

THE COMMISSION ON ADMINISTRATIVE JUSTICE
(Office of the Ombudsman)



Hata Mnyonge ana Haki

REPUBLIC OF KENYA
COMMISSION ON ADMINISTRATIVE JUSTICE
(OFFICE OF THE OMBUDSMAN)

ATI REVIEW APPLICATION NO. CAJ/ATI/PE/040/171/2026-MW

SIMON NGIGI GATHARIKI APPLICANT

VERSUS

DADANADA LIMITED RESPONDENT

A. BACKGROUND

1. The Commission on Administrative Justice (Office of the Ombudsman) (hereinafter referred to as "the Commission") is established under *Article 59(4) of the Constitution of Kenya, 2010* and the *Commission on Administrative Justice Act, 2011*. The Commission is mandated to address maladministration in the public sector and promote administrative justice, transparency, and accountability in public administration. In addition, the Commission serves as the oversight and enforcement body for the right of access to information under *Article 35 of the Constitution*, as operationalized through the *Access to Information Act, 2016* (hereinafter referred to as *ATI Act, 2016*).
2. *Article 35 of the Constitution* guarantees every citizen the right to access:
 - a. Information held by the State; and
 - b. Information held by another person and required for the exercise or protection of any right or fundamental freedom.

B. FACTS OF THE REVIEW APPLICATION

3. The Commission on 5th May 2026, received an application for review under *Section 14(1) (a)* of the *ATI Act, 2016* from the Applicant herein to review the Respondent's decision declining to grant access to copies of his pay-slips from April 2025.
4. The Applicant through an email dated 9th September 2025 addressed to the Respondent's Human Resource and Administration Manager, sought for copies of his salary slips from April 2025.
5. *Section 22(3)(a)* of *ATI Act, 2016* empowers the Commission to call for information or report regarding a complaint lodged with it from a public entity or private body.
6. Upon receipt of the Application, the Commission through an Access to Information Notice dated 19th May 2026, notified the Respondent of the Application for review pursuant to *Section 22(3)*, *ATI Act, 2016* and *Regulation 25(1)* *ATI General Regulations, 2023* and requested for an Institutional Report or further information relevant to the request.
7. The Respondent through a letter dated 5th June 2026, informed the Commission that the Applicant's employment had commenced on 15th April 2025 until 22nd August 2025 when he tendered a resignation notice. The Respondent provided pay-slips for the months of April, May, June, July and August 2025.
8. The Commission forwarded to the Applicant the Respondent's response through a notification of response dated 5th June 2026 all documents availed through the response and requested for a rejoinder if any within

fourteen days thereof to enable appropriate decision on the Application.

9. The Applicant through an email to the Commission dated 8th June 2026, confirmed receipt of the information sought.

C. COMMISSION DECISION

10. Having made a careful analysis of the facts and information provided in this review application, the Commission, pursuant to the powers granted by Sections 22(3)(a)(ii) and Regulation 25(10) of the Access to Information (General) Regulations, 2023, **DECIDES:**

- i. **THAT** the response dated 5th June 2026 provided by the Respondent sufficiently addressed the Applicant's request for information dated 9th September, 2025.
- ii. **THAT** the present Review Application stands resolved and marked as closed.

Dated, Signed and **Issued** at **Nairobi** this...9th day of**JULY**.....2026



DOROTHY JEMATOR
ACCESS TO INFORMATION COMMISSIONER

TAKE NOTICE THAT

Section 23(3) of the Access to Information Act, 2016 provides that "**A person who is not satisfied with an order made by the Commission under subsection (2) may appeal to the High Court within twenty-one days from the date the order was made.**"