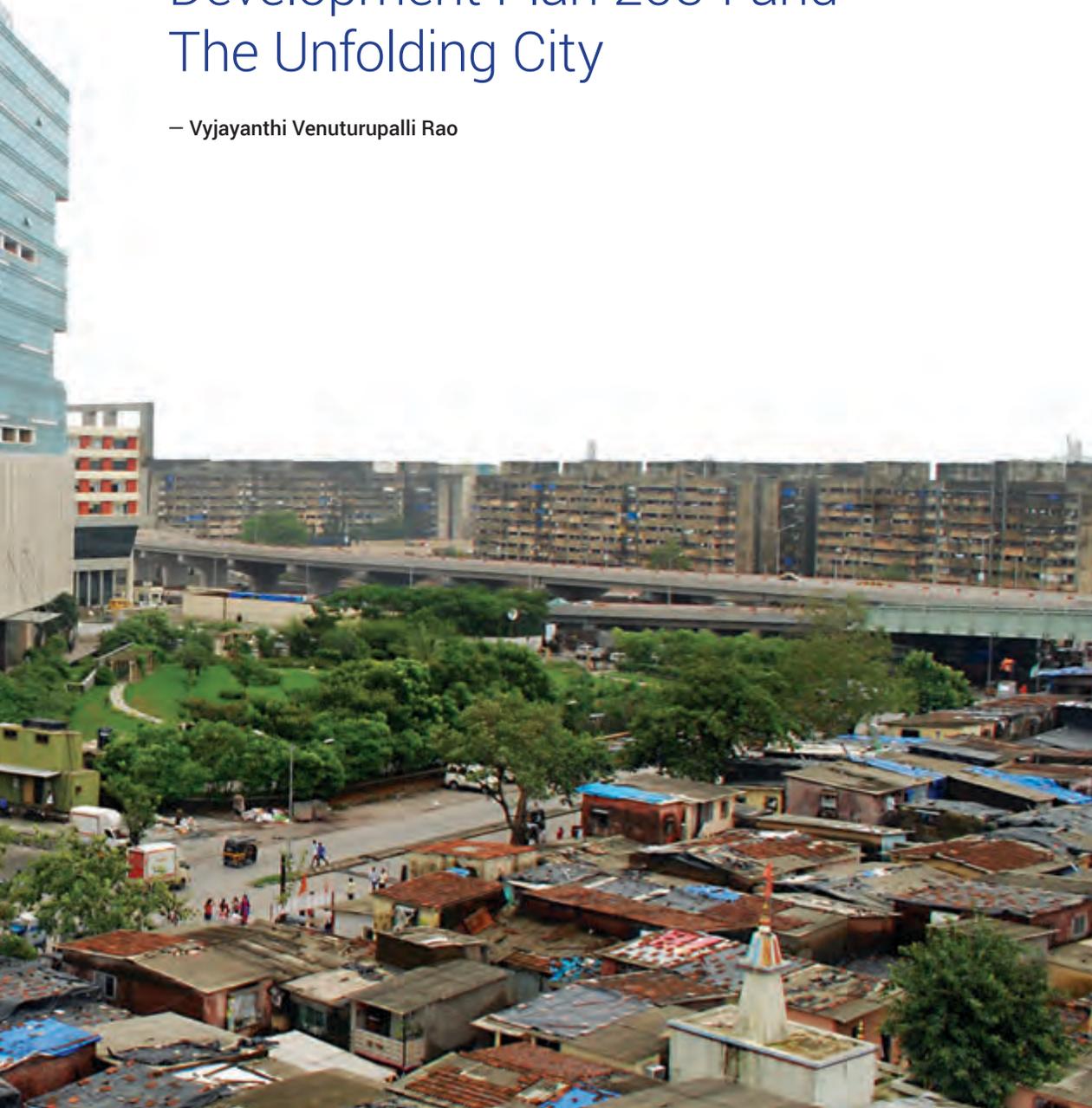


Material visions - Mumbai Development Plan 2034 and The Unfolding City

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"Designed or planned social order is necessarily schematic; it always ignores essential features of any real, functioning social order." — James C. Scott, *Seeing Like a State*

