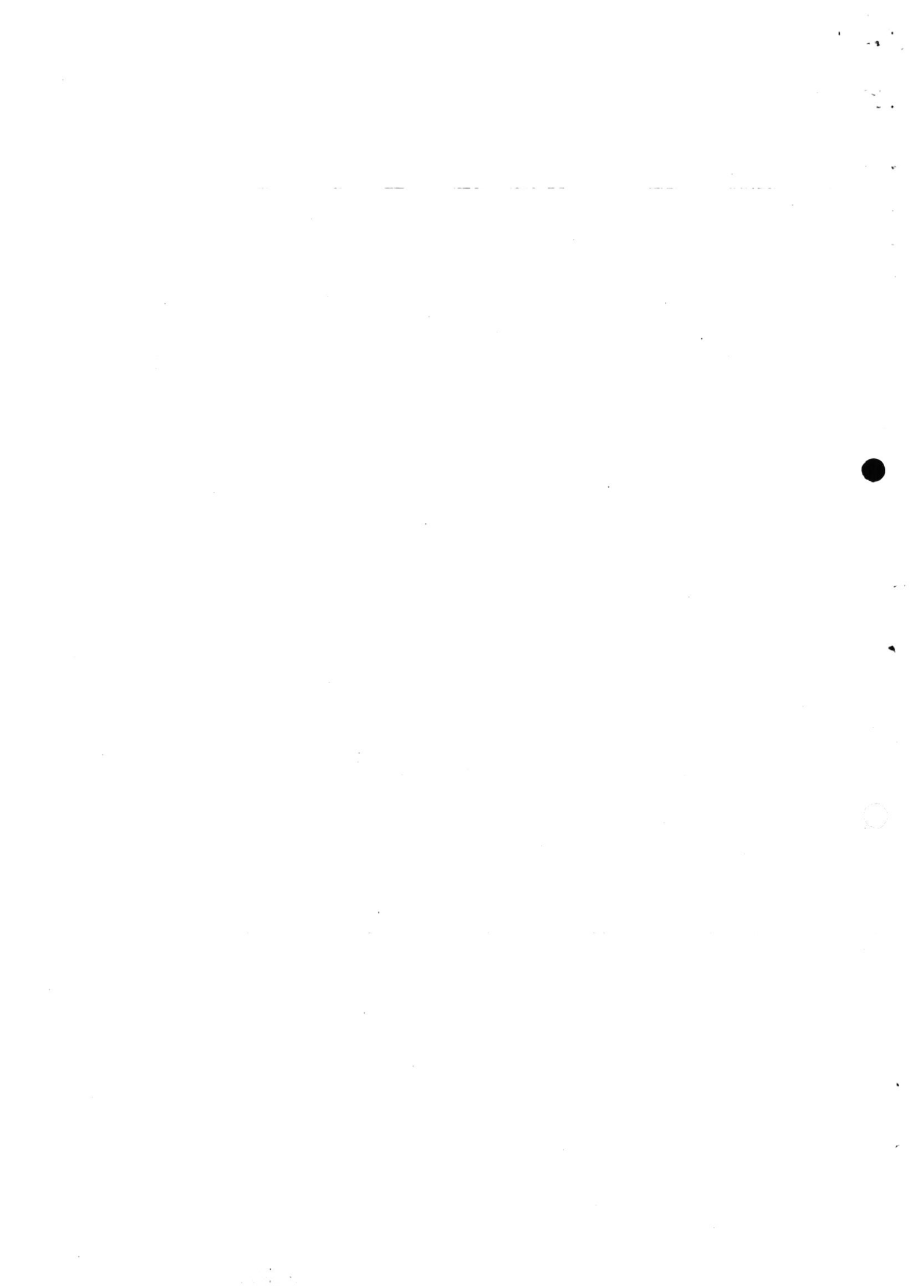
By a copy of this letter, the Headteacher, Kangocho Secondary School is requested to inform this office the date you report for duty.


MARY C. ROTICH (MRS)
FOR: SECRETARY
TEACHERS SERVICE COMMISSION

Copy to: The District Education Officer – **Mathira East District**

The Headteacher,
Kangocho Secondary School,
P.O. Box 1198 - 10101,
KARATINA.

