

## UTARATIBU WA KUWASILISHA NA KUSHUGHULIKIA MALALAKIKO

### EWURA CCC ni nini?

Ni Baraza la Ushauri la Watumiaji wa Huduma za Nishati na Maji lililoanzishwa chini ya Kifungu cha 30 cha Sheria ya Mamlaka ya Udhambi wa Huduma za Nishati na Maji, Sura ya 414.

### Nini Lengo la EWURA CCC?

Lengo la EWURA CCC ni kutetea na kulinda maslahi ya watumiaji wa huduma za nishati na maji ambazo ni Majisafi na Usafi wa Mazingira, Umeme, Petrol, na Gesi Asilia

### Nini mahusiano kati ya EWURACC na EWURA?

EWURA CCC na EWURA ni taasisi za Serikali zinazojitegemea ambazo zimeundwa chini ya Sheria ya Mamlaka ya Udhambi wa Huduma za Nishati na Maji Ibara ya 414 ya Sheria za Tanzania. EWURA inategemea ushauri/maoni kutoka EWURA CCC juu ya maslahi ya watumiaji kama vile kwenye michakato ya uandaaji au upangaji wa bei, Kanuni za Ubora wa Huduma na kushauriana na watoa huduma, wizara na mawaziri wa sekta zinamamia huduma za maji na nishati.

### Mtumiaji ni nani?

Mtumiaji ni mtu, taasisi, kiwanda au kundi la watu ambao wameshawahi kutumia au wanaotumia huduma au bidhaa zinazodhibitiwa na EWURA, kwa ajili ya matumizi binafsi na siyo kwa kufanya biashara (kuuza).

### EWURA CCC inafanyaje kazi zake?

EWURA CCC inatekeleza majukumu yake ya kisheria kama ifuatavyo:

- Kutetea na kulinda maslahi ya watumiaji wa huduma zinazodhibitiwa na EWURA kwa kufanya maamuzi, kutoa maoni na taarifa pamoja na kushauriana na Mamlaka, Wizara na Mawaziri wa Sekta husika.
- Kupokea na kusambaza taarifa kuhusu maslahi ya watumiaji wa huduma zinazodhibitiwa na EWURA;
- Kuanzisha Kamati za watumiaji wa huduma za kimkoa pamoja na kushauriana nazo;
- Kuanzisha Kamati za watumiaji za kisekta na kushauriana nazo;
- Kushauriana na wenye viwanda, Serikali na vikundi vingine vya watumiaji juu ya masuala yanayohusu watumiaji.

### Namna gani Mtumiaji atawasilisha malalamiko yake EWURA CCC?

- Kwa mteja ambaye hajawasilisha malalamiko yake

sehemu yoyote anaweza kufika ofisi za EWURA CCC kwa ajili ya kupata ushauri au maoni kuhusu malalamiko yake

- Kwa mteja ambaye ameshawasilisha malalamiko yake kwa mtoa huduma, anapaswa kuwasilisha nakala ya barua ya malalamiko au namba ya usajili ya malalamiko kwa Katibu Mtendaji wa Baraza au katika ofisi na Kamati za EWURA CCC zilizo katika mikoa yote Tanzania Bara kwa ajili ya ufuatiliaji zaidi. Endapo malalamiko hayatafanyiwa kazi na mtoa huduma, EWURA CCC itamsaidia mtumiaji kwenye ujazaji wa fomu ya malalamiko ya EWURA.

### EWURA CCC itafanyaje kazi na Mtumiaji?

EWURA CCC itafanya kazi na mtumiaji kwa kushauriana naye mara kwa mara, kutoa taarifa muhimu zinazomhusu mtumiaji na kuhakikisha kuwa malalamiko ya mtumiaji yanashughulikiwa ipasavyo na watoa huduma pamoja na Mdhambi.

