
Intermingled Interests: Social Housing, Speculative Building, and Architectural Practice in 1970s and 1980s Pune (India)

Intérêts imbriqués : logement social, spéculation immobilière et architectes dans les années 1970 et 1980 à Pune (Inde)

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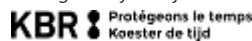
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Intermingled Interests: Social Housing, Speculative Building, and Architectural Practice in 1970s and 1980s Pune (India)

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Introduction

In 1975, architect Vishwakumar Vishwanath Badawe, at that time one of Pune's most reputed architects, wrote a heated letter to the City Engineer in charge of reviewing his building permit application for an apartment project:

Time and again we must per force approach the personnel of your department and we do so with utmost courtesy and request them for their co-operation in expediting and processing of various proposals. It may be mentioned here that it is in fact a part of the job of the personnel to do these things as a matter of course. It is however beyond comprehension for us to either understand why and how this proposal has been shunted from person to person and somehow it is impossible for us also to grasp the motives of [the Assistant Engineer in charge] in not only raising objections which are contradictory to the records available in his own office but also has not put up the proposal to you in spite of your firm instruction to do so [sic]. We are making this desperate confidential appeal to your good offices directly with a dim hope that our client's proposal will at least now receive immediate attention and that such harassment will not be meted out to us.¹

At first sight, this letter's portrayal of a conflictual relationship between architects and the state stands in sharp contrast with the high regard the Nehru government granted to the profession in the decades immediately after the Independence of India in 1947. As in other newly independent post-war democracies engaged in nation building, India's intellectual classes endorsed

¹ Vishwakumar Vishwanath BADAWE, *Proposal to construct a building at Bibwewadi S. No. 606/1A, Poona. Confidential*, 25 July 1975. Private office archives of V. V. Badawe.

21 high-modernist architecture and planning, along with its disciplinary experts, to a remarkable degree.²

The credo of modernism, that built form could shape a new social order, had found a powerful expression in function-based spatial organizations and forms which abandoned overt historical association. Both the modernist architectural ideology and style proclaimed a break from bourgeois culture. Already from the end of the 1950s, however, the patronage of “regional elites [who pushed] for greater autonomy from the centralized nation-state” and the decentralization of development funding from Western donors allowed a counterpoint to emerge in the celebrated regionalist modernism of architects such as Balkrishna Doshi and Charles Correa.³

Yet a growing strand of scholarship demonstrates that architectural modernism entailed much more than what the relations between (political) ideology and architectural form in canonical buildings may reveal. A mere focus on a building’s implications with centralized notions of power—as the term “Nehruvian Modernism” itself suggests—or with an architect’s societal ideals, obscures the more diffuse and indirect forms of power and resistance operational in everyday architectural production and reception processes, such as, for instance, those exposed in Badawe’s letter.⁴

In this respect, as this paper will suggest, it may be more helpful to conceive of linkages between societal ideals, architectural and urban praxis, and architectural form as part of a larger assemblage of “modern” governmentality. Crucially, governmentality is not so much a calculated form of *political* power replacing older more absolutist forms, as a curious mixture of co-existing initiatives that consciously or unconsciously instill normative behavior. Authors such as Michael Osman have compellingly illustrated that within the built environment, different groups employed “regulatory thinking and activity” to different ends. But what bound them together is that they generally did so to mitigate risks—related to, for instance, social unrest,

2 Celebrated architects appointed by Nehru’s government include Le Corbusier, Habib Rahman, Achyut Kanvinde, and Otto Koenigsberger. Peter SCRIVER and Amit SRIVASTAVA, *India*, London: Reaktion Books, 2015 (Modern Architectures in History).

3 See *Ibid.* p. 171-221. The “austerity modernism” envisioned to house India’s poor and discussed in detail by Farhan Karim can also be seen as a grass-roots reaction to the early central government’s universalist notions of modernism. Farhan KARIM, *Of Greater Dignity than Riches: Austerity and Housing Design in India*, Pittsburgh, PA: University of Pittsburgh Press, 2019 (Culture, politics, and the built environment).

4 For a fuller discussion of centralized and diffused forms of power in relation to (colonial) architecture in this journal, see Mark CRINSON, “The Powers That Be: Architectural potency and spatialized power,” *ABE Journal. Architecture beyond Europe*, no. 4, 1 July 2013. DOI : [10.4000/abe.3389](https://doi.org/10.4000/abe.3389). Accessed 13 June 2022; Jiat-Hwee CHANG, “Multiple Power in Colonial Spaces,” *ABE Journal. Architecture beyond Europe*, no. 5, 2014. DOI : [10.4000/abe.808](https://doi.org/10.4000/abe.808). Accessed 13 June 2022.

the weather, fluctuating markets or accidents—as a response to “emerging anxieties about an impending, volatile and uncertain future in an awkwardly modernizing world.”⁵ Such conduct-regulating mechanisms originated before, and continued well beyond, post-war episodes of high modernism.

A governmental approach therefore allows us to discern continuities in architectural modernism that transcend temporal divisions based on architectural style and distinctions between “high” and “low” architecture. Colonial India, with its different “lifeworlds,” was a textbook example of such an awkward, unpredictable space. Bureaucratic protocols and normative institutions in the domains of business, transport, education, employment, and health, but also housing and urban development, helped alleviate risk and make colonization profitable. Post-war architecture’s romance with low-cost housing, function, and technology took root well before the time of decolonization. Prior to being claimed and aestheticized by modernist architects and planners, similar concerns were the focus of colonial engineers, bureaucrats, and extra-state agents including Indian elites, who devised scientific and practical built solutions to problems such as climatic comfort, sanitation, and economic productivity, often in inconspicuous buildings.⁶ As this paper will demonstrate, such welfarist risk management continued to inform new strands of modernist architecture in the 1970s and 1980s.

It is important to highlight here that although tools and mechanisms of governmentality such as building regulations, urban planning schemes, new notions of public space, bureaucratic integrity, and professional expertise were often supported by Indian elites, they were not implemented without contestation and appropriation. This has been the subject of several urban-architectural histories that cover state-led planning and building initiatives in the colonial period and the first two decades after Independence.⁷ More

5 Michael OSMAN, *Regulation, architecture and modernism in the United States, 1890-1920*, PhD Thesis, Massachusetts Institute of Technology, Cambridge, 2008, p. 234. URL: <https://dspace.mit.edu/handle/1721.1/45939>. Accessed 22 October 2020.

6 Peter SCRIVER, *Rationalization, standardization and control in design: A cognitive historical study of architectural design and planning in the public works department of British India, 1855-1901*, Doctoral Dissertation, Technische Universiteit Delft, Delft, 1994; Jiat-Hwee CHANG, *A Genealogy of Tropical Architecture: Colonial Networks, Nature and Technoscience*, London; New York, NY: Routledge, 2016 (The Architect Series); Farhan KARIM, *Of Greater Dignity than Riches*, op. cit. (note 3).

7 Such scholarly work on the 1970s and 1980s period is conspicuously absent. For the colonial period, see Preeti CHOPRA, *A Joint Enterprise: Indian Elites and the Making of British Bombay*, Minneapolis; London: University of Minnesota Press, 2011; Jyoti HOSAGRAHAR, *Indigenous Modernities: Negotiating Architecture and Urbanism*, London; New York: Routledge, 2005 (The Architect Series); William J. GLOVER, *Making Lahore Modern. Constructing and Imagining a Colonial City*, Minneapolis, London: University of Minnesota Press, 2007; Sandip HAZAREESINGH, *The Colonial City and the Challenge of Modernity: Urban Hegemonies And Civic Contestations In Bombay City*, Hyderabad: Orient BlackSwan, 2007 (New Perspective in South Asian History,

4 | recent studies of urban land and property in colonial India make it all the more clear that economic considerations of *both* the state and private actors guided urban developments.⁸ These accounts portray the built environment and the building bureaucracy as dynamic fields of negotiation and begin to challenge the rigid distinctions conventionally drawn between a supposedly almighty (colonial) state and a passively submitting civil society.⁹ As this study proceeds to highlight, even in the 1970s and 1980s such intermingling of the interests of state and private actors defined architectural production.

Ironically, as such polarized understandings of power in the colonial and early post-independence period were refuted, the dichotomy emerged in a new guise in scholarship on India's more recent and present-day built environment. Since the implementation of neoliberal reforms of the Indian economy in the early 1990s, public building activity has been vastly overshadowed by capitalist private-led developments that cater mainly to the middle classes and affluent. Arguably caused by the visual contrast between slums and bourgeois enclaves in burgeoning cities, this scholarship tends to characterize urban development as a matter of discord between the informal and the formal. Here, the formal is portrayed as the playing field of powerful property speculators operating hand-in-glove with politicians and emerges as a conceptual domain parallel and in opposition to the informal, considered extra-legal, separate from the state, and associated with grass-roots practices of the urban poor. As Nikhil Rao notes, such scholarship "accords tremendous explanatory power to the forces of 'the market,' and more generally to 'neoliberalism.'"¹⁰ All too often, it paints a picture of ordinary citizens as simply undergoing or at the most responding to these arrangements.

18); Tania SENGUPTA, *Producing the province: Colonial governance and spatial cultures in district headquarter towns of Eastern India 1786-c.1900*, Doctoral Dissertation, University of Westminster, London, 2010. For studies that (also) cover the first decades after India's Independence, see: Nikhil RAO, *House, But No Garden: Apartment Living in Bombay's Suburbs, 1898-1964*, Minneapolis; London: University of Minnesota Press, 2013; Sanjeev VIDYARTHI, *One Idea, Many Plans: An American City Design Concept in Independent India*, New York: Routledge, 2015; Farhan KARIM, *Of Greater Dignity than Riches*, *op. cit.* (note 3).

8 For an excellent overview, see Kaustubh Mani SENGUPTA, "Land, property relations, and urban planning: New histories from colonial India," *History Compass*, vol. 20, no. 3, 2022. DOI: [10.1111/hic3.12723](https://doi.org/10.1111/hic3.12723). Accessed 13 June 2022.

9 Anthropologists investigating other material instances of administration of the population by the state have more explicitly pointed towards the artificiality of such a strict separation in India. See for instance Akhil GUPTA, "Blurred boundaries: The discourse of corruption, the culture of politics, and the imagined state," *American Ethnologist*, vol. 22, no. 2, 1995, p. 375-402. URL: <https://www.jstor.org/stable/646708>. Accessed 13 June 2022.

10 Nikhil RAO, "Space in Motion: An Uneven Narrative of Urban Private Property in Bombay," in *Rethinking Markets in Modern India: Embedded Exchange and Contested Jurisdiction*, Cambridge: Cambridge University Press, 2020, p. 54-84, p. 55.

