Governance Mechanisms for Shared FSM Services: Intricacies of Implementation Across Local Bodies in Tamil Nadu, India

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Summary * (up to 100 words)
The governance mechanisms being operationalised in Tamil Nadu, India are the first of their kind due to their scale of implementation. With their operationalisation a population of 25 million across 648 local bodies will get access to safe and equitable fecal sludge management. The creation and initial operationalisation of the mechanisms, including government orders and capacity-building efforts, was presented at FSM6 conference. This paper builds upon that and presents the critical regulatory and capacity challenges to brought to the fore from ground-level implementation; which include field and technical support and one-on-one interactions with the LBs.

Introduction, methods, results and discussion * (up to 900 words)
With ~70% of urban Tamil Nadu (a southern state in India) dependent on on-site sanitation systems (OSS), the government of Tamil Nadu (GoTN) aimed to rapidly scale Faecal Sludge Management (FSM) along the full cycle of sanitation across the state. Subsequently, GoTN is improving treatment infrastructure as the first step to scaling FSM across the 648 urban local bodies (ULBs) in the state. This was done through a cluster approach - a first for the sector in the country. Under the approach, local bodies (LBs) located within a 10 km radius of a treatment facility are clustered together to share the facility. In doing so, the cluster approach leverages the resources and capacities of larger LBs, while reducing the investment requirements for both larger and smaller LBs.

This unique approach requires local bodies of various scales and capacities to share a public infrastructure, which means that local authorities across administrative boundaries must work together for its proper operations and maintenance (O&M) and sustained use. Usually, the management of such public infrastructure is limited to the authorities within whose jurisdictions these facilities are built. The cluster approach works as a collective strategy to mitigate the transboundary impact of unsafe disposal of faecal sludge and septage (FSS). Therefore, there was a need for novel governance instruments that enable and govern the safe transportation and treatment of FSS from households to treatment facilities, across administrative boundaries.

Thus, the GoTN adopted two governance mechanisms. The Memorandum of Understanding (MoU) which formalises the working arrangements between clustered LBs that share the facilities. It enables transactions between LBs and safeguards funds for FSTP O&M. The Standard Licensing Agreement (SLA) standardises the licensing process for all private operators across the state. It promotes the use of treatment facilities and the safe disposal of FSS. The SLA also enables the private sector to access a wider market while keeping the monetary burden on operators to a minimum. Together, they govern the facility and cluster operations.

The mechanisms were operationalised initially through government orders and capacity-building efforts. The operationalisation efforts have continued since then which include field and technical support and one-on-one interactions with the LBs. These efforts have brought critical regulatory and capacity challenges to the fore, which can impact the implementation of the governance mechanisms. The learnings from the ground-level implementation have been summarised as follows.

The challenges faced in the implementation of MoU and SLA can be categorised under two broad reasons. The first set of challenges arises due to FSM being a relatively new concept with very little in terms of legacy knowledge or precedence (within government systems):

- **Roles and Responsibilities:** As FSM is a new area of work for local authorities, identifying and establishing the roles and responsibilities is a challenge. Additionally, public infrastructure projects often require different departments to work together. If existing responsibilities are not clearly defined, introducing new responsibilities becomes complex leading to a lack of clarity.
- **Knowledge Gap:** Implementation of the mechanisms requires understanding of the concept and need for FSM. Sustaining this knowledge can be challenging, especially if knowledge gaps develop. These knowledge gaps can be brought on by a change in officers, government transitions or unforeseen circumstances such as the COVID-19 pandemic.

The second set of challenges arises from the very few or no precedents to sharing public infrastructure by clusters of LBs. The challenges associated with it include:

- **Availability of Supporting Policy and Regulatory Environment:** Broader regulatory environments are usually not geared for cross-boundary administrative transactions for waste management.
- **Coordination and Communication:** As public infrastructure management is usually limited to the LBs with the facility, LBs may not need to coordinate with each other on a regular basis. Implementing governance mechanisms involves introducing new processes with layers of approvals and creating new inter-LB working relations. Establishing those relations and systematically setting up processes requires time and effort. The process can be delayed or become unsustainable without proper coordination or communication.

To reinforce the importance of FSM, knowledge institutionalisation efforts are ongoing. Digital-blended learning modules have been introduced for easy understanding of FSM, access and reference for new officers. The governance mechanisms have been deconstructed into responsibilities and then assigned to specific roles. Such clarity will allow for robust coordination and implementation of key activities.

To strengthen the cluster operations, the state is persisting in adopting FSM systems and processing state-level mandates (bye-laws, notices, circulars for FSM), regional-level meetings (to build accountability), and LB-level monitoring. As a first in the country, FSM is being included in governing acts of the state and FSM rules are being formulated. Additionally, the governance mechanisms are being updated to include rural coverage. This means, taking into consideration the different working structures, capacities, and resources of rural LBs, which is vastly different from that of urban LBs.

The operationalisation of these governance mechanisms has been critical in scaling FSM in Tamil Nadu. By allowing context-based feedback and flexibility to amend the mechanisms, the transition to the governance mechanism can be smoothened, especially in legacy regulatory and institutional systems.

Conclusions and implications * (up to 100 words)
Implementation of such a mechanism is a time-intensive and iterative process; the operationalisation of MoU and SLA in Tamil Nadu has been ongoing for only a few years. Together, they bring multiple stakeholders to an agreement to sustain operations of the shared treatment facilities and deter unsafe disposal of FSS- critical for public health and environment. The model has the potential for replication across other contexts and to inform future mechanisms developed for similar purposes. Therefore, as more learnings arise from ground-level implementation, it is important to recognise their nuances and factor these learnings into future FSM strategies and approaches.