

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

COMPLAINT NUMBER EWURA/33/1/433

BETWEEN

RYAMBONGO MANYAMA MSIBA

AS A NEXT FRIEND OF

MSIBA RYAMBONGO (MINOR)..... COMPLAINANT

AND

TANZANIA ELECTRIC SUPPLY COMPANY LIMITED..... RESPONDENT

ORDER

*(Made by the Board of Directors of EWURA at its 183rd Extra Ordinary Meeting
held at Dar es Salaam on the 21st day of December, 2018)*

THIS COMPLAINT is coming for final determination by the Board of Directors of EWURA on the 21st day of December, 2018 where the Complainant claims against the Respondent for special damages at the tune of TZS 9,000,000.00 and general damages at the tune of TZS 500 million. The claim is in respect of physical injuries and loss of limbs sustained by the minor as a result of the Respondent's negligence in carrying out its licensed activities.

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

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

- (i) the Respondent has a legal duty of care towards the Complainant and the general public to protect them from the dangers associated with its licenced activities;
- (ii) the Respondent breached the legal duty in (i) above and consequently the Complainant suffered physical injuries and loss of limbs;
- (iii) the Respondent is liable and should pay the Complainant the sum of TZS 217,000,000.00 as general damages suffered as a result of the Respondent's negligence in the carrying out of its licensed activities; and
- (iv) the Complaint is hereby allowed with costs.

GIVEN UNDER SEAL of the Energy and Water Utilities Regulatory Authority (EWURA) at Dar es Salaam this 21st day of December, 2018.



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NZINYANGWA E. MCHANY
DIRECTOR GENERAL