Mumbai's next development plan - DP 2034, may soon be sanctioned by the government of Maharashtra, although the approval comes almost two years beyond its scheduled date. This kind of delay seems to be traditional for Mumbai. After all, despite its somewhat specific scope of designating land uses and reserving urban land for public amenities, the city's development plan has the potential to affect every citizen - from the poorest settlers to the wealthiest real estate developers, who have crores of rupees invested in the processes of building and construction. That said, the plan's potential impact has never been more keenly understood and felt by the public as it has done during this revision. The dramatic rise in interest is no doubt a result of the frenzied development of Mumbai over the last two decades, the significant rise of informal settlements and of land values as well as the real and potential disasters that have threatened Mumbai's material and political well-being during this time.

Yet the public engagement with the Development Plan - a technocratic object par excellence - as a political object is new and unprecedented. That engagement is certainly the result of relentless crusading by civic activists and the media as well as

unprecedented responses by the MCGM to the public's anguished demands for a voice in their future.

In this essay I follow the unfolding story of DP 2034 to understand the shifts in planning as well as democratic practice that seem to have inserted planning firmly into daily urban practice and into the everyday imaginary of social justice in Mumbai. Unlike cities like New York in which citizen participation in urban planning has become entrenched and even routinized through institutions such as neighbourhood community boards, which draw active citizens into activities such as monitoring and sometimes contesting city plans, Mumbai's engagement with the DP is nascent and has attracted a diverse cast of characters, well beyond middle- and upper-class NGOs such as Bombay First and associations of propertied residents. Moreover, the plan has to go through a truly labyrinthine bureaucratic and political structure: it is prepared by the MCGM's planning cell, vetted by the elected corporators, then sent to the urban development ministry of the State of Maharashtra for approval and finally opened for public scrutiny for a period of sixty days before the Chief Minister of the State, also ex-officio the urban development minister, provides the final sanction for the plan to go into effect. Thus while the city's most local body prepares the plan, its provisions can be overturned and modified by officials who are far removed from the daily workings of the city.

The public's input, while required as part of the Maharashtra Regional and Town Planning (MRTP) Act, exerts no clear force on the provisions of the plan. At best it could, as it has now done, create some gridlock. However, while the outcomes of the public's engagement with DP 2034 remain open, the process itself has been transformative in that it has enabled a theatre of the oppressed to develop around questions of design and other areas of technocratic expertise. The contrast between this DP revision and the previous one is an instructive point of departure.

The city's second DP (1981-2001), went into preparation in 1977 but was only approved in 1991. The process for the second plan involved the appointment of an expert committee, led by the late bureaucrat Joseph Bain D'Souza in 1986 to study the irregularities in the draft and suggest corrective measures. Despite the fact that the committee completed its work and made its recommendations within a year of its appointment in 1986, it took the government another four years to approve the plan with the committee's amendments. Thus the city remained without an effective Development Plan for almost a decade. On the one hand we might expect such delays as part of a democratic process that involves a very large and very heterogeneous set of actors as happens to be case with the present DP process. On the other hand, it is vital to understand the causes of these delays as a way of theorizing the processes that may underlie the pauses between the drafting of plans and their sanction. The culture of debate

and dissension that emerges in these gaps provides a window to better understanding the nature of their potential impact.

The second DP was drawn up by BMC engineers and first submitted to the Corporation's elected councillors for approval before being sent to the State government, along with the criticisms and suggestions evoked from the public.¹ DP 2034's drafting, by contrast, involved a group of French planning consultants as well as a planning cell within the MCGM led by an engineer who was sent to one of the country's leading planning schools, the Centre for Environmental Planning and Technology in Ahmedabad for certification as a planner.² Further, the Existing Land Uses (ELU) discovered by this team through a research process of nearly two years and their preparatory studies based on these land uses were published on the MCGM's website and public hearings were held over a three month period based on these studies, before the draft plan was even finalized. This marks a significant departure from the process prescribed by the MRTP Act, which requires the MCGM to publish the draft plan for suggestions and objections by the public for a period of sixty days before it is sent to the State government for approval.