### Je mtumiaji anaweza kulalamika EWURA?

Mtu yeyote mwenye malalamiko dhidi ya mtoa huduma zinazodhibitiwa na EWURA anaweza kuwasilisha malalamiko yake EWURA kwa kufuata utaratibu ufuatao:

- Kuwasilisha malalamiko (kwa maandishi) moja kwa moja kwa mtoa huduma na yeye kubaki na kopi/nakala ya malalamiko hayo.
- Iwapo mtumiaji hataridhika na utatuzi/hatua zilizo chukuliwa na mtoa huduma ndipo atawasilisha malalamiko yake EWURA kwa kujaza fomu maalum ya malalamiko kutoka EWURA akiambatisha nyaraka/vielelezo muhimu ikiwa ni pamoja na ushahidi wa kuwasiliana na mtoa huduma kabla ya kwenda EWURA. Mfano wa vielelezo/ushahidi ni pamoja na nakala ya barua, namba ya usajili wa lalamiko, risiti n.k. Malalamiko hayo yanaweza kuwasilishwa kwa njia ya mkono, barua, nukushi au barua pepe.
- Fomu maalum za malalamiko zinapatikana kwenye ofisi za EWURA CCC na Kamati za watumiaji za Baraza mikoa yote Tanzania Bara, Ofisi za Kanda za EWURA, na kwa kupakua toka kwenye tovuti ya Baraza [www.ewuracc.org](http://www.ewuracc.org) au tovuti ya Mdhambi [www.ewura.go.tz](http://www.ewura.go.tz)

### Ni taarifa zipi ambazo Mlalamikaji anapaswa kuambatanisha sambamba na malalamiko yake kwa mtoa huduma au EWURA?

Taarifa zinategemea na asili/aina ya malalamiko. Lakini sambamba na maelezo ya malalamiko, mlalamikaji anapaswa kuambatisha taarifa zingine kama vile jina/majina, jina la mwakilishi kama jina ni tofauti na anayelalamika, namba ya akaunti (kwa mteja wa TANESCO au Mamlaka za Maji) inayofahamika kwa mlalamikiwa, anuani ya posta, namba ya simu, anuani ya makazi, jina la anayelalamikiwa na anuani yake, aina ya malalamiko, nakala za kuhalalisha malalamiko, nafuu/madai yanayoombwa, hatua zozote zilizo chukuliwa kutatua lalamiko, kama lalamiko lilifikishwa taasisi nyingine kwa lengo la kupata msaada na maelezo mengine muhimu ya malalamiko

### Nani anayeweza kuwasilisha malalamiko dhidi ya huduma isiyoridhisha ya maji na nishati?

Kanuni za taratibu za kutatua migogoro za EWURA za Mwaka 2020 zinaonesha wazi kuwa wafuatao wanaweza kuwasilisha malalamiko EWURA;

- Mtu yeyote (mtumiaji wa huduma za nishati na maji)
- Kundi/kikundi cha watu
- EWURA CCC

### Je EWURA CCC inaweza kuwasilisha malalamiko kwa niaba ya mtumiaji?

Kulingana na Kanuni za EWURA za Utatuzi wa Migogoro za Mwaka 2020 Kifungu Namba 4(2) na (5) Baraza linao uwezo wa kuwasilisha malalamiko kwa niaba ya mtumiaji au malalamiko yanayogusa watu wengi. Baraza litalalamika kwa niaba endapo litajiridhisha kuwa mlalamikaji hana uwezo wa kufanya hivyo kutokana na sababu mbalimbali kama vile kutojua kusoma na kuandika, umri mkubwa na hana uwezo wa kusimamia utatuzi wa malalamiko yake, au hana mtu wa kulalamika kwa niaba yake. Watumiaji wa huduma zinazodhibitiwa na EWURA wanashauriwa kulitumia Baraza pale mahitaji ya kufanya hivyo yanapojitokeza.

### Je kuna mtindo maalumu ambao Mlalamikaji ni lazima atumie anapowasilisha malalamiko yake?

Hapana! Kanuni za EWURA za Taratibu za kutatua migogoro zinasema kuwa, mlalamikaji anaweza kuwasilisha malalamiko yake kwa mtindo wowote, iwe kwa njia ya mtandao, ama vinginevyo ambapo yatakapokelewa na Kitengo cha Huduma kwa Wateja, malalamiko hayo yatafanyiwa kazi na kitengo husika.