This article turns to the pivotal (but understudied) period between the demise of the socialist welfare state and neoliberal India to complicate such polarized understandings. The paper's focus is neither on public housing nor on "informal" settlements, but instead on speculative apartment buildings, known as "Ownership Flats," that became ubiquitous in urban India of the 1970s and 1980s (fig. 1-2).¹¹ Supporting the notion that speculation "is located deeply in the ethicopolitical systems we call culture and society... and must [therefore] be historicized, situated, and investigated in its intimacies with practices of government," the paper will reveal how welfare and speculative agendas coalesced in a manner that challenges the idea of sharp distinctions between formal and informal processes of production of the built environment, or indeed between the state and civil society.¹²

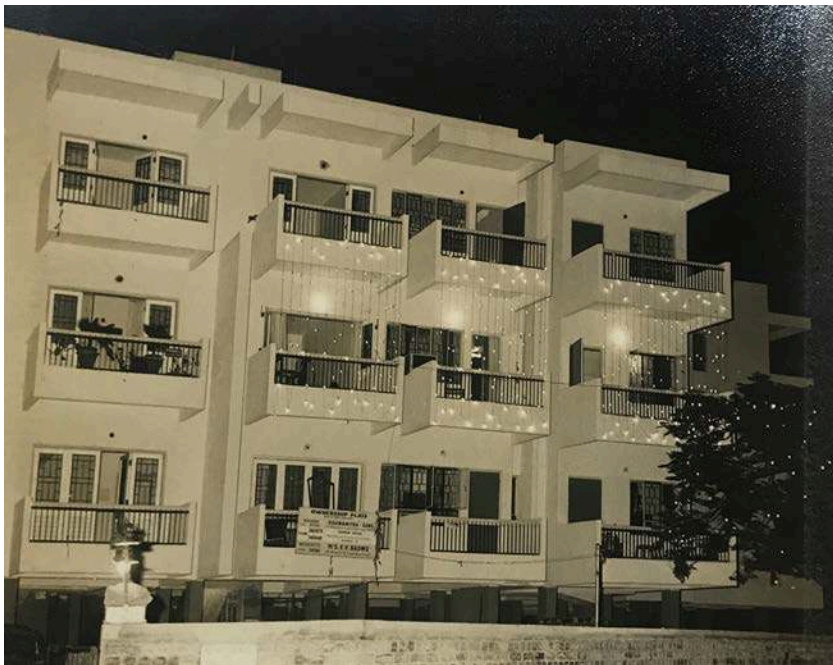


Figure 1: A compact block of Ownership Flats designed in an "early" modern vernacular with open balcony parapets. Pleasant Apartments, V. V. Badawe, 1971-1976.
Source: private office archives of V. V. Badawe (photographer unknown).

11 Nikhil RAO, "Uncertain ground: the 'Ownership Flat' and urban property in twentieth century Bombay," *South Asian History and Culture*, vol. 3, no. 1, January 2012, p. 1-25. DOI: [10.1080/19472498.2012.639523](https://doi.org/10.1080/19472498.2012.639523). Accessed 13 June 2022; Bimal Hasmukh PATEL, *The space of property capital, property development and architecture in Ahmedabad*, Doctoral Dissertation, University of California, Berkeley, 1995.

12 Laura BEAR, Ritu BIRLA and Stine Simonsen PURI, "Speculation: Futures and Capitalism in India," *Comparative Studies of South Asia, Africa and the Middle East*, vol. 35, no. 3, 1 December 2015, p. 387-391. DOI: [10.1215/1089201X-3426241](https://doi.org/10.1215/1089201X-3426241). Accessed 13 June 2022.

The central question this article seeks to explore, however, is how the architects' prolific involvement in speculative housing transformed the profession's relations with the state and private clients. Given the predominant focus on canonical architects and buildings in architectural historiography of the period, not much is known of the many unsung Indian architects, so-called "commercial" architects, who formed a rapidly growing portion of the profession by this time.¹³ What were their ideas of professional expertise and what were the implications for built form? These questions will be addressed through the case study of Vishwakumar Vishwanath Badawe Architects' Jayanti Apartments, initiated in 1974 and completed in 1987, and Space Designers' Syndicate's Nishat Apartments, realized between 1985 and 1988. Both projects are located in Pune (formerly Poona), a city in Western India, 150 kms inland from Mumbai (formerly Bombay). Being neither a state capital nor a former colonial port city or provincial capital, Pune was at the time rather inconspicuous from an economic and political viewpoint and may therefore be broadly representative of peripheral urban practice in the country. V. V. Badawe Architects and Space Designers' Syndicate are of local repute and have built extensively in Pune. They are among the few architecture firms in Pune that are still in possession of their office archives and were willing to share their lived experiences (with the authors). Yet we are the first to study and interpret their work.¹⁴

The case studies draw upon the architects' uncatalogued private office archives, visits to the buildings, as well as multiple interviews conducted with principal architects Vishwakumar Vishwanath Badawe (b.1936) of V. V. Badawe Architects and Prakash Sahebrao Deshmukh (b.1953) of Space Designers' Syndicate.¹⁵ Within the archives, we specifically focused on the project files. More than the architectural drawings, the handwritten memos and typed documents in these files made it possible to trace the process of a

13 Sarah MELSSENS, *Architect, Engineer or Builder? A history of professional demarcation through practice and discourse, Pune (India) 1930-1992*, Doctoral Dissertation, Universiteit Antwerpen, Antwerp, 2020, p. 279-287.

14 *Ibid.*; Sarah MELSSENS, Inge BERTELS and Amit SRIVASTAVA, "The architectural production of India's everyday modernism: middle-class housing in Pune, 1960-1980," *ABE Journal. Architecture beyond Europe*, no. 16, December 2019. DOI : [10.1215/1089201X-3426241](https://doi.org/10.1215/1089201X-3426241). Accessed 13 June 2022. Architect V. V. Badawe is currently writing an autobiography.

15 A joined reading of these sources not only provided complementary information but also enabled us to reconstruct a more "affective" archival habitat. See Gesa E. KIRSCH and Liz ROHAN, *Beyond the Archives: Research as a Lived Process*, Carbondale, IL: Southern Illinois University, 2008; Rachel LEE, "Engaging the Archival Habitat: Architectural Knowledge and Otto Koenigsberger's Effects," *Comparative Studies of South Asia, Africa and the Middle East*, vol. 40, no. 3, December 2020, p. 526-540. DOI: [10.1215/1089201X8747502](https://doi.org/10.1215/1089201X8747502). Accessed 13 June 2022.



Figure 2: Ownership Flats in a modern vernacular of the 1980s. Aashiyana Palace, scale model, Space Designers' Syndicate, c.1985. Such flats often developed around an open courtyard and had long perimeter walls with balconies that could easily be enclosed.

Source: private office archives of Space Designers' Syndicate (photographer unknown)

building's conception. They also shed light on the internal organization of the architecture firms and their day-to-day practices (fig. 3). While the architects corresponded with building patrons, building contractors, suppliers, and structural engineers, the overwhelming majority of incoming and outgoing communication involved the city's government agencies: the Town Planning Department handling building permits and carrying out building inspections; the Municipal Collector in charge of land revenue and the conversion from non-buildable ("Agricultural") to buildable ("Non-Agricultural") land; and the City Survey Offices that kept land registers and survey drawings. The development of a critical understanding of architectural praxis at the time thus necessarily requires understanding the mandate and purview of each of these agencies and the study of building legislation. In general, the approach to these paper sources was guided by scholarship that combines discursive textual analysis with ethnographic methods.¹⁶ More specifically, we used bureaucratic correspondence "not just for extracting 'facts,' but as a way to understand how facts are constructed, how tasks are accomplished, and

16 Seminal works in this regard are Bruno LATOUR, *La fabrique du droit: Une ethnographie du Conseil d'État*, Paris: La Découverte, 2004 (La Découverte-poche. Sciences humaines et sociales, 191); Ann Laura STOLER, "Colonial archives and the arts of governance," *Archival Science*, vol. 2, no. 1-2, 2002, p. 87-109.

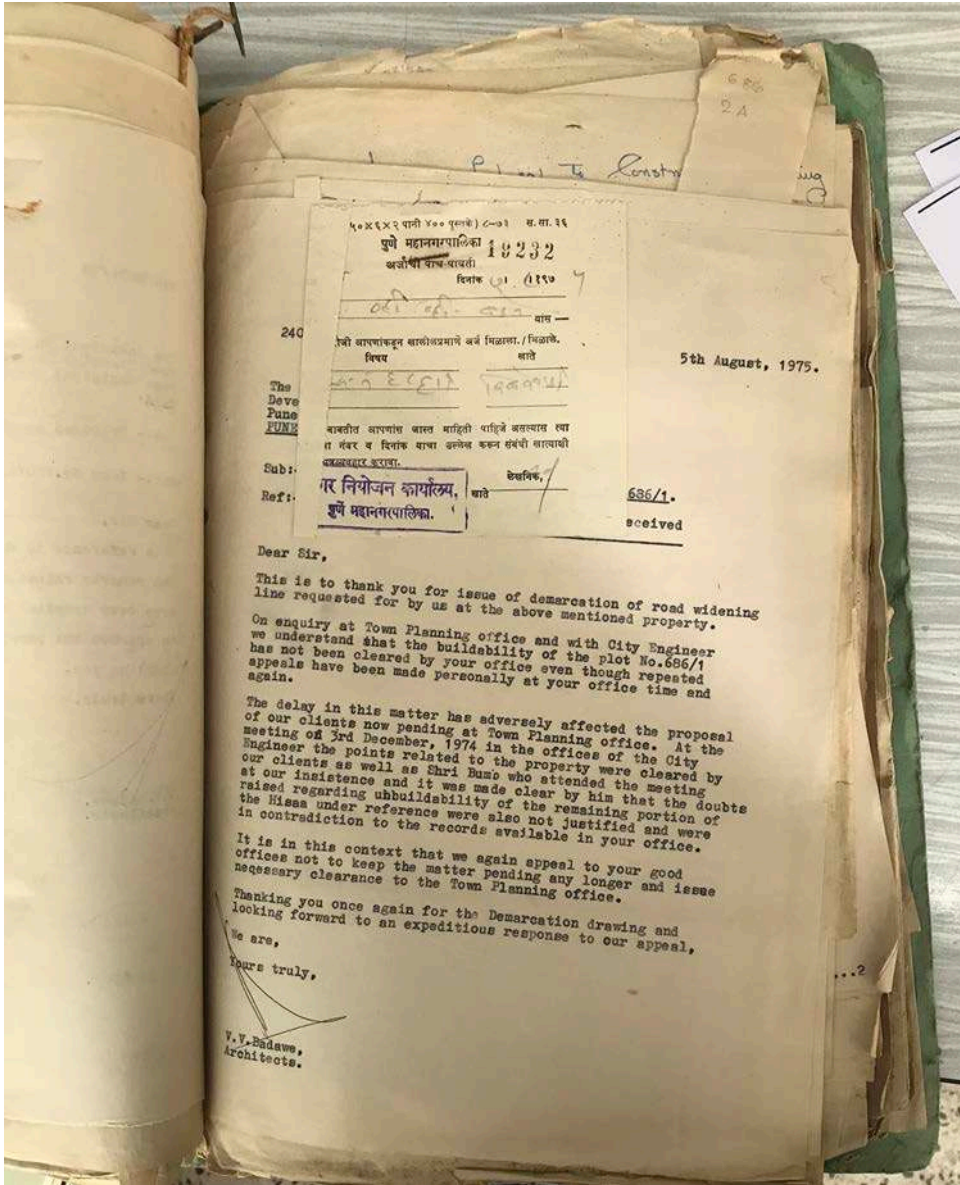


Figure 3: A 1970s project file from the office of V. V. Badawe Architects. A file with bureaucratic correspondence typically consists of letters arranged in a chronological manner with "sent/received" acknowledgments stapled to them. Source: private office archives of V. V. Badawe.

how state and non-state actors negotiate, compromise, and bluff their way to achieving their interests.”¹⁷

Building legislation, its rationale and its implementation through the bureaucracy are the subject of the first part of this article. The second part turns to the case studies of apartment buildings to explore the effects of the building bureaucracy on notions of architectural expertise, day-to-day architectural practice, and architectural form.