The Headteacher,
Icuga Secondary School,
P.O. Box 685 - 10101,
KARATINA.



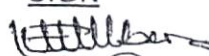

1/8 (P)

REPORT ON KANGOCHO SECONDARY SCHOOL

1.0 SCHOOL PARTICULARS

SCHOOL: KANGOCHO SECONDARY SCHOOL
ADDRESS: P O BOX 1119 KARATINA
ZONE: MATHIRA EAST ZONE
DIVISION: KIRIMARA
DISTRICT: MATHIRA EAST
COUNTY: NYERI
TYPE OF SCHOOL: MIXED DAY PUBLIC SECONDARY SCHOOL
NAME OF PRINCIPAL: PETER NJENGA KING'ORO
TELEPHONE: 0721337915
JOP GROUP: P
TSC NO: 305568
REGISTRATION CERT: H/A/599/84—18/10/1984
SPONSOR: PCEA
ENROLLMENT: 409
MANAGEMENT: BOM
DATE OF VISIT: 3RD March 2015
PURPOSE OF VISIT: INVESTIGITIVE ASSESSMENT



<u>NAMES OF OFFICERS</u>	<u>DESIGNATION</u>	<u>SIGN</u>
ESTHER MBURA	Ag. DSO/DHRO	
MARY MUTE	TAC TUTOR CENTRAL ZONE	

2.0 PREAMBLE

The officers arrived at school at 9.30am. They were ushered in by the school principal. The school was about 3kilometres from karatina town. It was on the Nairobi/Karatina highway. Its immediate neighbouring school was Kangocho primary school.

2.1 ENROLMENT

The school had an enrollment of 226 boys and 183girls, Total 409. It had two streams.