### Nini kinatokea EWURA anapopokea malalamiko ya mtumiaji?

Baada ya malalamiko kupokelewa, Mdhambi/EWURA:

- Hukiri kupokea malalamiko hayo na kisha huelekeza mtoa huduma/mlalamikiwa awasilishe utetezi wake ndani ya siku 21.
- Baada ya kupokea utetezi wa mlalamikiwa, EWURA huitisha kikao cha kutafuta muafaka (ni sehemu ya uchunguzi wa kuzisaidia pande husika kufikia muafaka/makubaliano).
- Ikiwa hakuna makubaliano yaliyofikiwa, shauri hilo hupelekwa mbele ya Kamati ya Mamlaka (EWURA) kwa ajili ya kusikilizwa na pande husika hupata fursa ya kujieleza na kutoa ushahidi.
- Baada ya shauri kusikilizwa, Kamati ya Mamlaka hupeleka mapendekezo kwa Bodi ya Wakurugenzi ya EWURA ambayo hufanya uamuzi na kutoa tuzo (Award). Uamuzi wa Bodi ya EWURA una nguvu sawa na amri ya Mahakama Kuu.

### Nini kinatokea kama mtoa huduma/mlalamikaji hataridhika na utatuzi uliofanywa na EWURA?

Iwapo upande wowote hautaridhika na uamuzi wa EWURA unaweza kukata rufaa kwenye Baraza la Ushindani wa Haki (FCT) ndani ya siku 21 tangu kupokelewa kwa uamuzi wa Bodi ya EWURA.

### Nini gharama ya huduma hizi zote zitolewazo na EWURA CCC na EWURA?

Huduma zote zinazotolewa na Baraza ni bure. Vivyo hivyo hakuna gharama za huduma ya kutatua migogoro zinazofanywa na EWURA. Mlalamikaji hapaswi kutoa pesa/gharama zozote.

### Nini kitatokea kama Mlalamikaji ataamua kumshitaki Mtoa huduma kwenye Mahakama?

Watumiaji wa huduma zinazodhibitiwa na EWURA hawawezi kupeleka kesi zinazohusu huduma za Nishati na Maji kwenye mahakama. Sheria ya Mamlaka ya Udhambi wa Huduma za Nishati na Maji inazitaka kesi zote zinazohusu huduma za maji na nishati zinazodhibitiwa kushughulikiwa na EWURA. Ingawa, hukumu ya EWURA inaweza kukatiwa rufaa kwenda Baraza la Ushindani (FCT).

### Upi ni muda kikomo wa kuwasilisha malalamiko?

Mtu mwenye malalamiko halali inampasa ayawasilishe ndani ya muda uliopangwa ili inapobidi mtoa huduma awajibike,

kutokupoteza vidhibiti na ushahidi muhimu na kutosababisha uwezekano wa haki kutokutendeka. Muda uliopangwa wa kuwasilisha malalamiko ni kama ifuatavyo;

- Kusitishiwa huduma kusiko kwa kisheria - miezi 24
- Gharama za maunganisho zisizo halali - miezi 24
- Kushindwa/kukataliwa kuunganishwa huduma- miezi 12
- Uchakachuai wa mafuta - siku 7
- Kuuza mafuta juu ya bei kikomo - miezi 6
- Huduma mbovu - miezi 24
- Uharibifu uliotokana na huduma - miezi 36
- Mengine - miezi 24

Lalamiko litakalowasilishwa baada ya muda uliowekwa halitafanyiwa kazi na itapelekea mtumiaji kupoteza haki/nafuu/madai anayoomba.

### Nini faida za kufanya kazi/na kupitia EWURA CCC?

EWURA CCC ni Chombo kinachotambuliwa kisheria na kina nguvu za kisheria. Kwa mantiki hiyo, kuna faida kwa Mtumiaji kupitishia malalamiko yake kwenye Baraza kwa kuwa malalamiko hayo yatafanyiwa kazi ipasavyo na Mamlaka husika.