Welfare administration through building regulation in the 1970s and 1980s

Between 1970 and 1990, the government attempted to mitigate shortcomings of existing mechanisms of social housing provision in several ways. It reorganized the government bodies involved to address problems arising from the dispersed responsibilities of conception, budget allocation, and implementation of social housing.¹⁸ But a major and more difficult obstacle to overcome in achieving public housing targets had been the acquisition of land. This was partly because of the paucity of public funds available to compensate owners, but also due to the lack of clear ownership titles and the many appeals to the courts initiated by landowners.¹⁹ Nikhil Rao’s critical historical analysis of the concept of ownership suggests that in India such property disputes arose as much from the ambiguous stances on property of former governments as from a divergence between evolving popular ideas of property and “what the law regarded as real property.”²⁰ Difficulties with

17 With respect to bureaucratic documents in South Asia, this methodology is masterfully applied by Matthew S. HULL, *Government of paper: The materiality of bureaucracy in urban Pakistan*, Berkeley, CA: University of California Press, 2012; The quote is from Sukriti ISSAR, “Codes of Contention: Building Regulations in Colonial Bombay, 1870-1912,” *Journal of Historical Sociology*, vol. 30, no. 2, 2017, p. 164-188. DOI: [10.1111/johs.12113](https://doi.org/10.1111/johs.12113). Accessed 13 June 2022.

18 See Bimal Hasmukh PATEL, *The space of property capital, property development and architecture in Ahmedabad*, *op. cit.* (note 11), p. 136-137. In 1976, the government brought the efforts of city-level housing and slum-clearance authorities under the purview of one state-level apex-body, the Maharashtra Housing and Area Development Authority. This agency was financially autonomous and had the right to formulate state-specific reservation criteria for public housing and compensation measures for land acquisition. See Yadpalwar Lalita MAROTI, *Role of Maharashtra Housing and Area Development Authority in Urban Housing Development Special Reference to Aurangabad Region*, Doctoral Dissertation, Swami Ramanand Teerth Marathwada University, Marathwada, 2017.

19 Meera BAPAT, “Allocation of Urban Space: Rhetoric and Reality: Evidence from Recent Jurisprudence,” *Economic and Political Weekly*, vol. 25, no. 28, 1990, p. 1503; Jaymala DIDDEE and Samita GUPTA, *Pune: Queen of the Deccan*, Pune: Elephant Design Pvt. Limited, 2000. p. 259. Evidence of ownership and court disputes was also present in the architects’ archives.

20 Nikhil RAO, “Space in Motion: An Uneven Narrative of Urban Private Property in Bombay,” *op. cit.* (note 10); Nikhil RAO, “Uncertain ground,” *op. cit.* (note 11).

10 | land acquisition meant that by the time Pune's first ratified master plan (the 1966 Development Plan) had lapsed, only four per cent of the land marked for public amenities, including land to house lower-income groups, industrial workers, and slum dwellers, was actually acquired.²¹ In contrast, Co-operative Housing Societies and private promoters of Ownership Flats had, since the 1960s, proven successful in acquiring land in Pune—leading to a surge in land prices—but they responded mainly to a burgeoning demand for home ownership of the middle classes.²²

Therefore, in 1976, a controversial new piece of legislation, the Maharashtra Urban Land (Ceiling and Regulation) Act was passed with the double intention to transfer private urban land belonging to landed elites to the poor and to halt land speculation. The Act limited the amount of vacant “buildable” land a single private individual or company could own in urban agglomerations the size of Pune to 1,000 square meters.²³ Any excess land, commonly known as “surplus land,” had to be surrendered to the government at rates far below the market prices. Only landowners who intended to use the excess land either for public purposes or for low-income housing could obtain exemption from acquisition by the government.²⁴ For such low-income housing, the Act specified the maximum floor area of dwelling units and the sale cost that a landowner was allowed to charge. Thus, besides being an attempt to curb speculation in urban centers, the exemption clause makes it clear that the Act also aimed to promote the construction of low-income housing without spending public funds and resources.²⁵ Its passing, therefore, marks an important turning point after which the State no longer considered itself so much the direct provider of social housing as the inventor of a legal framework that could steer private investment into such housing.

21 Meera BAPAT, “Allocation of Urban Space: Rhetoric and Reality: Evidence from Recent Jurisprudence,” *op. cit.* (note 19), p. 1503.

22 Sarah MELSENS, Inge BERTELS and Amit SRIVASTAVA, “The architectural production of India’s everyday modernism,” *op. cit.* (note 14).

23 Land on which the construction of a building was not permissible was not considered “vacant land.” Unbuilt land that was owned by Co-operative Housing Societies was not within the purview of the Act. Ballabh Prasad ACHARYA, “The Indian urban land ceiling act,” *Habitat International*, vol. 11, no. 3, January 1987, p. 39-51.

24 Under Sections 19-22, the Act provided exemptions to public charitable or religious trusts, co-operative societies, educational institutions etc. *Ibid.*, p. 42.

25 The preamble of the Urban Land (Ceiling and Regulation) Act states its goal is “preventing the concentration of urban land in the hands of few persons and speculation and profitability therein and [...] bringing about an equitable distribution of land in urban agglomeration to subserve the common good.” Quoted in *Ibid.* p. 40-41.

In practice, this attempt to control rather than execute relied on an intensification of the building bureaucracy. The State designated a “Competent Authority” with which owners had to register their urban land within a certain time.²⁶ The Competent Authority was also charged with overseeing all land transactions (even those involving plots of lesser size) to verify that nobody retained or acquired more vacant land than the ceiling imposed. The immediate effect was that the majority of land available for construction was locked up in calculation, acquisition or legal procedures, which moreover were slow in the absence of clear-cut land-holding records.²⁷ In order to avoid confiscation, individuals owning large plots distributed ownership among their family members.²⁸ Other landowners, who previously would have been eager to apply for the land-use conversion of their Agricultural lands in fringe areas into Non-Agricultural and thus buildable land, now avoided doing so, since this would bring the land under the purview of the Act.²⁹ Only those landowners who had been able to sell their land to Co-operative Housing Societies before the enactment were able to capitalize on their property. Since these societies were not individual owners but collectives, they could possess larger pieces of unbuilt land and apply for conversion into buildable land without risking government acquisition.³⁰

Large landowners turned not only to land surveyors but also to architects, like Space Designers’ Syndicate, to scrutinize survey plans, measure their properties, and work out how much area had to be reported as vacant land (fig. 4). Space Designers’ Syndicate, who had started their practice in the early 1980s and thus after the implementation of the Act, were immediately confronted with demands for calculations of “surplus land.” In addition to physical or graphical measuring skills, these calculations required intricate knowledge of the law which specified, rather ambiguously, what areas should and should not be considered. Although architects “never learned from the

26 Prakash DESHMUKH, 20 September 2018, interview by Sarah MESENS, digital recording with author.

27 Badawe’s archives contain a request for exemption submitted by Mr Bhatia on 15 May 1977, which was responded to on 13 April 1978.

28 Bimal Hasmukh PATEL, *The space of property capital, property development and architecture in Ahmedabad*, *op. cit.* (note 11), p.135-136; Prakash DESHMUKH, 20 September 2018, interview by Sarah MESENS, digital recording with author.

29 Prakash DESHMUKH, 20 September 2018, interview by Sarah MESENS, digital recording with author; Prasad ACHARYA, “The Indian urban land ceiling act,” *op. cit.* (note 23). p. 43.

30 For more on the concept of Co-operative Housing Societies in Pune, see Sarah MESENS, Inge BERTELS and Amit SRIVASTAVA, “The architectural production of India’s everyday modernism,” *op. cit.* (note 14). For co-operative housing in Mumbai see Nikhil RAO, “Uncertain ground,” *op. cit.* (note 11).

12 | college about the Land Ceiling Act,” landowners turned to them, as self-taught legal advisors.³¹

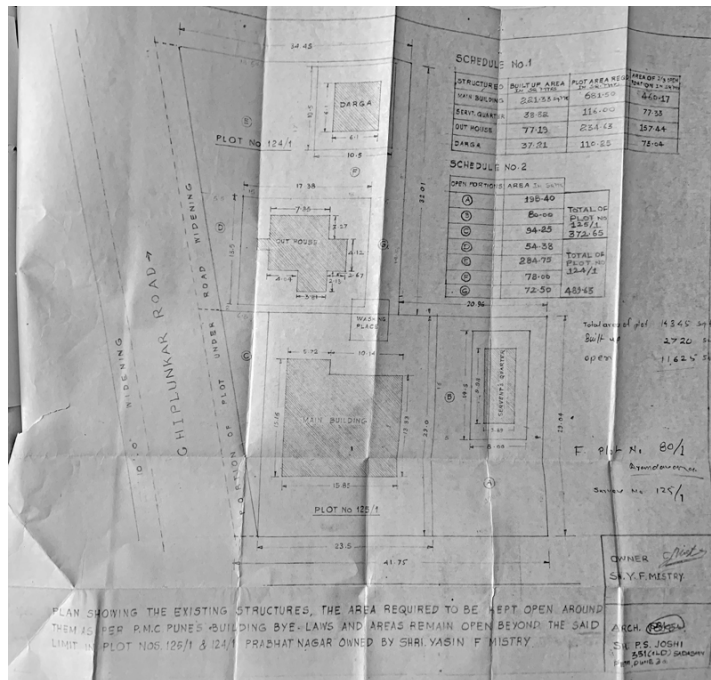


Figure 4: Example of an area statement prepared by architects in order to quantify areas of “surplus land” as defined in the Urban Land (Ceiling and Regulation) Act of 1976. Source: private office archives of Space Designers’ Syndicate.

In theory, those who did possess surplus land had to either surrender the land to the government or undertake the construction of social housing. Yet owners soon realized they could buy time by declaring an intention to build social housing and submitting their proposal to the Competent Authority. In this manner, architects became involved in making proposals for fictitious projects that were destined to remain on paper.³² One and a half years after the implementation of the Act in Maharashtra, about 3,000 of the 16,000 applicants with excess land had declared an intention to build low-income housing. However, due to the lack of State initiative in specifying the conditions with which such housing should comply, owners were uninformed about how to proceed.³³ Other affected owners attempted to convince the State Government

31 Prakash DESHMUKH, 20 September 2018, interview by Sarah MELSSENS, digital recording with author.
 32 *Ibid.*
 33 V. K. CHHAPIA, “Letter to the Prime Minister, sub: The Urban Land (Ceiling & Regulation) Act of 1976,” *Journal of the Indian Institute of Architects*, vol. 43, no. 3, 1977, p. 27.

to totally exempt their excess land on the basis of public interest, given the land's particular location or intended purpose, or because acquisition would cause them "undue hardship."³⁴ What developed in the aftermath of the Act was what Sanjeev Vidyarthi calls a "different mode of moral economy that parallel[ed], and [even] prevail[ed] over, the moral-ethical framework anticipated by officials"; in this case, national legislators.³⁵

After six years of relative immobility in terms of large-scale collective housing developments, by 1983, the urgent need for buildable land combined with the absence of clarity in the exemption clauses of the Act made the Competent Authority grant development permissions (called No-Objection Certificates) more often and more liberally. As Prakash Deshmukh worded it, when he and Zuber Shaikh started Space Designers' Syndicate, "the Land Ceiling Act [had] just started little bit releasing" (fig. 5).³⁶ At that time, the Maharashtra State decided to give development permissions for the construction of low-income housing units with maximum surface areas of 25, 40, and 80 square meters (for studio flats, one-bedroom and two-bedroom apartments respectively) on excess land, on the condition that the owner handed over a predetermined portion of the tenements to government nominees at fixed rates.³⁷ Other tenements had to comply with the maximum sizes, but could be sold or rented out at market rates.