As J. B. D'Souza notes in his superb account of the process surrounding the second plan, this sixty day period had previously turned out to be a formality as it involved merely publishing a notification in the newspapers rather than making an effort to explain the plan's implications to the public. He notes

that the only people who objected to the plan were landowners whose properties were designated for public purposes or developers with vested interests in certain parcels of land. Thus the public hearings on the DP 2034 - which took place from December 2013 to February 2014 in different ward offices across the city, each focusing on a different theme - constituted a significant modification of the process of planning, bringing the MCGM planning cell officers, civil society experts and the lay public together in a conversation about the city's future. The resulting debates, the media interest and the participation of the public, newly literate in specialized knowledge practices such as reading and understanding maps eventually led to the scrapping of the published draft plan and a return to the drawing board to rectify the egregious errors in the existing land use map and other 'mistakes' made by the planning cell team.

While at the time - two years ago now - this was hailed as a victory of sorts for civil society activism, the outcomes of their labours are yet to be realized as the revised plan has not yet been submitted. With a change of political parties at the State level and a change in the MCGM's bureaucratic guard, with the growing power of the Mumbai Metropolitan Regional Development Authority (MMRDA) as well as the proposal of several controversial new projects such as the Coastal Road and the Trans-Harbor Link, the relevance of the new DP remains to

be seen. But we might anticipate some of those potential effects by contextualizing the changes in the development planning process and consider some of the questions that Mumbai's engagement with its development plan has raised and others that it has left out. Specifically, the exclusion of the notified slum settlements - officially numbering more than two thousand across the city - as grey zones whose economic contribution to the city and whose infrastructural demands were officially erased - created significant grounds for contesting the plan that was under construction. Although the residents of officially notified *zhopadpatti* (or slum) settlements are counted in the population and density calculations of the plan, the erasure of what they have built through self-organization over the years effectively excludes them from the resources planned for the city's near future and renders their contribution to urban value creation invisible.

Informal Urbanism & Participant Planning :

The issue of informal urbanism is in fact central to both the development plans, albeit in very different ways. The premise of the second DP, its understanding of the city as it existed then and its projections over the plan period all contributed, in many ways, is the expansion of informal settlements in the city. According to D'Souza, planners deliberately underestimated population growth over the plan period and set unreasonably low

floor space limits in the hopes of trimming down the city's population growth by actively discouraging growth, especially of residential construction. In a darkly humorous passage, D'Souza explains the logic of planners in deliberately underestimating the city's projected population:

"While they were about it the corporation's planning experts – the engineers who had spent all those years writing their recommendations - could just as well have chosen a population target to fit the current level of amenities, to make life simpler for themselves. If you do not expect to have enough money to feed your infant son when he reaches adolescence, you merely predict that he will stay stunted; you need not bother about his growing needs." (D'Souza, 1991: 1290)

D'Souza's understanding of course is that cities inevitably grow and the purpose of the Development Plan is to anticipate and to provide the resources for this growth. The unintended consequences of this plan for a city of which the population already exceeded the twenty year projection, together with the seizures of properties under the ULCRA (Urban Land Ceiling & Regulation Act) that was passed around the same time that the second DP process began resulted in a severe shortage of land in the city and skyrocketing land values. Properties that were newly vacated under the ULCRA Act, amounting to thousands of acres, and those that were reserved for

public amenities but never acquired by the Municipal Corporation under the second plan gradually became the grounds for the massive expansion of informal settlements in the 1990s and 2000s.