### Ni kwa namna gani EWURA CCC inavyorahisisha uwasilishaji wa malalamiko ya mtumiaji?

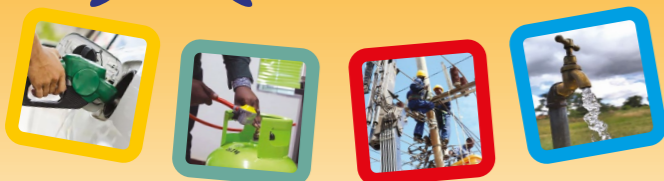
- Kumshauri mtumiaji juu ya utaratibu wa kuwasilisha malalamiko na nyaraka za kuambatanisha
- Kumwelekeza mtumiaji namna ya kudai fidia
- Kusaidia ujazaji wa fomu ya malalamiko na kuiwasilisha EWURA
- Kuwasilisha malalamiko kwa niaba ya watumiaji
- Kufuatilia utatuzi wa malalamiko kwa mtoa huduma au EWURA

Kutoa msaada wa kisheria endapo EWURA CCC itajiridhisha kuwa kuna haki ya mteja itapotea.

### Jinsi ya Kuwasiliana Nasi:

Jengo la PSSF Kambarage Ghorofa ya Kumi;  
Mtaa wa Tambuka Reli; S.L.P. 772, Dodoma Tanzania,  
Simu: 026 296 0096. Wavuti: [www.ewuracc.org](http://www.ewuracc.org).  
Barua pepe: [info@ewuracc.org](mailto:info@ewuracc.org)  
Tembelea mitandao yetu ya kijamii kupitia:

 EwuraCCC



## COMPLAINTS LODGING AND SETTLEMENT PROCEDURES

### What is the EWURA Consumer Consultative Council?

It is the Council established under Section 30 of the Energy and Water Utilities Regulatory Authority Act, Cap. 414.

### What is the objective of EWURA CCC?

To safeguard the interests of Consumers of EWURA-regulated goods and services, namely Water supply and sanitation, Electricity, Petroleum, and Natural Gas.

### What is the relationship between EWURA CCC and EWURA?

EWURA CCC is a body, independent of EWURA whose core function is to safeguard the interest of consumers of electricity, petroleum, natural gas, and water sectors in Tanzania which are regulated by EWURA. Both EWURA CCC and EWURA are created under the EWURA Act, Cap 414. EWURA is responsible for technical and economic regulation of the electricity, petroleum, natural gas, and water sectors in Tanzania.

EWURA CCC advises EWURA in matters relating to consumers' interests such as in the process of preparing and setting price caps for regulated services and goods, setting standards and quality of services, formulation of Rules, and providing views and information to and consulting with the respective ministries and sector ministers.

### Who is the Consumer?

In this context, a consumer is an individual or entity that purchases EWURA-regulated goods or services for personal use or consumption rather than for sale.

### How does EWURA CCC work?

The EWURA CCC carries out its functions conferred under the Act, by:

- Representing the interests of consumers by making submissions to, providing views and information to, and consulting with the EWURA, Ministries and sector Ministers;
- Receiving and disseminating information and views on matters of interest to consumers of regulated goods and services;
- Establishing regional and sector consumer committees and consulting with them;
- Establishing local and sector consumer committees and consulting with them.

- Consulting with industry, the Government, and other consumer groups on matters of interest to consumers of regulated goods and services.

### How will a consumer present a complaint to EWURA CCC?

- A consumer who has not submitted his/her complaint can reach the EWURA CCC offices for advice on his/her complaint;
- For a consumer who has already lodged a complaint to a service provider, he/she should submit a copy of the complaint letter or complaint registration number to the Executive Secretary of the Council or a regional office of the EWURA CCC for further follow-up.
- If the complaint is not dealt with by the service provider or the consumer is dissatisfied with the action taken by the service provider, EWURA CCC will assist the aggrieved consumer in filling out the EWURA complaint form for further action.

### How will EWURA CCC work with the Consumer?

EWURA CCC will work with the consumer through constant consultation and information dissemination of necessary information to the consumers. EWURA CCC will also ensure that consumer complaints receive the required attention from both service providers and the Regulatory Authority.

### What are the benefits of working through/with EWURA CCC?

EWURA CCC is a legally recognized body with powers conferred to it by Law. It is therefore beneficial to channel all consumer-related issues to the Council as they will receive the required attention from respective institutions.

