

MEASURING CONSTITUTIONAL CASE SALIENCE IN THE INDIAN SUPREME COURT

—CHINTAN CHANDRACHUD*

In recent years, the Indian Supreme Court has begun deciding many important constitutional cases in small benches, as opposed to benches of five or more judges - as the Constitution requires. In the context of the large docket of the Indian Supreme Court, this has presented a problem for scholars: examining 'constitution benches' no longer provides an adequate account of salient constitutional cases. Drawing upon literature on the United States Supreme Court, this article develops an alternative, exogenous measure of case salience based on the citation of Indian Supreme Court cases in the Times of India. The measure is deployed on a sample set of 251 cases across four years. This measure, it is argued, can constitute a valuable heuristic tool for scholars studying the Indian Supreme Court.

I. INTRODUCTION

The Indian Supreme Court occupies a distinctive place amongst its counterparts from across the world. It decides thousands of cases a year, encompassing many areas of law. Its onerous docket includes appeals from twenty-four state high courts, several administrative tribunals and matters that lie within the remarkably broad original jurisdiction of the Court. One of India's most prominent advocates recently described it as the 'busiest court in the world'.¹ As it stands, the Court has a maximum strength of thirty-one judges and normally sits in benches of two or three across about a dozen

* PhD Candidate, University of Cambridge. I am grateful to Alan Paterson and Nick Robinson for comments and to Chetak Gandhi for advice on methodology. I would also like to thank participants at the Workshop on Contemporary Issues in Indian Public Law in New Delhi, especially Tarunabh Khaitan, Cheryl Saunders, M P Singh and Arun Thiruvengadam.

¹ ET Bureau, *Fali S. Nariman: Voting should be made compulsory throughout India*, THE ECONOMIC TIMES, November 23, 2014.

courtrooms.² The Indian Supreme Court, in other words, is overburdened and busy, and decision-making power within the Court is dispersed.

Any analysis of a court's institutional behavior must take into account the salient decisions of that court. Historically, constitutional scholars in India have thus focused on salient constitutional cases to expound upon the Court's approach to adjudication. This was once considered a relatively straightforward exercise: salient constitutional cases were decided by so-called 'constitution benches' consisting of five or more judges. Moreover, even amongst constitution benches, the salience of a case was considered as being directly proportional to the size of the bench deciding it. It is no wonder then, that no narrative of the Indian Supreme Court's constitutional jurisprudence was complete without the 'basic structure' case (decided by a bench of 13 judges)³, the Mandal Commission reservations case (9 judges)⁴ or the Bommai case (9 judges)⁵.

Much of this has changed since the turn of the century. The proportion of constitution benches has declined significantly, prompting some scholars to describe them as 'an anomaly'.⁶ Two or three judge benches regularly decide important constitutional cases⁷, sometimes inconsistently.⁸ This has presented a challenge for researchers. Describing the Court's constitutional activity primarily in terms of constitution bench decisions is certainly under inclusive, and possibly even misleading. Post-millennium doctrinal scholarship on the Court endures the charge of cherry picking the 'suitable' from amongst the scores of two and three judge bench judgments that are available.⁹ We therefore require an alternative measure of salience in order to fully understand the court's constitutional functioning. This is the objective that the article sets out to achieve.

² For details on the Supreme Court's structure and composition, see Abhinav Chandrachud, *An Empirical Study of the Supreme Court's Composition*, 46(1) ECON. & POL. W'KLY 71 (2011); Nick Robinson, *Structure Matters: The Impact of Court Structure on the Indian and US Supreme Courts*, 61 AM. J. COMP. L. 173 (2013).

³ *Kesavananda Bharati v. State of Kerala*, (1973) 4 SCC 225 : AIR 1973 SC 1461.

⁴ *Indra Sawhney v. Union of India*, 1992 Supp (3) SCC 217 : AIR 1993 SC 477.

⁵ *S.R. Bommai v. Union of India*, (1994) 3 SCC 1 : AIR 1994 SC 1918.

