

**1. Mrs. Barbra Mtupanyama v. Salima Town Assembly and ESCOM**  
**Inquiry No. 3 of 2015**

1<sup>st</sup> June, 2015

**Facts:**

Mrs. B. Mtupanyama, the Complainant, filed a complaint against ESCOM, 2<sup>nd</sup> Respondent alleging that they failed to provide electricity to her house in Salima. The matter was referred to the Respondent for comments but the Complainant was dissatisfied with their response so a public inquiry was instituted so the matter could be resolved. When the Office called for the inquiry, the 2<sup>nd</sup> Respondent called the 1<sup>st</sup> Respondent to attend as well because they gave the 2<sup>nd</sup> Respondent a stop order not to provide electricity to the Complainant.

The Complainant built a residential house at Salima Boma but stated that neither Respondent told her that she could not build there. When she applied to have electricity put at the property, the 2<sup>nd</sup> Respondent did not provide it. The 1<sup>st</sup> Respondent said the house was built next to a transformer which is dangerous and they submitted the house plans after the house was already built so they issued a stop order.

**Ombudsman's findings were as follows:**

The administrative deficiency observed was the lack of legality the 1<sup>st</sup> Respondent acted under. They acted outside the rules and regulations that regulate them and they gave the Complainant wrong advice. In addition, both Respondents failed to communicate with the Complainant on what was happening and the 2<sup>nd</sup> Respondent should

have reimbursed the Complainant the money she spent as they knew they would not supply her house with electricity.

**Remedy:**

The 1<sup>st</sup> Respondent was to lift the stop order they made to the 2<sup>nd</sup> Respondent, the 2<sup>nd</sup> Respondent reimburse the Complainant her fee and assist her in repositioning the transmitter and they both issue a written apology to the Complainant for the administrative malpractices they committed.