



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

**COMPLAINT NUMBER: EWURA/33/4/253**

**BETWEEN**

**WILSON ELIABU MINJA..... COMPLAINANT**

**VERSUS**

**DAR ES SALAAM WATER SUPPLY  
AND SEWERAGE CORPORATION..... RESPONDENT**

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**AWARD**

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

**1.0 Background Information**

On 27<sup>th</sup> May 2016, Mr. Wilson Eliabu Minja ("the Complainant") of P. O. Box 7085 Kimara Matangini area in Dar es Salaam, lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against the Dar es Salaam Water Supply and Sewerage Corporation, (DAWASCO) ("the Respondent") for unlawful disconnection of water services at his premises. The Complainant states that on 24<sup>th</sup> May 2016 the Respondent disconnected water supply at his premises (a domestic house) on grounds of unpaid bills and left a note which instructed the Complainant to pay his water bill amounting to twenty five thousand shillings (TZS 25,000.00) and thirty thousand shillings (TZS 30,000.00) as reconnection fee. The Complainant further claims that on 17<sup>th</sup> May 2016 the

Respondent sent an SMS to remind him that he has consumed 19 units of water amounting to TZS 29,100.1 and that his outstanding bill was TZS 24,275.40, which he was required to pay immediately. The Complainant prayed that the Respondent be ordered to:

- (a) restore water supply services at his premises immediately without payment of the penalty of thirty thousand shillings (TZS 30,000.00);
- (b) issue to the Complainant printed monthly bills by postal services or hand delivery as there are times he might be outside the country and thus fails to get SMS bills;
- (c) give a one month period to the Complainant to enable him pay the outstanding bill; and
- (d) pay the Complainant a sum equal to five million shillings (TZS 5,000,000.00) as defamation and damages suffered as a result of denied water services taking into consideration his position in the society.

On 2<sup>nd</sup> June 2016, the Authority ordered the Respondent to submit its defense to the complaint within twenty one [21] days as required by the EWURA (Consumer Complaints Settlement Procedures), Rules, GN 10/2013. On 28<sup>th</sup> June, 2016 the Respondent informed the Authority that:

- (a) they have improved their system of serving bills to their customers, and with the new system customers are given their bills by telephone SMS monthly except Government institutions and Companies and that the new system is working and proved efficient;
- (b) the Complainant was disconnected from the water supply services after he has failed to pay his water bill within 7 days; and
- (c) they advise their customers to pay their bills within 7 days to avoid inconveniences of being disconnected.

A mediation meeting was held on 15<sup>th</sup> and 30<sup>th</sup> August 2016, whereby the parties acknowledged the need for the payment for water bills to be effected as stipulated in the DAWASCO Customer Service Code of

Practice, Standards and Procedures. The parties agreed to settle the matter on the following terms:

- (a) from now on and subject to the provision of the law, the Respondent shall issue the Complainant with water bills in two forms, namely through an SMS and the hard copy; and
- (b) that the Respondent pay the Complainant a sum equal to one million shillings (TZS 1,000,000.00) as compensation for inconveniences and damages suffered as a result of being denied water services.

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**