However, development permissions on excess land could only be obtained "after working out the bureaucracy" at the State and Competent Authority levels, which required a considerable amount of paperwork.³⁸ Numerous studies and testimonies of those who practiced at the time suggest that those with wealth or political influence used political pressure or under-the-table payoffs to obtain exemptions from the acquisition of excess land.³⁹ A particular

34 The authority of the State to grant 'No-Objection Certificates' for such reasons was vaguely stipulated in Section 20 of the Act.

35 Vidyarthi's fieldwork on "illegal" urban encroachment in the city of Jaipur also revealed processes which involved "citizens using tacit and informal collaborations," such as here between architects and landowners, "to pursue their own plans." See Sanjeev VIDYARTHI, *One Idea, Many Plans*, *op. cit.* (note 7), p. 76.

36 Prakash DESHMUKH, 20 September 2018, interview by Sarah MELSENS, digital recording with author.

37 The High Court later deemed this scheme not to be in the public interest and guidelines for low-income housing on excess land were amended again in 1986 and 1988. See Vidyadhar K. PHATAK, "Regulating Urban Land," *Economic and Political Weekly*, vol. 40, no. 43, 2005.

38 Prakash DESHMUKH, 20 September 2018, interview by Sarah MELSENS, digital recording with author.

39 Bimal Patel claims that the Urban Land Ceiling Act was "most critical in increasing the dependence of landowners and property developers on State Government politicians." See Bimal Has Mukh PATEL, *The space of property capital, property development and architecture in Ahmedabad*, *op. cit.* (note 11), p. 135-136. Testimonies include A. K. DAS (ed.), "Editorial," *Journal of the Indian Institute of Architects*, vol. 44, no. 01,



Figure 5: Cartoon mocking the existence of “(Un)official prices of N.O.C. Certificates.” “No-Objection Certificates” (N.O.C.’s) allowed certain landowners to develop their land in line with or despite of the Urban Land Ceiling Act’s restrictions.

Source: *Journal of the Indian Institute of Architects*, vol. 45, no. 2, April-June 1979, p.22.

Pune-based developer, however, used another way of “getting things done” which did not involve bribes. Instead, it manipulated the administrative system itself.⁴⁰ To avoid the confiscation of a large land parcel, the developer claimed that the land was owned not by an individual but by a Co-operative Housing Society. He took over the registration number of a defunct Co-operative Society that had been registered before the enactment of the Urban Land Ceiling Act, made some of his friends members of this Society, and then maintained that the landowner had sold the land to the Society before the Act was implemented. However, the developer then claimed, notwithstanding the payments members had made against (backdated) receipts, the landowner had refused to hand over the property documents and entitlement to the Society. Architects colluded by providing backdated plans of an imaginary co-operative housing project on paper. According to this fabricated story, the rightful owner of the land was thus neither the landowner who was formally registered as the owner, nor the government entitled to surplus land, but

1978; B. G. SHIRKE, *The crusade: autobiography of B.G. Shirke*, Pune: Ameya Prakashan, 1998. p. 476.; as well as an independent study of the Act’s implementation commissioned by the National Government itself: PLANNING COMMISSION, *Planning of Urban Development*, [s.l.]: Government of India, 1983.

40 Prakash DESHMUKH, 2 January 2020, interview by Sarah MELSENS, digital recording with authors.

the fictive Co-operative Housing Society. After registering a court case in the name of the Co-operative Society against the landowner (but with the latter's complicity), the developer was able to transfer the property rights to the Co-operative Housing Society. A few years later, the Co-operative Society members entered into a development agreement with the developer.

The case thus illustrates that “informal” practices in the building industry were not limited to the top and bottom layers of the social hierarchy, but occurred across levels. In fact, the ability to “work the bureaucracy” to some degree, through its appropriation and subversion, provided real-estate developers and commercial architects with a new form of professional legitimacy. Justified by welfare goals, the intensification of the building bureaucracy increasingly dissolved the borders between the state, civil society, and the market. Just as Matthew Hull observed in Islamabad, so in Pune too, administrative documents were at the heart of this permeability.⁴¹ Precisely those bureaucratic artifacts devised to implement welfare goals on the ground—No-Objection Certificates, registration lists, receipts of payment, and building plans signed by registered professionals—facilitated the speculative housing practices they were intended to curtail.

A comparison of the early drafts and final versions of Pune's 1987 Development Plan indicates the scale on which exemptions were granted by these various means. The Development Plan reserved surplus lands that had been identified under the Urban Land Ceiling and Regulation Act as sites designated exclusively for lower-income group housing. However, in the period between 1984 and 1987, when a Revised Draft was under the State Government's scrutiny to be approved, nearly 75 per cent of these reserved sites were deleted (fig. 6). While the practices described above offer plausible clarifications, officials did not reveal the specific reasons or the details of the owners of the involved plots, despite appeals to the court by civil-rights activists.⁴²

In the cases where reservations in the Development Plan were maintained, proposals to build low-income housing on excess land often remained on paper. And although deadlines to deliver lapsed, state acquisition did not happen.⁴³ Moreover, according to Deshmukh, even when low-income

41 Matthew S. HULL, *Government of paper: The materiality of bureaucracy in urban Pakistan*, *op. cit.* (note 17); IDEM, “The file: Agency, authority, and autography in an Islamabad bureaucracy,” *Language & Communication*, vol. 23, no. 3, 2003, issue title *Words and Beyond: Linguistic and Semiotic Studies of Sociocultural Order*, p. 287-314. DOI: [10.1016/S0271-5309\(03\)00019-3](https://doi.org/10.1016/S0271-5309(03)00019-3). Accessed 15 June 2022; IDEM, “Ruled by records: The expropriation of land and the misappropriation of lists in Islamabad,” *American Ethnologist*, vol. 35, no. 4, 2008, p. 501-518. URL: <https://www.jstor.org/stable/27667509>. Accessed 15 June 2022.

42 Meera BAPAT, “Allocation of Urban Space: Rhetoric and Reality: Evidence from Recent Jurisprudence,” *op. cit.* (note 19), p. 1503.

43 Vidyadhar K. PHATAK, “Regulating Urban Land,” *op. cit.* (note 37) p. 4586. Archival documents indicate that owners were given six months to obtain a building permit and two more years to start the construction

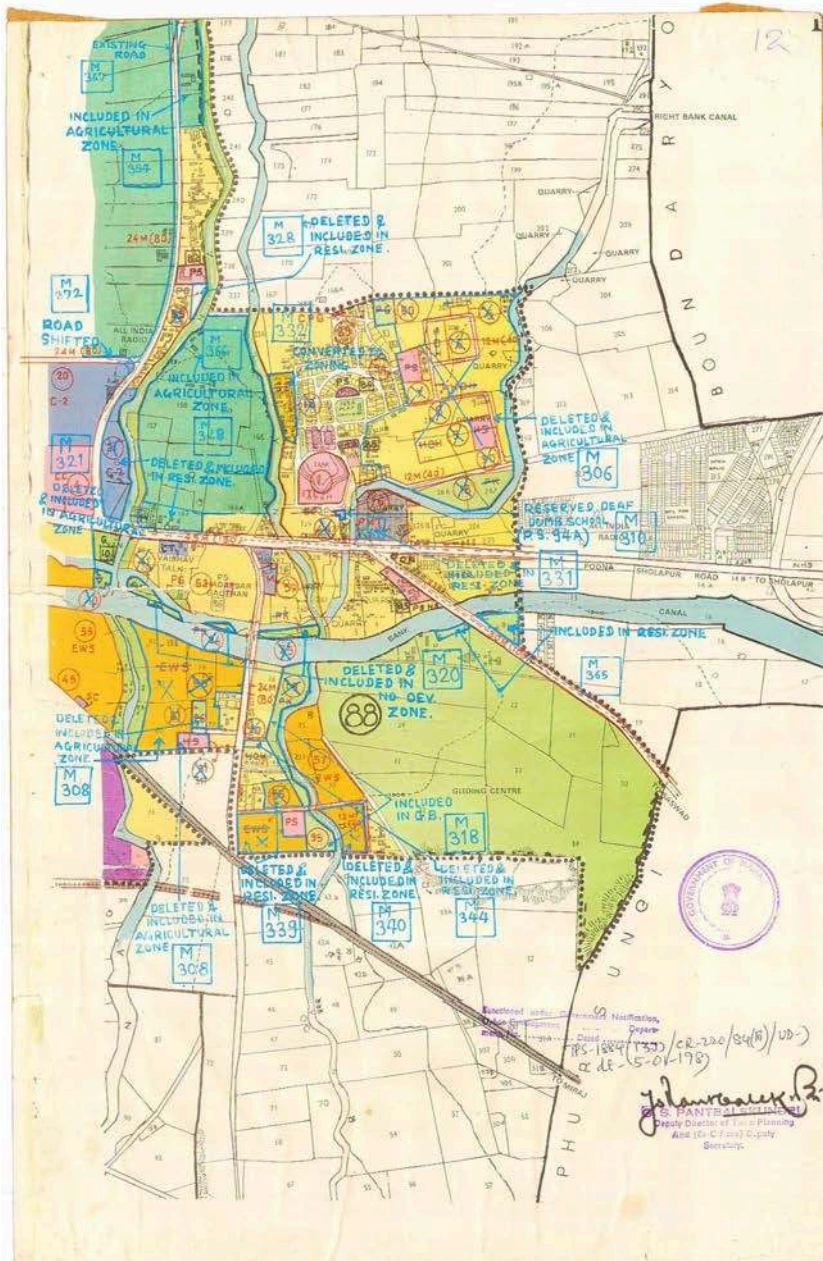


Figure 6: Detail of the Development Plan for Pune Municipal Corporation, 1987. Housing sites that had been reserved for the Economically Weaker Section in the 1982 draft of the plan (in orange) were deleted (blue annotations) in the final approved version of the 1987 Pune Development Plan. Source: Pune Municipal Corporation. URL: <https://www.pmc.gov.in/en/dp-plan>. Accessed 15 June 2022.

of Economically Weaker Section Housing.

housing was effectively getting built, its allocation proved problematic: “The government made a mess out of it. All apartments [that had to be handed over to the government] went to the political nominees. Many ministers’ drivers [...] have two to three allotments. All the relatives of the ministers and the political people plus bureaucrats, top ranking officers, they got allotment.”⁴⁴

In a similar way, a major change in the 1987 Development Control Rules that was arguably introduced for welfare reasons failed to achieve its goal and opened the door for (mis)appropriation. This change regarded the introduction of Floor Area Ratios, locally more often known as Floor Space Indexes (FSI).⁴⁵ A closer inspection of the occurrence of FSI in these Development Control Rules (as opposed to later government circulars modifying the rules) suggests that the concept was introduced mainly as an instrument of welfare management to accommodate extra floor area for specific user groups in a quantifiable manner.