During the two decades covered by the second DP (1991-2013), two trends played out simultaneously. The first, which was anticipated by the D'Souza committee's findings was the massive population expansion with nowhere to settle because of the Plan's unrealistically low density projections and with no options but to occupy vacant lands wherever available. The second was an unintended consequence of the D'Souza committee's recommendations for offering incentives to private land owners in the form of Transferable Development Rights (TDR) in exchange for their giving up properties for municipal amenities and for creating affordable housing for low income groups. The FSI incentives thus paved the way, albeit inadvertently, for the forms of construction where incentive FSI and TDR combine to create outsized building volumes for high priced developments right next to low quality, high-density RCC barracks for housing eligible residents of *zhopadpatti* settlements that previously occupied those sites. This formula is also applied for resettling residents of *chawls* that were built as staff quarters for workers in certain private textile mills and other tenement housing eligible for redevelopment. Development Control Regulation (DCR) No. 33, which has several clauses added

over time, outlines the specific conditions for granting FSI incentives - including incentives for slum resettlement under the Slum Rehabilitation Act, the redevelopment of dilapidated buildings paying a repair cess to MHADA (Maharashtra Housing and Area Development Authority), IT park development, redevelopment of industrial brown fields and incentives for developments providing public parking. The sum total of these exceptions amounts to millions of square feet of saleable space that have already been constructed or are already under contract to be constructed. The act of building has thus turned completely from an activity associated with a fundamental, political right - the right to shelter - to an activity associated with anticipating a speculative market in real estate, which now constructs an intimate relationship between developers and marginalized citizens, living in precarious conditions.

In the years that followed, FSI increases attached to redevelopment of the textile mill lands in central Mumbai and other deindustrialized lands, for constructing free housing for slum dwellers under the Slum Rehabilitation Act and for resettling residents of neighbourhoods demolished for large transport projects quietly paved the way for the emergence of a vertical city. That vertical city translates a super-dense situation into a hyper dense one - by accommodating both existing slum dwellers and new units for sale at market rates on the same site or by resettling them in hyper-dense townships

constructed on brownfield industrial sites in peripheral neighbourhoods. Although higher FSIs do not necessarily have to translate into higher populations densities, the peculiar combinations of resettlement units combined with market rate units have invariably increased the density of both people and vehicular traffic. With this formula of combining resettlement schemes with real estate development in place and expanding since the mid-1990s, the growth of the city has completely bypassed the targets of the Second Development Plan and its vision of the limited city.

The incentives offered to private developers in the form of FSI increases and Transferable Development Rights offered to land owners to give up their properties for amenities and the construction of mass housing have essentially turned those citizens who live in slums, *chawls* and other forms of vulnerable housing into ciphers for the development potential that they represent as they become eligible for resettlement through various redevelopment schemes - both large-scale such as the Dharavi Redevelopment Project (DRP) and small-scale such as the numerous Slum Rehabilitation Authority (SRA) projects across the island city and suburbs. The vertical city and the displaced citizen - now also representable as a currency to be exchanged in equivalent spatial allotments - are inextricably linked in what I call the slum-generated city.

The critical question is, however, does the draft DP 2034 take this vertical city into account adequately? As in the second DP (1991-2013), there are planned features with unintended consequences that we must speculate about if we are to grasp the full extent of the transformation of planning itself as a significant activity. One important analytic observation is that the second DP was drafted by technocrats with an organic vision of the city as a whole. Its planning tools thus became vulnerable to widespread manipulation across the city. With DP 2034, the diversity and heterogeneity of actors, issues, neighbourhoods and communities has already come to the fore in the hearings anticipating the final plan. The impossibility of viewing the city through the lens of uniform tools and solutions that can prune a little here and add it elsewhere to balance the whole has also become evident. How then does one plan for the future of this diverse collection of land parcels where even adjacent parcels are being subjected to different rules and logics of development? Might this plan provide a different vision, one that is driven by cultivating and preserving the autonomy of neighbourhoods rather than by the kind of epic scale actions and visions that are the usual modus operandi for master planners?