### What information an aggrieved consumer should include along with the complaint?

The information depends on the nature of the complaint. However in addition to the details of the complaint, the complainant must include other information such as names of a representative if he/she intends to be represented by someone else apart from himself, his service account name and number known to the respondent, postal address, phone number, residential address, respondent's name and address, type of complaint, copies of validation of the complaint, relief/claims sought, any steps taken before resolving the complaint, and state if the complaint was submitted to other institution for assistance and other relevant details of the complaint.

### Who can file a complaint against a water and energy service provider?

Rule 4 (1), (4) (5) of the Energy and Water Utilities Regulatory Authority (Consumer Complaints Settlement Procedure) Rules, 2020 indicate that the following may complain to a regulated supplier in respect of any matter connected to the regulated services.

- Any person (consumer)
- EWURA CCC or an authorized representative of the aggrieved party
- A group of people

However, this should be done by completing and dully filling in the Authority's complaint form No. 100b GN No 428.

### Can EWURA CCC file complaints on behalf of a consumer who is unable to do so?

Absolutely yes, according to Rules 4 (2&5) of the Energy and Water Utilities Regulatory Authority (Consumer Complaints Settlement Procedure) Rules, 2020, EWURA CCC can complain to EWURA on behalf of any consumer under the following circumstances:

- When an aggrieved consumer is not capable of doing so;
- The complaint in question is of public concern;

Consumers of regulated EWURA goods and services are advised to use the Council services whenever deem necessary.

### Is there any specific format that a consumer should use to submit the complaint to EWURA?

Not really! The rules for complaint settling stipulate that the complainant may file his/her complaint in any other form of correspondence, electronic or otherwise, which shall, upon receipt by the Authority, be reduced into writing by the Unit.

### What happens when EWURA receives a consumer complaint?

The Regulator will acknowledge receipt of the complaint and send it to the service provider and the service provider is required to submit his defense within 21 days.

After receiving the defenses EWURA convenes a mediation session between the conflicting parties to find out possible solutions to an amicable agreement.

If no agreement is reached at this stage, the case is referred to the EWURA Committee for hearing and the parties have the opportunity to give evidence and express themselves.

After the hearing, the EWURA Committee submits recommendations to the EWURA Board of Directors who make the ruling and Award. The decision of the EWURA Board has the same force as the order of the Supreme Court.

### What happens when one part is not satisfied with the ruling of EWURA?

In this situation, if either party is dissatisfied with EWURA's decision, the party can file an appeal to the Fair Competition Tribunal (FCT) within 21 days of receiving the ruling.

### What is the cost of all services offered by EWURA CCC and EWURA?

All activities done by EWURA CCC are provided for free and similarly, complaints handling services done by EWURA are rendered free of charge. The complainant is not supposed to pay any single coin for this.

### What happens if an aggrieved consumer opts to sue the service provider in a court of law?

Consumers of EWURA-regulated goods and services cannot take such cases related to water and energy to a court of law. The EWURA Act Cap. 414 requires that all complaints related to water and energy should be addressed to EWURA for resolution. However, the EWURA ruling can only be appealed to FCT. The Law mandates EWURA to work out a harmonious resolution of differences and disputes between service providers and consumers.



### What issues can consumers complain about?

Consumers of EWURA-regulated goods and services can complain on many issues but not limited to the following:

- Poor service delivery;
- Intrusion of privacy;
- Wrong billing;
- Unreliable services;
- Disconnection of services;
- Regular service interruption without prior information; and
- Delayed service reconnection
- Fuel adulteration

### What happens when the general public is affected by poor services and consumers are unable to file individual complaints?

In such a situation, the Law requires the Council to file with the Authority a complaint or any general complaint affecting public interest in the regulated sectors.

### What is the time limit to lodge complaints?

For the service provider to be accountable, complaints should be reported within a specified time limit as indicated

- Unlawful disconnection of service – 24 months
- Improper billing/improper assessment of connection costs – 24 months
- Failure/refusal to connect the service – 12 months
- Sell/supply of adulterated petroleum products – 7 days
- Sell/supply of Petroleum products above the cap price – 6 months
- Poor quality of service – 24 months
- Damage to property as a result of supply of regulated service – 36 months
- Others – 24 months

A complaint lodged after the time limit shall not be considered hence the consumer ends up losing their rights to quality goods or services.

### Contact us:

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Tambuka Reli Street; P.O. Box. 772, Dodoma Tanzania,  
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