For instance, to encourage the redevelopment of crowded and often dilapidated (but legal) tenement buildings without the displacement of its inhabitants, owners who redeveloped such buildings could avail themselves of an additional 25 per cent of FSI in case the new Development Control Rules did not allow them to accommodate the same number of tenements.⁴⁶ Similarly, buildings related to education and healthcare had to comply with the standard FSI of one, except if they were run by registered charitable trusts. In that case, they could obtain up to 50 per cent additional FSI from the Municipal Commissioner, and even more with approval of the State Government.⁴⁷ Here, FSI served to protect the interests of tenants and those who received help from trusts. Another reason for introducing FSI was related to the difficulties the Corporation had faced in the implementation of the first Development Plan because of its dearth of public funds. The Development Control Rules permitted the granting of extra FSI as an alternative way of compensating the owners of land affected by road widening in the Development Plan.⁴⁸

44 Prakash DESHMUKH, 20 September 2018, interview by Sarah MELSENS, digital recording with author.

45 FSI is the ratio of the permissible total floor area of a building on a plot to the total area of the plot. Contrary to its later use, FSI originally did not function as a tool to determine building size. While the new Development Rules, drafted between 1982 and 1987, stipulated an FSI of one as the norm, they also prescribed a maximum cornice height and footprint, parameters that, in themselves, delimited the building volume.

46 *Development Control Rules for Pune Municipal Corporation, 1982*, n.d. Clause N-2.1.2 a (ii).

47 *Ibid.*, Clause N-2.2.2 and N-2.2.3.

48 *Ibid.*, Clause N-2.3.

Thus, the introduction of FSI, just like the Urban Land Ceiling Act, offered an innovative means of implementing the master plan and achieving social objectives despite the government's budgetary constraints. However, it also had adverse effects similar to those of the Urban Land Ceiling Act. A final appearance of FSI in the 1987 Development Control Rules is already indicative of the inadvertent role it would eventually come to play: regulations also stated that luxury hotels could take advantage of extra FSI if they paid a premium to the Municipal Corporation.⁴⁹ This opened the door for FSI to become a commodity that could not only be obtained for free if properly negotiated via the building bureaucracy (as was originally intended for social objectives), but also traded.⁵⁰

This inquiry into new building legislation of the 1970s and 1980s reveals how policies devised with social intentions, rather than motivated by market capitalism, were appropriated to the opposite effect by a wide range of state and private actors. Despite or rather because of its increased proceduralism, the building bureaucracy emerged, even more clearly than before, as a grey area. An arena in which the interests of ordinary landholders, middle classes aspiring to home ownership, legislators with social agendas, and bureaucrats endowed with decision making powers intermingled and could be creatively negotiated. We now turn to two building projects to explore the effects of these modalities of bureaucracy on notions of architectural expertise, day-to-day architectural practice, and architectural form.

Architectural practice and form: a tale of two buildings

At the outset it is relevant to note that Jayanti Apartments, by architect V. V. Badawe, and Nishat Apartments, by Space Designers' Syndicate, are remarkably similar despite important differences in the social profile and architectural training of the architects which are occasionally apparent in their non-residential work. Therefore, these two modernist vernacular buildings (**fig. 7**) hint at the steering influence of speculative contexts of production on architectural form.⁵¹ Badawe had an upper middle-class background

49 *Ibid.*, Clause N-2.2.5 (ii).

50 In 1993, the Maharashtra Regional and Town Planning Act was effectively amended to allow FSI to be a means of compensation for the acquisition of entire plots reserved for public purposes. Owners who were granted FSI rights in return for handing over their land could use the rights on any one or several plots, and effectively trade these rights, known as Transferable Development Rights, with other landowners. Subsequently, developers specialized in identifying opportunities to extract FSI from certain plots and were able to accumulate FSI. Such upscaling made speculative development only more profitable.

51 The heterogeneous nature of architectural practice in the twentieth century—with celebrated architects



Figure 7: Jayanti Apartments by V. V. Badawe, 1974-1987 (left), and Nishat Apartments by Space Designers' Syndicate, 1985-1988 (right), Pune.

Note how the architecture allowed for the enclosing of balconies at minimal extra cost and effort.

Source: photographs by Sarah Melsens (left) and Prasad Angre (right).

and several of his family members were active in liberal professions. In contrast, Deshmukh and Shaikh's relatives were mainly traders and farmers. Whereas Badawe graduated in 1959 from India's oldest and premier school of architecture, the Sir Jamshedjee Jeejeebhoy School of Architecture in Mumbai, Deshmukh and Shaikh studied from 1975 to 1980 at Pune's Abhinav Kala Mahavidyalaya, an art school started by a local trust in 1952, to which entry was far less competitive. After his studies in Mumbai, Badawe applied successfully for a Commonwealth study grant which enabled him to enroll for the Tropical Architecture course at the Architectural Association School of Architecture in London in 1959.⁵² Subsequently, Badawe worked with

also working on middlebrow "bread-and-butter" projects—are increasingly being exposed as historians explore projects beyond established canons. See for instance the contribution of Konstantina Kalfa and Lefteris Theodosis on Doxiadis in the thematic section of this journal and Ricardo AGAREZ and Nelson MOTA (eds.), "The 'bread & butter' of architecture: Investigating everyday practices," *Footprint, Delft Architecture Theory Journal*, vol. 9, no. 2, 2015.

52 Architects Otto Königsberger, Maxwell Fry, and Jane Drew, who had all lived and worked in India, founded the AA School's Department of Tropical Architecture and its specialized six-month course in 1954. Initially, the course was concerned almost exclusively with the teaching of climatic design. By the time Badawe joined in 1959, however, its approach became multidisciplinary and involved inputs on construction

20 | architects in London and Copenhagen, as well as with acclaimed Indian architect B. V. Doshi (b.1927) in Ahmedabad, before starting his own office in Pune in 1963. Deshmukh and Shaikh, on the other hand, remained in Pune, training with local architects and engineers during their studies, and started their collaborative practice in 1980. Whereas Badawe was trained in a high-modernist tradition, the partners of Space Designers' Syndicate were much less so.⁵³ Yet in speculative housing projects their professional practices converged.

Jayanti Apartments (1974-1987)

Just like other businessmen in the early 1970s, the Bhatia family (name changed), successful exporters of onions, garlic, potatoes, and tamarind, diversified their activities and entered into property development.⁵⁴ The Bhatias already possessed several land parcels in Bibwewadi, the neighborhood of Pune's new fruit and vegetable wholesale market. Architect Badawe collaborated with them on six different speculative projects, typically flats with shops at ground level. Jayanti Apartments, the third project, started in 1974 and was particularly eventful.

Part of the site for this project had been marked for road widening in Pune's first 1966 Development Plan and had to be kept vacant for future acquisition by the government. Badawe proposed a rectangular courtyard building consisting of two connected C-shaped floor plates arranged in split-level around the landings of the dog-legged staircases. The modernist vernacular idiom is expressed in the rhythmic façade consisting of deep balconies and suspended beam and wall elements, accentuated by the use of color. The south side contains one two-bedroom and three single-bedroom apartments, the north side two two-bedroom and two single-bedroom apartments. This floorplan was repeated until the building reached the maximum permissible height. All the apartments' service spaces (kitchens, bathrooms, and toilets) abut on the open-to-sky *chowk*, a courtyard providing ventilation (**fig. 8**). At

technology, health and sanitation, anthropology, housing, and economics, all with reference to "the Tropics." For its context of emergence and impact, see Hannah LE ROUX, "The networks of tropical architecture," *The Journal of Architecture*, vol. 8, no. 3, January 2003, p. 337-354. DOI: [10.1080/1360236032000134835](https://doi.org/10.1080/1360236032000134835). Accessed 15 June 2022; Jiat-Hwee CHANG, *A Genealogy of Tropical Architecture*, *op. cit.* (note 6).

53 Sarah MELSENS, *Architect, Engineer or Builder?*, *op. cit.* (note 13).

54 Property development was not only lucrative, but also one of the easiest ways to spend cash or untaxed money without attracting the attention of tax officials. A large portion of property deals could be paid for in cash, as was the case for construction labor who did not declare taxes because their income fell below the exempted limit. See Bimal Has Mukh PATEL, *The space of property capital, property development and architecture in Ahmedabad*, *op. cit.* (note 11), p. 116-118.

ground level, half of the concrete frame is kept open to provide for shaded parking between the columns (**fig. 7**).

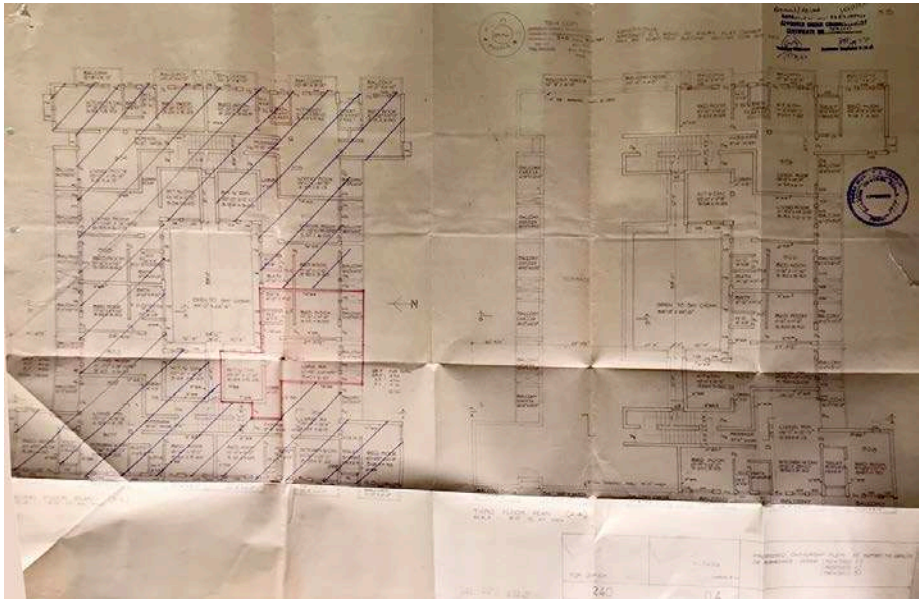


Figure 8: Third revised permit plan of Jayanti Apartments, canceled housing units on the top floor level have been hatched. Source: private office archives of architect V. V. Badawe.

Upon discussion of the design with the authorities, the Town Planning Department demanded the confirmation from the Assistant Engineer, Development Plan that the plot, which was the outcome of a subdivision of land and covered only part of the registered survey number of the land, was in order. The owner provided old revenue records to show that the *hissa*, or subdivision, predated the formation of the Municipal Corporation, and a meeting with the Assistant Engineer, Town Planning Department was required to clarify the matter. At this meeting, however, the question arose as to whether the land was buildable at all. Subsequently, two further meetings took place, this time in the presence of the higher-ranked City Engineer. In the first meeting, Badawe had called for the former landowner to demonstrate with the help of “documentary evidence” and “by inference as well as records” that the land was buildable.⁵⁵ A second meeting was required to discuss the number of tenements. The outcome of this meeting was that the number of tenements had to be reduced from 24 to 20. At the end of the meeting the City Engineer “advised the Development Plan Department to clear this issue immediately and send report to the Assistant Engineer, Town Planning Department to the

55 Vishwakumar Vishwanath BADAWE, *Proposal to construct a building at Bibwewadi S. No. 606/1A, Poona. Confidential*, 25 July 1975. Private office archives of V. V. Badawe.