Yet, DP 2034 continues to focus on adjusting building volumes and population densities through complex formulae for varying FSI across the city. Granted, these are not blanket FSI increases but rather

well thought out schemes for using FSI as a currency to gain resources for the municipal corporation. Indeed the MCGM planners' intentions are to recoup for the city some of the value from development rights that they have essentially been giving away for free to developers! But the myopic focus on FSI as a planning tool ignores certain ground realities and material conditions created over the last two decades. The most important of these conditions is the vertical expansion of the city. This expansion - plainly visible in neighbourhoods across the city - creates a city of light and shadow where intangible and unmeasurable metrics, having to do with quality of life come to the fore. It is a city in which some citizens will be confined permanently and literally to the shadows, where the free movement of air is constrained by walls, where an atmosphere whose lightness is forever compromised by particulate matter and where questions of what to conserve and what to rebuild forever create the risk of erasing the city's distinctive past and replacing it with a theme park version. These are not conditions that can be easily remedied by adding open spaces, for example. The vertiginous heights that buildings now reach, merely in order to consume the FSI available to them are devoid of any meaningful relationship either to the street or to their surrounding buildings. Moreover the de facto juxtaposition of rich and poor in vastly different built environments constitutes an opportunity lost for creating a meaningfully inclusive and mixed city by design. The super dense blocks built

to accommodate previous occupants of these sites barely disguises the fact that they are designed by the numbers rather than with a human occupant in mind.

But these considerations are not those of the planners of DP 2034. Nor, surprisingly are concerns with issues such as climate change, coastal flooding and sea level rise and the relationship between these and the obsession with certain forms of building. These are, one might say, questions of design more than they are of planning. They are considerations where ethics, politics and aesthetics play a far greater role than revenues and density distributions. But they are considerations that could help us grasp the kind of “slow violence” that different groups are subjected to as citizens of Mumbai - the kind of violence that is not spectacular but diffused across time and space that is intangible and hard to measure through the standard lens of victimhood. “Slow violence” is a concept elucidated by literary critic Rob Nixon to describe “a violence that occurs gradually and out of sight, a violence of delayed destruction that is dispersed across time and space, an attritional violence that is typically not viewed as violence at all.” It is, as Nixon writes, a violence that is “neither spectacular nor instantaneous, but rather incremental and accretive, its calamitous repercussions playing out across a range of temporal scales...” (Nixon 2011: 2-3) Crucially, Nixon adds that the “long dyings” that might be attributed to “slow violence” “the staggered and staggeringly discounted casualties, both human and

ecological that... are underrepresented in strategic planning as well as in human memory.” (ibid) Yet, these are not the direct concerns of DP 2034.

As an outside observer of the public meetings held in early 2014, it became clear to me that there was quite a divide between the planners and consultants from the MCGM’s side and the civic activists and occasionally citizens attending these hearings. At certain points, it was evident that the planners were rather baffled by what they felt was beyond their remit such as questions of health beyond the provision of hospitals or digital connectivity for all or making decisions on building setbacks and street fronts whilst increasing FSI. Yet the hearings opened new grounds for civil society activists and citizens to voice their anguish over what urban development should mean. Moreover, the hearings also became pedagogical occasions, providing new information to marginalised groups about their rights over common resources. Once the draft plan was published in February 2015, the volume of objections that poured in proved overwhelming. It became clear that the financialisation of urban development where buildings and development potential were essentially financial contracts enabling wealth creation for a select few would continue, albeit in a more rationalized form, with greater taxation by the MCGM bringing down the rewards to less obscene levels.

The 'grey zones' blanked out of the DP 2034 could then continue to be harvested as land values rather than being re-valued through their designation as spaces created and occupied by those productive citizens - strugglers, strivers and toilers - with nowhere to go and occupied at great risk to themselves and their futures. Such revaluation would of course entail a reassessment of their contribution to the city's economy and to its metabolism as well as measures to remediate their environments and strategies to make them more habitable and less violent. Rather, by focusing on financial mechanisms and space as a fiscal form rather than a material condition, DP 2034 emphasizes once again the sharp contrast between the use and exchange values while quietly erasing the labor of the poor and marginal settlers - those whom one might call the "strugglers," following a term popular amongst the many struggling artists of the Mumbai film industry - from the value of the land that they occupy, reducing that value to a monetary gain represented by price per square foot. In many ways however, the whole process of confrontation over the DP might reflect a transformation of planning itself, as a meaningful and critical activity in making cities 'happen.' The scale and temporality of modern urban planning are such that the impact of planning tends to remain an abstract potential. Thus planning is always, to a greater or lesser extent, an act of envisioning, persuasion and also poiesis. Conversely, it is difficult for urban residents of all classes to experience their everyday lives as consciously thought

