

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

COMPLAINT NUMBER: GA. 71/135/128

BETWEEN

MASHAVU JUMA MABULACOMPLAINANT

VERSUS

TANZANIA ELECTRIC SUPPLY COMPANY LIMITED..... RESPONDENT

ORDER

*(Made by the Board of Directors of EWURA at its 133rd Ordinary Meeting held at
Dar es Salaam on the 30th day of October, 2018)*

THIS COMPLAINT is coming for final determination by the Board of Directors of EWURA on the 30th day of October, 2018 where the Complainant prays for an Order compelling the Respondent to pay the Complainant the sum of TZS 5,785,000,00 being compensation for the damage to her one bedroom house and house hold tools following the fire incident which occurred on 27th November, 2017.

The Board having considered the oral testimonies, the law and the evidence adduced at the hearing has reached the decision as set out below.

The Board **DOES HEREBY ORDER** and declare that:

(a) The Complaint is hereby partly allowed;

- (b) that the Respondent is not responsible for the cause of the fire which destroyed the complainant's house;
- (c) the Respondent is liable in contributory negligence for their failure to respond to the call immediately to isolate the premises from the supply line to avoid exasperating the fire which would have made extinguishing and rescue efforts easier;
- (d) the Respondent should pay the Complainant the sum of TZS. 1,446,250.00 as compensation for loss suffered by the Complainant as a result of the Respondent's contributory negligence.
- (e) each party should bear its own cost of the Complaint.

GIVEN UNDER SEAL of the Energy and Water Utilities Regulatory Authority (EWURA) at Dar es Salaam this 30th day of October, 2018.



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NZINYANGWA E. MCHANY
DIRECTOR GENERAL