22 | effect that proposal at the above-mentioned plot is fully tenable.” However, after seven months, three written reminders and several “personal approaches and requests time and again to the officer in charge,” the Assistant Engineer replied that he would “look into the matter at his convenience and leisure.”⁵⁶ This incited Badawe, who had neatly tabulated all correspondence and reports (fig. 9), to write the confidential letter regarding the officer’s behavior to the City Engineer quoted at the beginning of this article. Two months later—i.e., a year and a half after the first permit application—the building permit was granted. Yet this was not the project’s last hurdle.

Date	Reference	Correspondence	Action taken	Remarks
29.3.74	240/4306/74	Proposal Submitted to A.E.T.P. for approval.		
10.4.74	T.P.D./258	A.E.T.P. informed us that the matter is referred to the Planning Dept. for clearance.		
22.5.74	240/4469/74	A.B. Dev. requested to document the site conditions and to issue site plan.		
25.5.74	T.P.D./1974	Reminders received from City Engineer.		Reminders sent back.
18.6.74	240/4517/74	A.E.T.P. informed about the completion of the site plan.		
25.6.74	T.P.D./2918	A.E.T.P. informed that the clearance from A.B. Dev. will be submitted.		
27.6.74	T.P.D./3029	A.E.T.P. informed us that unless all the reminders are complied with, no approval will be given.		
1.7.74	240/4507/74	A.E.T.P. informed that the proposal of Construction Dept. is under review.		
2.7.74	240/4548/74	A.E.T.P. informed about the clearance of the remaining details.		
12.7.74	T.P.D./3782	A.E.T.P. informed us that the matter is referred to the City Engineer for clearance.		
14.8.74	240/4570/74	Time lapsed of (Construction Dept.) showing sub-division of 2.500 sqm submitted to A.B. Dev.		

Figure 9: V. V. Badawe used preformatted templates to keep track of oral and written communication between his office and various government bodies. Source: private office archives of V. V. Badawe.

Once Badawe sent the mandatory “Commencement Notice” to inform the Town Planning Department that construction had started on site, they were asked to halt the works. The Urban Land Ceiling Act had been enacted by the State Government and the Municipality required a No-Objection

Certificate from the Competent Authority before the works were allowed to resume. Presumably because the developer needed time to sort matters, he only sent the application to the Authority a year later.⁵⁷ The particular plot was larger than the stipulated ceiling of 1,000 square meters and part of it was assessed as surplus vacant land to be acquired by the government. Badawe and Bhatia filed an appeal with the Competent Authority and Collector regarding this decision. Given only a portion of the plot qualified as excess land and a permit had been received before the announcement of the Act, the project was allowed to continue, although the number of tenements was to be reduced from 20 to 18.⁵⁸ It took one more year to obtain the letter from the Competent Authority and an approval from the Corporation in 1978. Curiously, a month after starting construction, Badawe re-applied for a permit for 21 tenements. In the meantime, the construction of the lower floors progressed.

In December 1979, the Municipal Corporation allowed smaller plot sizes and thus higher building densities along the road where the plot was located.⁵⁹ Badawe sent another revised building permit application for 27 tenements, but received an approval for only 24 tenements, which notably was the number of apartments applied for in the very first building application. In 1981, Badawe and Bhatia decided to further consume provisions for buildable space available already under the 1966 Development Control Rules by requesting permission to build an ancillary structure, or “outhouse.”⁶⁰ In the case of Jayanti Apartments, the outhouse for which permission was acquired was in fact a three-bedroom villa (**fig. 10**). Its construction was delayed, however, officially because of the lack of cement, a scarce material, the production and sale of which were regulated by the state.

57 Archive records of later projects for the Bhatia family suggest that the land titles were assigned to different members of the family so that government acquisition under the Urban Land Ceiling and Regulation Act was avoided.

58 The Act provided particulars for dealing with ongoing construction projects in section 4(3). A condition stipulated was that not more than one dwelling could be allotted to a single person.

59 It remains unclear to which rule the correspondence refers, but this could be an early implementation of the new Draft Development Plan.

60 The outhouse, in the 1987 Development Control Rules as well, was defined as a separate building “required for the bona fide use and enjoyment” of the occupants of the main residential building which could not be let out. Historically, it typically contained a household’s toilet and bathroom, a garage, or in the case of larger bungalows, accommodation for household staff. The principle was extended to apartment buildings, where it mostly served to accommodate a concierge or watchman.

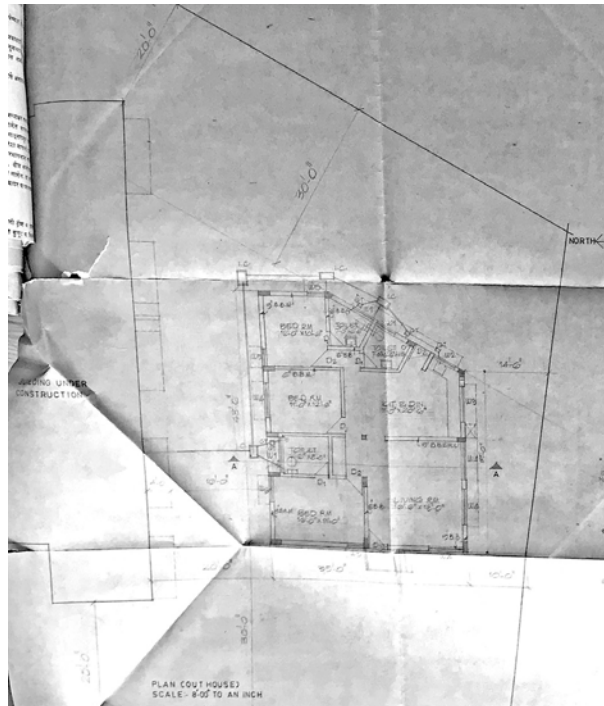


Figure 10: Three-bedroom outhouse of Jayanti Apartments, 1981.

Consecutive interpretations of the rules allowed outhouses to evolve from ancillary structures to independent dwellings.

Source: private office archives of V. V. Badawe.

Ironically, the delay proved beneficial for the developer. In 1982, the Draft of Pune's second Development Plan and Control Rules was published, which allowed for higher density on the plot. The rules also introduced new means of compensation for land acquired for road widening: owners could opt for extra FSI instead of a financial compensation. As such, the three-bedroom villa could potentially become a three-story building on stilts containing a three-bedroom apartment on each floor. In 1984, although the authority itself was not yet concerned with widening the road, Badawe approached the authorities to clarify that his client was willing to hand over the land in return for FSI, "on the condition that certain concessions would be granted." The corresponding increase in building volumes would indeed impinge upon the minimum required open space between the buildings and the site boundary, as well as breach the rule which specified the maximum height in relation to open space. Badawe sought and obtained concessions in these matters "in view of the peculiar plot shape and existing building position" at a meeting with the City Engineer.

In the meantime, a new version of the Development Plan was published in which the position of the road had slightly changed, and less land than originally intended was to be surrendered, again altering the FSI calculations. Finally, in 1987, the same year the Development Control Rules became definitive, Bhatia also received the decision from the Competent Authority and Additional Collector that the portion of the plot which had been blocked as “surplus vacant land” under the Urban Land Ceiling Act had been re-assessed and was no longer considered “surplus.” As such, Bhatia, with Badawe’s assistance, obtained a permit for an outhouse building consisting of three apartments instead of a bungalow and for a main building, that was already under construction, with four additional tenements on top, making the total number of apartments 28. Ultimately, the apartment at ground floor which fronted the back road was converted into shops to fetch higher sale prices.

The account illustrates how incremental and ambiguous building regulations and bureaucratic procedures had become, and how this almost inevitably induced flexibility and the granting of exceptions on the part of authorities. While the law is generally understood as producing the very distinction between the formal and the informal, this case suggests, as Ananya Roy notes elsewhere, that “the ‘law as social process’ is as idiosyncratic and arbitrary as that which is illegal [and that] the state itself is a deeply informalized entity.”⁶¹ This dynamic nature of the building bureaucracy demanded architects to stay on top of legal evolutions, have social contacts (not just anyone obtained appointments with the City Engineer), keep meticulous records, raise coalitions and master persuasion techniques to even secure a building permit.

But this uncertain regulatory regime also had its consequences on architectural design. Given Jayanti Apartments’ straightforward design, accommodating the perpetually changing number of permissible tenements on building permit applications was easy. Because all floor plans were identical, Badawe simply removed or added the required number of flats at the top of the building and converted apartment space to a (sellable) rooftop terrace area or vice-versa (**fig. 8**). On the construction site, it did not pose any problems either. As in many projects of the time, future changes in FSI were anticipated and structural provisions for the extra weight had been made by the structural consultant. The load-bearing structure of speculative building projects typically consisted of concrete frames, which made it possible to

61 Ananya Roy, “Why India cannot plan its cities: Informality, insurgence and the idiom of urbanization,” *Planning Theory*, vol. 8, no. 1, 2009, p. 76-87, p. 80-81. DOI: [10.1177/1473095208099299](https://doi.org/10.1177/1473095208099299). Accessed 15 June 2022.

26 | enclose space or knock down internal walls for maximum flexibility. As such, the ground-floor flat at Jayanti Apartments' "outhouse" could be turned into small shops by a repositioning of internal single-brick walls. The case thus reveals why for the many architects who experienced such interference with their designs over the course of a project, taking pride in authorship and pursuing the prestige associated with "high architecture" was a far cry from reality. In this sense, the emerging regulatory regime offers a new (but not exclusive) explanation for the pervasiveness of a modernist vernacular idiom in housing of the 1970s and 1980s. The modernist vernacular provided an apt architectural response not only to the regulations' content (in terms of flat typologies and floor spaces) but also to bureaucratic aspects of the building process.

Nishat Apartments (1985-1988)

Nishat Apartments is, at least on paper, a successful example of the Urban Land Ceiling Act's provision for the construction of social housing through the private sector. When the Urban Land Ceiling Act was invoked, Mr. Dara Damania (name changed), who owned more than 1,000 square meters, requested permission to retain his excess vacant land by building a social housing scheme on it. In December 1983, the Competent Authority granted a permit for such housing and specified that it should consist of 10 tenements of a maximum of 40 square meters and 8 tenements of a maximum of 80 square meters, "subject to the prevailing Building Bye-laws." Ten per cent of the built floor area, that is two 40-square-meter units, were to be handed over to the government at fixed rates. The others could be sold on the market. Since no work had started by 1985, the landowners were issued a notice from the Competent Authority demanding an explanation. In the meantime, the Catholic school located on the adjoining plot had already expressed its interest in obtaining the land for the purpose of building a school auditorium. The school's architect had even made a design proposal for an auditorium. Such use for public purpose would enable the landowner to apply for exemption from government acquisition at minimal rates. To help him with the required paperwork and to get the maximum price for his land, Damania approached a property developer who was a family acquaintance.