through and designed. What happens in cities, between the built environment and the routines of daily life is, in essence, quite magical but it is assumed to be ordered and orderly until such time that the seamless functioning of the city breaks down. Such breakdowns are, in retrospect, attributed to various externalities – climate disasters such as the floods of 2005, terrorist attacks such as the 2008 attacks and routine infrastructure breakdowns. Failures in the smooth flow of urban life are attributed to externalities and exigent circumstances, both specific and vague, rather than being examined as unanticipated, albeit unintended consequences of specific ways of framing the future.

But the civil society and citizen debates over DP 2034 are significant in that they reveal the enduring antagonism as well as the necessary entanglements between self-organized urbanism and planned development. The romanticism of the "home-grown" and "people-powered" infrastructures that continue to play a significant role in 21st century Mumbai must be tempered with a better understanding of the contradictory political imaginaries that create those material conditions in the first place.

In a recent talk, architect and designer Reinier de Graaf contrasted between two concepts central to urban studies - the Greek polis and the Roman urbs - the former a emphasizing the city as a primarily political condition where citizens must agree on common grounds and

the latter understanding the city as a primarily material condition that can be improved through economy and design.³ While it is undeniable that top down initiatives of urban change relying on the right hashtag to capture their zeitgeist - such as smart cities, home-grown cities, resilient cities, sustainable cities etc. - find it convenient to sweep the political dimension of urbanism under the rug, one big question remains - how do we recognize urban politics if not through representations and models of the diverse array of material transformations of urban space? What place do those models and representations have in helping us find the "next step"? Must we remain content with support and improvement or can we risk being speculative in a different way? After all, speculation is not only manifest in the spectacular built forms that represent the power of capital's circulation but also in the forms that manifest the delicate calibration of risk that the majority of the world's urban citizens are forced to undertake in order to live in the city as well as the kinds of ecologies that these calibrations produce. These ecologies in turn produce economies of practice that impose their own "spatial and temporal logics" upon the city as a whole. Anthropologist Filip de Boeck refers to these practices as "invisible infrastructures" that build on the broken physical infrastructures originally designed to carefully engineer urban space (see de Boeck 2015). Such "invisible infrastructures" constitute "deep play," embedding a speculative ethos in urban space that demands new understandings of planning affirming these practices.⁴

Bibliography

D'Souza, J. B. 1991 "Will Bombay Have a Plan? Irrelevance of Planners and Their Plans" Vol 26, No 20, pp. 1289-1293.

de Boeck, Filip, 2015 "Poverty and the Politics of Syncopation," in *Current Anthropology*, Volume 56, Number S11

Geertz, Clifford, 1973 "Deep Play: Notes on the Balinese Cockfight," in *The Interpretation of Cultures*, New York: Basic Books, 1973.

Nixon, Rob, 2011. *Slow Violence and the Environmentalism of the Poor*. Cambridge: Harvard University Press.

1. My account of the second DP draws substantially from Joseph Bain D'Souza's 1991 article in EPW, "Will Bombay Have a Plan? Irrelevance of Planners and Their Plans" Vol 26, No 20, pp. 1289-1293.

2. Personal interview with Dinesh Naik, MCGM Town Planner, January 2014.

3. Reinier de Graaf, Keynote lecture, City Futures Conference, University of Pennsylvania November 2015.

4. "Deep play" is a concept developed by anthropologist Clifford Geertz in his classic essay, "Deep Play: Notes on the Balinese Cockfight."