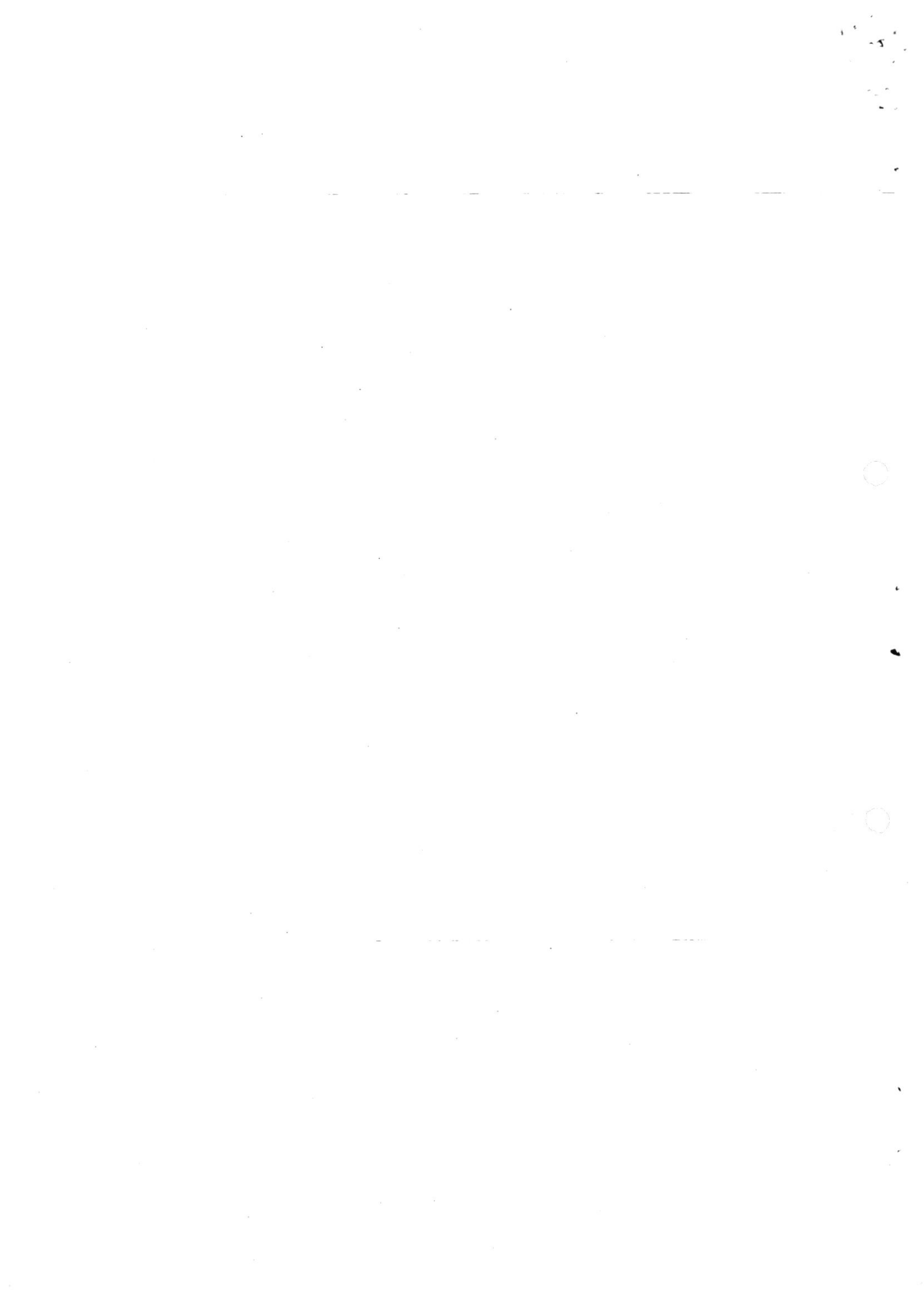
2.2 STAFFING

The school had 4 male and 6 female teachers .BOM teachers were 2 males and 2 females. Therefore there were 10 Tsc teachers and 4 BOM teachers. Among the 10 Tsc teachers Mr. Kamuhu had not been captured.

2.3 LEADERSHIP AND MANAGEMENT

Principal

Mr. Peter Njenga King'oro was the school principal. TSC/305568 Job group 'P'. He had served the school since 2008 to date, a period of 8 years. He taught Geography/ CRE.



He had been a principal for 12 years. He had been a teacher since 1990 – total of 25 years.

Deputy principal

Mrs Janeffer Njuguna TSC 357172, Job Group N. She had served as a deputy for 7 years. She had been a teacher for 20 years. She taught English/ Literature.

3.0 PURPOSE OF THE VISIT

The purpose was to find out if Mr Kamuhu had been an active member of staff at Kangocho Secondary School.

3.1 EPHRAIM WAMBUGU KAMUHU

Mr Kamuhu was TSC No. 334894, Job Group N. the teacher reported to this school on 10th Jan, 2012. He had been deployed from Kiamariga where he was a principal. He reported but did not take up any duties then and had not been teaching since then. He is said to have faithfully collected his payslips from the school and made visits from time to time to the school to update the principal on his efforts for redeployment as principal.