Ingenuously, the developer, with the assistance of the architecture firm Space Designers' Syndicate, figured out that if the school were to obtain only a small piece of Damania's excess land (75 square meters), they would be able to build a hall of the required size on their own, slightly enlarged, school plot, while on the remaining area of Damania's plot the proposed housing project

28 | newspapers and that the names and monthly incomes of prospective buyers would be shared with the Competent Authority. While the latter suggests a form of control instituted to prevent the flats going to higher income groups, it remains unclear how such controls were executed.⁶² The social profile of the current apartment owners in the building suggests that such measures may have been merely pro forma. Several owners have combined the 40-square-meter apartments with other apartments to form larger units, and one of Space Designers' Syndicate's principal architects became the owner of one of the top-floor apartments (**fig. 12**), the cost of which he could partly barter as his professional fees with the developer.⁶³

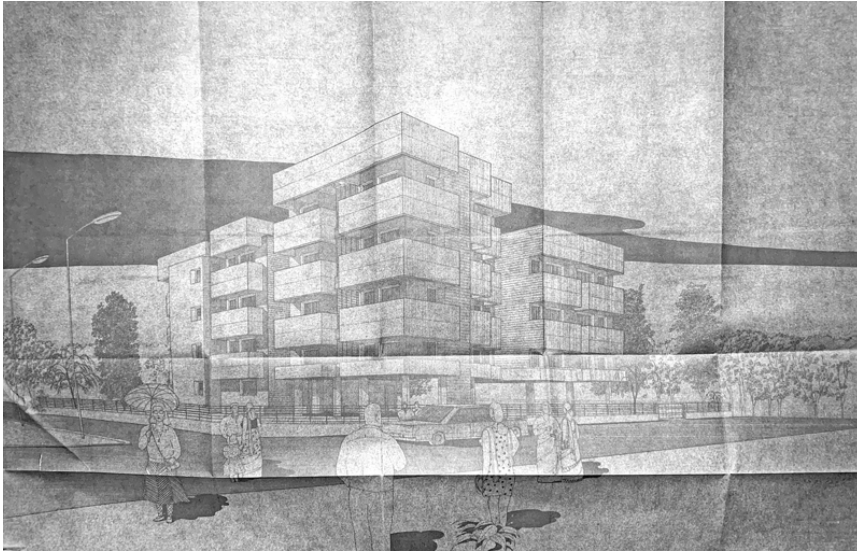


Figure 12: Nishat Apartments, rendered drawing, Space Designers' Syndicate, 1985-1988.

Note the ample provision of balconies.

Source: private office archives of Space Designers' Syndicate.

To maximize the floor area of the apartments, the architects had deftly exploited design features which were exempted from the minimum required setback areas (such as balconies) and/or from calculations towards the total built-up area of buildings (such as balconies, roof terraces and common corridors) in the Development Control Rules. The building rules also granted such exemptions for projections in the external walls that accommodated built-in cupboards or shelves.⁶⁴ Because of these exemptions, it became advantageous

62 Matthew Hull's work on the building bureaucracy in Islamabad has proven the unreliability of such lists. See Matthew S. HULL, "Ruled by records," *op. cit.* (note 42).

63 Prakash DESHMUKH, 20 September 2018, interview by Sarah MELSENS, digital recording with author.

64 Balconies could project 1.2 m into the setback area and were not to be calculated in the built-up area

to plan apartment buildings such that they had a maximal perimeter length (a maximal length of external walls). This could be achieved through lobed configurations and by providing for (semi-)internal open-air courtyards called *chowks* (fig. 13). Built-in cupboards were typically provided on (inner) perimeter walls facing the *chowks*, whereas the outward-facing walls had balconies. As a result, in contrast to initial apartment projects in which architects provided balconies only where they were thought to be adequate or useful, in the 1980s balconies were built liberally.

More crucially, the architectural design of these balconies was such that they could easily be enclosed by occupants and used as an extension of the adjacent room (fig. 7). To facilitate this practice, tolerated but theoretically illegal, the length of balconies often matched those of connected internal spaces. Another “trick” applied in Nishat and many other apartments was to connect the parapets of aligned balconies, and thus, create freely suspended beams parallel to the facade wherever balconies were not present. This feature, originally devised for its aesthetic effect (fig. 14), allowed a relatively easy extension of the balcony later on. For the same reason, to make enclosing easier, balconies increasingly had solid vertical parapets. The slanting opaque parapets or steel and wooden balustrades with which architects experimented in earlier decades (fig. 1) gradually disappeared. A plausible explanation is that these required more effort to be converted into an external wall and were more expensive for the developer to build. Balconies were usually protected by an overhanging waterproof *chajja* (fig. 1, top floor). Thus, in the Nishat Apartments, for instance, by placing windows on the balconies’ solid parapets and removing the wall between the balcony and room (fig. 12), owners could increase the floor space of some flats by up to ten per cent (fig. 13).

if they were semi-open. They could occupy a maximum of one third of the building perimeter and not more than ten per cent of its floor area. The projections (in cantilever form) of cupboards and shelves were exempted from covered area calculations. Such projections could project up to 23 cm in the setbacks for residential buildings provided the width of such cupboards/shelves did not exceed 2.4 m and there was not more than one such cupboard/shelf in each room. *Development Control Rules for Pune Municipal Corporation, op. cit.* (note 46), Clause 15.4.1 (c) and 17.7.3.

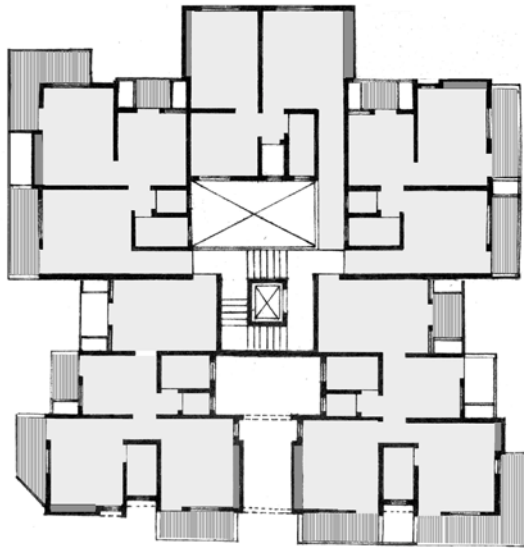


Figure 13: Schematic plan of Nishat Apartments. Note the balconies (hatched) and protruding wall cupboards (grey fill) which were exempted from FSI. Space Designers' Syndicate, 1982. Source: private office archives of Space Designers' Syndicate.



Figure 14: Interconnected parapets of aligned balconies were a common feature in modernist vernacular projects of the 1960s. Nehru Stadium Hotel, Pune, 1969, architect U. M. Apte. Source: private collection of Kiran Apte.

It is because of such design reasoning that small-sized dwellings intended for the lower income groups under the Urban Land Ceiling Act could, with relatively little effort, be turned into larger ones, affordable only to the middle or upper classes. In these cases, an architect's creative skill consisted of maximizing the total floor area in accordance with the peculiarity of each piece of land and the maximum tenement sizes imposed, but also of identifying ways to accommodate as many of those areas that were exempt from the allowable built-up calculations (balconies, in-built shelves, rooftop terraces, corridors) as possible and make them usable and thus saleable. As a consequence, the production of lower-income housing through private sector regulation was not only marginal: in cases when it did get built, such housing rarely reached those for whom it was destined.

Conclusion

Given its limited financial means and the divided interests of its own agencies, the government attempted to build urban lower-income housing through regulation of the private building industry rather than by acting as a direct provider as early as the 1970s.⁶⁵ For this purpose it devised laws that were open-ended and ambiguous, while assigning a task of arbitration to the building bureaucracy. This bureaucracy itself did not operate as a neutral body, making decisions based on objective conditions, but as an “informalized” entity granting exceptions and making perennial incremental changes to regulations and maps. It thereby obtained significant power in its own right.

In such a context many architects did not derive their status so much from the political mandate and transformative agency that had been ascribed to their profession in Nehruvian decades as from their effectiveness at finding their way through the legislation and working the bureaucracy. On the one hand, this process entailed identifying opportunities for win-win situations and forming stakeholder coalitions through strategic negotiation.⁶⁶ On the other hand, it necessitated a capacity to present effective cases before the authorities by relying on official documents—at times even fictive or

65 Similarly, the developmentalist idea of self-help housing that had typically been promoted for rural India in the Nehruvian era by this time reached urban areas in the form of public “sites and services” schemes. The older concept of “company towns,” where large corporations provided housing for their employees, also continued in the 1970s and 1980s. See Peter SCRIVER and Amit SRIVASTAVA, *India, op. cit.* (note 2), p. 234-235, p. 240-241.

66 Often these coalitions, being mobilized by the administrative documents and procedures themselves rather than pre-existing networks, cut across social divisions. This new form of expertise thus also challenged earlier classist attitudes of the architectural profession. For more on such attitudes and their challenging see Sarah MELSENS, *Architect, Engineer or Builder?, op. cit.* (note 13).

32 | backdated building plans—and a thorough practical knowledge of legal codes and the most recent government circulars. Hence, as Hull has noted for Islamabad, the very documentary infrastructure and proceduralism that increasingly constituted the state as it took a backseat as building patron, paradoxically, facilitated practices that subverted the state.⁶⁷ More generally, this folding of the illicit into allegedly “formal” domains of architectural and bureaucratic practice supports Ananya Roy’s proposal that “informality has to be understood not [only] as a grassroots phenomenon”.⁶⁸ It is instead tied to processes of speculation in general, whether for financial gain or survival.⁶⁹

A commonly heard critique is that through such processes the broader scope of architecture’s social and moral responsibility eroded and that, in terms of design, the commercial architect’s creativity consisted merely of developing architectural forms that maximized floor area. But writing off architects involved in speculative projects as uncreative or indifferent to the needs of householders is simplistic. Instead, the processes brought forward in this article lead us to propose a more situated notion of creativity: one that consists of a capacity to accommodate change over time. In Jayanti and Nishat apartments, such flexibility was not provided through open plans (as is common in buildings designed for commercial use) but through a comprehensive approach that consisted, at the building level, of a repetition of identical floor plans—in response to ever-changing and uncertain building heights—and the application of post-and-lintel construction that facilitated the merging of apartments. At the apartment level, adaptability consisted of the alignment of balcony widths with that of adjoining rooms and the construction of opaque balcony parapets and *chajjas* which allowed for easy internalization of the balconies. The option to incorporate balconies offered prospective owners a larger choice of apartment sizes than those prescribed in the regulations for lower-income housing, while the possibility of merging flats allowed for future expansions due to extended family arrangements or economic mobility. This form of flexibility can be seen as an alternative interpretation of the modernist claim that “the architect’s ultimate concern

67 Matthew S. HULL, *Government of paper: The materiality of bureaucracy in urban Pakistan*, *op. cit.* (note 17).

68 Ananya ROY, “Why India cannot plan its cities,” *op. cit.* (note 61).

69 A useful definition of speculation which we have paraphrased in this context is “the making present and materializing of uncertain futures ... an engagement with uncertainty for profit as well as survival” from Laura BEAR, Ritu BIRLA and Stine Simonsen PURI, “Speculation: Futures and Capitalism in India,” *op. cit.* (note 12), p. 387.

in designing buildings was with their human use and occupation.”⁷⁰ It could be argued that commercial architects produced designs that responded to occupation patterns rather than prescribing them.

