

**THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY  
(EWURA)**

**COMPLAINT NUMBER: EWURA/33/2/202**

**BETWEEN**

**HERMAN NOMBO ..... COMPLAINANT**

**VERSUS**

**MNARANI PETROL STATION LTD ..... RESPONDENT**

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**AWARD**

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**(Made by the Board of Directors of EWURA at 111<sup>th</sup> Ordinary Meeting held at  
Dar es Salaam on 4<sup>th</sup> October 2016)**

**1.0 Background Information**

On 4<sup>th</sup> March 2016, Mr. Herman Nombo ("the Complainant") of P.O. Box 63073 Dar es Salaam lodged a complaint at EWURA against Mnarani Petrol Station Ltd ("the Respondent") located at Fire Area, P.O. Box 313 Mtwara Municipality for being supplied with diesel he suspected to contain water. The Complainant claims that on 2<sup>nd</sup> March 2016, around 16.00 hours, he filled his vehicle with registration number T847 BYR with 69.65 liters of diesel from the Respondent valued at TZS 108,500.00.

The Complainant claims further that in the evening of the fateful day, warning lights at the dashboard of his vehicle shone to indicate that there is water in the fuel filter, and the following morning he took the car to the garage where water was drained from the fuel filter. However, after 65 km drive the warning light on the dashboard shone again and he suspected that his car must have been filled with a water contaminated diesel. The

Complainant went back to the filling station but Respondent dismissed his claim and insisted that their products complies with the required standards. After the said refusal the Complainant lodged a complaint to the Authority requesting the Respondent be ordered to:

- (a) refund the cost of new fuel pump;
- (b) refund the cost of clearing the contaminated diesel from the fuel tank;
- (c) refund the cost of 69.65 liters of diesel equivalent to TZS 108,500.00;
- (d) pay costs incurred in the repair of the car; and
- (e) pay compensation for the loss of business.

Following receipt of the complaint, the Authority ordered the Respondent to submit a defense to the complaint within twenty one (21) days as required by the EWURA (Consumer Complaints Settlement Procedures), Rules, GN Number 10/2013. On 29<sup>th</sup> March, 2016, the Respondent informed the Authority that their diesel was within the acceptable standards and submitted the documents to support their defense. However, it was noted that during sampling and testing exercise that was done by the Authority there was no fuel at the tank which the Complainant was supplied from. It was also observed that the Complainant has refueled at the Respondent's station for four consecutive occasions.

On 11<sup>th</sup> and 12<sup>th</sup> May 2016, the parties attended a mediation meeting where the matter was settled and the parties agreed on the following:

- (a) that the Respondent shall pay the Complainant TZS 568,500.00 the amount which is equal to 50% of the total cost he incurred to repair the car; and
- (b) that the Payment in (a) be made by Tuesday 24<sup>th</sup> May 2016 by cheque payable to the Complainant's Company known as Clarity Associates International.

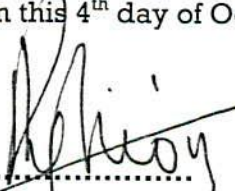
The above points of agreement were reduced into writing as required by Rule 13 (4) of the EWURA (Complaints Handling Procedure) Rules, GN. No 10/2013 and contained in the attached Settlement Form.

2.0

**Decision**

The parties have reached an agreement and, we, under the provisions of Rule 13 (4) of the EWURA (Complaints Handling Procedure) Rules, GN. No 10/2013, hereby register as the Award of the Authority the agreement contained in the Settlement Form attached hereto. Each party shall bear its own costs.

**GIVEN UNDER SEAL** of the Energy and Water Utilities Regulatory Authority (EWURA) in Dar es Salaam this 4<sup>th</sup> day of October 2016.

  
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**FELIX NGAMLAGOSI**  
**DIRECTOR GENERAL**