3.2 FINDINGS

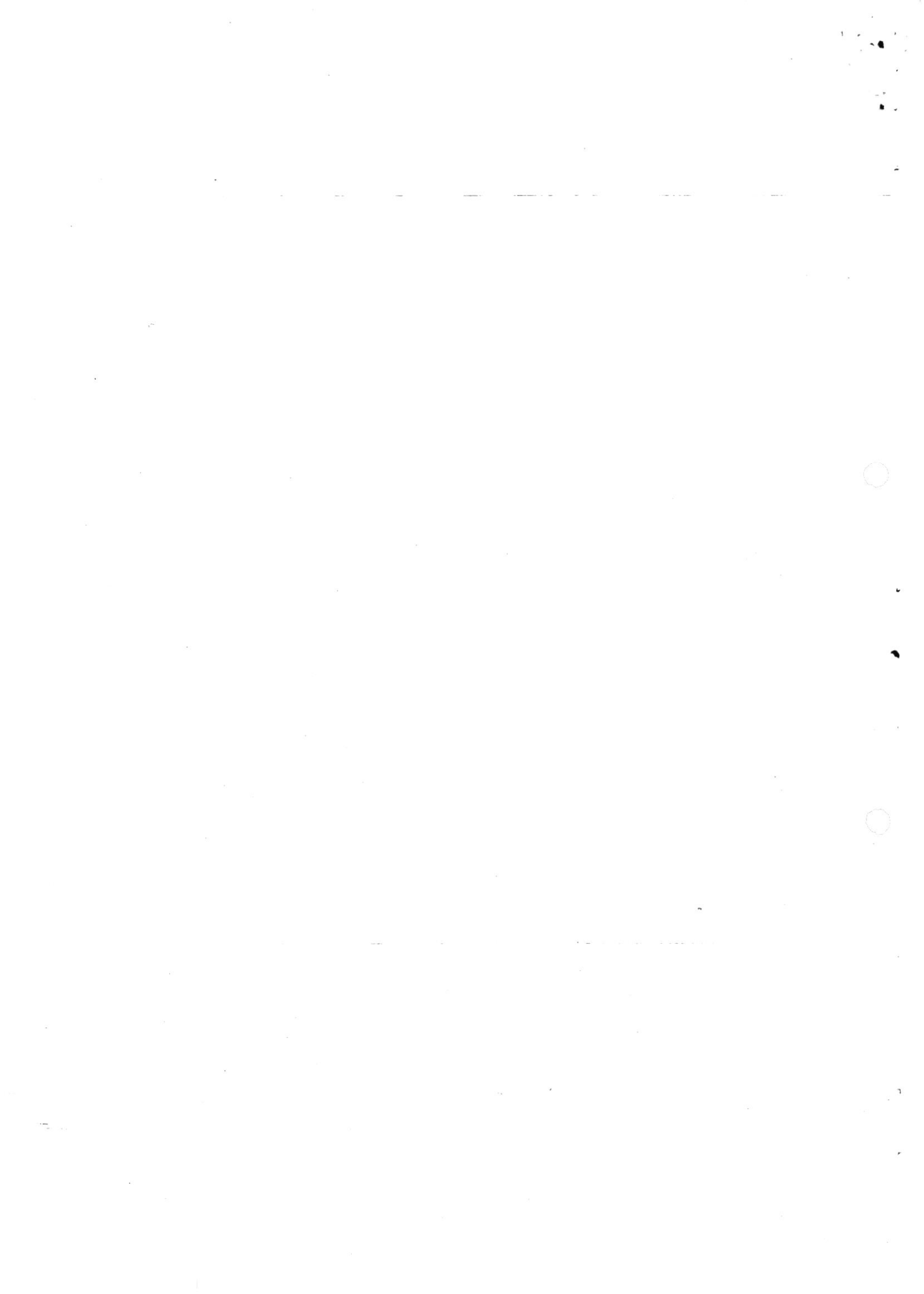
It was established that :

1. Mr. Kamuhu reported to the school on 10th Jan, 2012
2. Has never been allocated teaching lessons-does not appear on the teaching timetable.
3. He did not take up any teaching duties in the school.
4. The students did not recognize him as one of their teachers
5. The staff members did not recognize him as a member of staff.
6. He visited the school once in a while to collect his payslips and to update the principal on the efforts he was making to be redeployed as principal
7. There had been correspondences between him and the TSC and teachers union as per the attached documents.
8. He had been promoted to job group N. in 2014 in a letter dated 13th Oct, 2014.
9. The school did not maintain his personal file.
10. The teacher had not been captured in any of the school's documents eg Form As..
11. There was no documented evidence to indicate that the teacher had ever been allocated duty.
12. The deputy confirmed that the said teacher had never been recognized as a member of staff.

CONCLUSION

It was evident that Mr Kamuhu was not a practicing teacher in the school.


W. W. W. W. W.
3/3/15
Kangocho Secondary School
10100



KANGOCHO SECONDARY SCHOOL. P.O. BOX 1198 KARATINA

TEACHERS ON DUTY

S/NO	TSC NO	NAME
1.	305568	KING'ORO P. NJENGA
2.	357172	JENNIFER W. NJUGUNA
3.	303407	ICIKA T. WANJIKU
4.	232533	MWANGI PETER MUTURI
5.	287457	LUCY KARIUKI
6.	262884	ROSE WAWERU
7	550796	WEREMBA GEOFFREY
8	503453	LEAH NYAMBURA NDERITU
9.	361390	GITONGA J. WAHITO
10	407695	WAMBUI P. KANYI


KANGOCHO SECONDARY SCHOOL
P.O. BOX 1198
KARATINA

3/3/2015