Finally, it is worth noting that both the emergence of “flexible” architecture and the professional evolutions toward a closer working relationship between architects and developers were by no means unique to Pune or India.⁷¹ What this Indian case does show particularly clearly is how neoliberal forms of transnational governmentality produce such evolutions in localized settings.⁷² The government’s attempts to bring about the construction of social housing more effectively by tapping into and regulating speculative housing construction involved an extraordinary deepening of administrative proceduralism. True to the idea of governmentality, this proceduralism and its artefacts mobilized architects, developers, and bureaucrats to adapt their professional practices to one another’s. And while the government applied these governmental techniques with the hope to mitigate risks related to management, financing, and land acquisition, they did not generate the certainty hoped for. Instead, the incrementality that characterizes both housing projects and building regulations testifies to the government and architects’ continued engagement with uncertainty. The architect comes to the fore as but one of many agents in the game of neoliberal governmentality, a game in which interests intermingle and a game “whose outcome is not known by anyone.”⁷³

70 As Adrian Forty remarks, for post-war architects in the West, the “incorporation of ‘flexibility’ into the design,” through spatial redundancy or technical means, ‘allowed architects the illusion of projecting their control over the building into the future’ and thus served to “extend functionalism and make it viable.” However, he also notes how occupants have made flexible use of buildings, as a political act “against architecture,” resisting functionalism and, ultimately, capitalism. The form of flexibility brought forward in this Indian case, however, straddles these categories. ADRIAN FORTY, “Flexibility,” in *Words and Buildings: A Vocabulary of Modern Architecture*, London: Thames & Hudson, 2004, p. 142-148.

71 Amy Thomas’ study of evolutions in office buildings in London City in the same era is particularly illuminating in this regard. She notes that closer collaborations between ‘commercial’ architects and property developers centered around their “combined ability to see the legislation as a productive opportunity rather than a restriction” and traces evolving concepts of architectural flexibility in relation to the political economy. AMY THOMAS, “Prejudice and Pragmatism: The Commercial Architect in the Development of Postwar London,” *Grey Room*, no. 71, June 2018, p. 88-115. DOI: [10.1162/grey_a_00243](https://doi.org/10.1162/grey_a_00243). Accessed 15 June 2022; AMY THOMAS, “The Political Economy of Flexibility: Deregulation and the Transformation of Corporate Space in the Postwar City of London,” in Kenny CUPERS (ed.), *Neoliberalism on the Ground: Architecture and Transformations from 1960 to the Present*, Pittsburgh, PA: University of Pittsburgh Press, 2020 (Culture, politics, and the Built Environment).

72 James Ferguson and Akhil Gupta propose the concept of transnational governmentality to highlight the fact that not only state practices but also grassroots practices have become “globalized.” See JAMES FERGUSON and AKHIL GUPTA, “Spatializing states: toward an ethnography of neoliberal governmentality,” *American Ethnologist*, vol. 29, no. 4, 2002, p. 981-1002.

73 More recent concrete examples of “how this game develops” have been published in a dedicated section

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Abstract

This article presents case studies of two apartment projects built in the Western Indian city of Pune (formerly Poona) in the 1970s and 1980s. While their architecture is unassuming, the histories of their realisation provide a powerful account of how transformations in building policy shaped notions of professional architectural practice in India at the time. In particular, the cases illustrate how rank-and-file architects found themselves caught in the tension between, on the one hand, a socialist state eager to apply welfare measures but unable to execute them autonomously and, on the other hand, private-sector entrepreneurship looking for opportunities to satisfy increasing demands for home ownership. The article begins with an exploration of how this tension resulted in an intensification of the building bureaucracy. The second part investigates how modes of this bureaucracy, in turn, affected architectural patronage, the daily tasks expected of architects, and built architecture itself. Going beyond traditional architectural references, the study draws upon building regulation, oral history, and bureaucratic correspondence retrieved from the previously undisclosed archives of the architects. The narrative revealed by these sources challenges dominant notions of architectural expertise while highlighting the agency of paperwork—correspondence, administrative forms, and plans—as producers, rather than factual representations, of architectural form. As such, this inquiry into everyday local contexts of production offers a new perspective from which to evaluate buildings that are conventionally dismissed as derivative or lacking any critical thinking.

Zusammenfassung

Dieser Artikel stellt Fallbeispiele zweier Wohnungsbauprojekte in der westindischen Stadt Pune (früher Poona) aus den 1970er und 1980er Jahren vor. Trotz der unscheinbaren Architektur legen die Entstehungsgeschichten der Gebäude ein eindrucksvolles Zeugnis davon ab, wie sich damals Veränderungen in der Baupolitik auf die Vorstellung einer professionellen Architektentätigkeit in Indien auswirkten. Insbesondere veranschauli-

on "Speculation: Futures and Capitalism in India," *Comparative Studies of South Asia, Africa and the Middle East*, vol. 35, no. 3 The quote is from Michel Foucault, quoted in Ritu BIRLA, "Speculation Illicit and Complicit: Contract, Uncertainty, and Governmentality," *Comparative Studies of South Asia, Africa and the Middle East*, vol. 35, no. 3, December 2015, p. 392-407. DOI: [10.1215/1089201X-3426253](https://doi.org/10.1215/1089201X-3426253). Accessed 15 June 2022.

chen die beiden Beispiele die Zerreißprobe, der einfache Architekten ausgesetzt waren: zwischen einem sozialistischen Staat auf der einen Seite—der soziale Maßnahmen anstrebte, diese aber allein nicht durchführen konnte—und dem privatwirtschaftlichen Sektor auf der anderen Seite—von Unternehmen, die nach Gelegenheiten suchten, die wachsende Nachfrage für Eigentumswohnungen zu bedienen. Einleitend untersucht der Artikel, wie diese Spannung zu einem größeren Verwaltungsaufwand im Bausektor führte. Anschließend geht er der Frage nach, wie die Funktionsweise dieses Verwaltungsapparats dann wiederum die Auftraggeber der Bauten, die von den Architekten im Alltag erwarteten Aufgaben und die gebaute Architektur betraf. Jenseits herkömmlicher Architekturreferenzen wertet die Studie Bauverordnungen, mündliche Überlieferungen und Verwaltungskorrespondenz aus den jüngst zugänglich gewordenen Architektenarchiven aus. Die sich aus diesen Quellen ergebende Erzählung zieht vorherrschende Vorstellungen von architektonischer Fachkompetenz in Zweifel und betont die Wirkmacht von Papier—in Form von Korrespondenz, Verwaltungsformularen und Plänen—, das nun statt nur als nüchternes Darstellungsmedium als der eigentliche Urheber der Architekturform in Erscheinung tritt. Allein diese Auseinandersetzung mit alltäglichen Produktionszusammenhängen eröffnet eine völlig neue Perspektive für die Bewertung von Bauten, die normalerweise als zweitrangig abgetan werden und denen man jedes kritische Denken abspricht.

Resumen

El presente artículo presenta los estudios de caso de dos proyectos de apartamentos edificadas en la ciudad de Puna (antiguamente Poona), situada al oeste de la India, en las décadas de 1970 y 1980. Aunque se trate de dos realizaciones modestas, la historia de su construcción proporciona un relato poderoso sobre el modo en que las transformaciones de la política edilicia cambiaron las prácticas arquitectónicas en la India en esa época. En particular, los casos estudiados ilustran cómo arquitectos comunes y corrientes debieron hacer frente a intereses encontrados entre, por un lado, un Estado socialista deseoso de llevar a la práctica medidas de bienestar, pero incapaz de hacerlo de forma autónoma, y por el otro lado, empresarios privados en búsqueda de oportunidades de inversión para satisfacer una demanda creciente de viviendas en propiedad. En la primera parte del artículo, se examina el aumento de la burocracia edilicia resultante de dichos intereses encontrados. A continuación, se investiga cómo, a su vez, los distintos modos de esa burocracia afectaron el patrocinio de la arquitectura, las tareas cotidianas de los arquitectos y las propias construcciones. Más allá de las referencias arquitectónicas tradicionales, el estudio recurre a la normativa de la construcción, la historia oral y la correspondencia burocrática hallada en los archivos de los arquitectos, que hasta ahora no se había divulgado. La narrativa revelada por estas fuentes cuestiona las nociones dominantes de la pericia arquitectónica y destaca el papel de los documentos (correspondencia, formularios administrativos y planos) como productores de las formas arquitectónicas y no como meras representaciones fácticas. En tal sentido, esta aproximación de los contextos locales cotidianos de producción brinda una nueva perspectiva para evaluar la arquitectura, contextos que tradicionalmente se han desestimado, por considerarse secundarios o carentes de toda reflexión crítica.

Résumé

Cet article est une étude de cas qui présente deux immeubles d'habitation construits dans la ville de Pune (Poona), à l'ouest de l'Inde, dans les années 1970 et 1980. Bien que leur architecture soit sans prétention, les péripéties de leur réalisation rendent compte de l'évolution des politiques immobilières qui ont façonné la pratique architecturale en Inde à cette période. En particulier, ces cas illustrent comment des architectes ordinaires furent pris entre, d'une part, les exigences d'un État socialiste soucieux d'appliquer des mesures sociales mais se montrant incapable de les mettre en œuvre de façon indépendante, et d'autre part, le dynamisme de l'entrepreneuriat dans le secteur privé, à l'affût d'opportunités pour satisfaire la demande croissante d'accession à la propriété. L'article examine d'abord le régime bureaucratique résultant de cette tension, pour démontrer ensuite combien cette intensification de la production administrative a pu affecter les commanditaires, le travail quotidien des architectes, et l'architecture bâtie elle-même. Au-delà des références habituelles, l'article s'appuie sur la réglementation en vigueur, les témoignages oraux, et une correspondance administrative inédite, retrouvée dans les archives des architectes. Ce que raconte ces sources questionne la notion communément admise « d'expertise » tout en soulignant l'importance de la « paperasse » (correspondance, formulaires administratifs, plans) en tant qu'élément constitutif—et non simple représentation factuelle—de la création architecturale. À ce titre, cette enquête sur les contextes locaux de production de l'architecture au quotidien permet de réévaluer des bâtiments traditionnellement considérés comme mineurs, dépourvus d'originalité ou de toute pensée critique.

Riassunto

Questo articolo studia i casi di due edifici residenziali pubblici costruiti nella città di Pune (ex Poona), nell'India occidentale, tra gli anni Settanta e Ottanta. Sebbene la loro architettura sia poco appariscente, le tappe della loro realizzazione forniscono un vivido resoconto di come le trasformazioni delle politiche edilizie dell'epoca abbiano plasmato le pratiche architettoniche in India. I casi di studio illustrano in particolare come gli architetti comuni si siano trovati presi nella tensione tra uno Stato socialista desideroso di applicare misure di welfare ma incapace di attuarle autonomamente, e l'imprenditorialità di un settore privato in cerca di opportunità per soddisfare la crescente domanda di case di proprietà. L'articolo inizia esaminando come questa tensione abbia provocato un'intensificazione della burocrazia edilizia. Nella seconda parte analizza come questa burocrazia abbia a sua volta influenzato la committenza architettonica, il lavoro quotidiano degli architetti e l'architettura costruita stessa. Al di là delle fonti tradizionali, lo studio attinge alla regolamentazione edilizia, alle testimonianze orali e alla corrispondenza amministrativa recuperata dagli archivi precedentemente non divulgati degli architetti. La storia narrata da queste fonti mette in discussione il concetto dominante di "competenza" architettonica, evidenziando la capacità delle "scartoffie"—corrispondenza, moduli amministrativi e progetti—ad agire in quanto produttori, piuttosto che rappresentazioni fattuali, della forma architettonica. Quest'indagine sui contesti locali di produzione quotidiana offre così una nuova prospettiva da cui valutare edifici che vengono comunemente liquidati come derivativi o privi di qualsiasi pensiero critico.