⁶ Nick Robinson et al., *Interpreting the Constitution: Supreme Court Constitution Benches Since Independence*, 46(9) ECON. & POL. W'KLY 27 (2011).

⁷ Amongst the most prominent examples are the gay rights litigation [*Suresh Kumar Koushal v. Naz Foundation*, (2014) 1 SCC 1 : AIR 2014 SC 563] and the narco-analysis litigation [*Selvi v. State of Karnataka*, (2010) 7 SCC 263].

⁸ Chintan Chandrachud, *Interpretation*, in THE OXFORD HANDBOOK OF THE INDIAN CONSTITUTION (Sujit Choudhry et al. eds., OUP 2016); Madhav Khosla, *The Problem*, 642 SEMINAR 12 (2013). (According to Khosla, these small bench decision making on the Supreme Court threatens the doctrine of precedent and the rule of law).

⁹ This is the charge that is often levelled against comparative scholarship: see RAN HIRSCHL, *COMPARATIVE MATTERS: THE RENAISSANCE OF COMPARATIVE CONSTITUTIONAL LAW* 187 (2014). (But the diffuse structure of the Indian Supreme Court and the sheer volume of decisions made by two judge and three judge benches makes the criticism applicable to it).

Distinguishing between two forms of case salience (legal and political), the article will focus on the *political salience* of *constitutional cases*. It will define a new measure of political case salience for Indian Supreme Court decisions – the Times of India measure. A sample set of 251 cases across four years (2010-2013) is examined based on this measure. All of these cases can be found in Table 1 of the Appendix. Table 2 contains the top 40 salient cases from the sample set, which were identified using the Times of India measure. Tables 3 and 4 show the differences in region-wise and subject-wise distribution between the sample set and the top 40 salient cases – of which, the possible implications are considered as the article progresses.

II. DEFINING SALIENCE IN THE INDIAN CONSTITUTIONAL CONTEXT

Perhaps the most logical starting point is to ask what exactly is meant by ‘salience’.¹⁰ A salient issue is one which relevant actors care more about. Salient issues are more likely to influence decisions both of citizens and of elite actors.¹¹ Research in a variety of contexts has shown that salience affects the choices that elite actors make. In the judicial context, case salience refers to cases that the judges, at the time of deciding them, consider to be more important than others. Scholars in the United States have relied upon case salience in diverse contexts: to show, for instance, that oral arguments and previous litigation experience of counsel matter less in salient cases¹², that chief justices over assign salient cases to themselves¹³, that salient cases are less likely to produce unanimous or highly consensual opinions¹⁴, and that the public mood influences decision-making less in salient cases.¹⁵

¹⁰ I have used the term ‘salience’ because it has become a widely accepted term of art in political science scholarship. The more accessible term that can take its place is ‘significance’.

¹¹ Todd A. Collins & Christopher A. Cooper, *Case Salience and Media Coverage of Supreme Court Decisions: Toward a New Measure*, 20 POL. RESEARCH QUARTERLY 1, 2 (2011).

¹² Andrea McAtee & Kevin T. McGuire, *Lawyers, Justices, and Issue Salience: When and How Do Legal Arguments Affect the U.S. Supreme Court?*, 41 LAW & SOC. REV. 259 (2007).

¹³ Harold A. Spaeth, *Distributive Justice: Majority Opinion Assignments in the Burger Court*, 67 JUDICATURE 299 (1984); JEFFREY A. SEGAL & HAROLD J. SPAETH, *THE SUPREME COURT AND THE ATTITUDINAL MODEL* (1993).

¹⁴ David A. Lewis & Roger P. Rose, *Case Salience and the Attitudinal Model: An Analysis of Ordered and Unanimous Votes in the Rehnquist Court*, 35(1) JUSTICE SYSTEM J. 27 (2014); PAMELA C. CORLEY, AMY STIEGERWALT & ARTEMUS WARD, *THE PUZZLE OF UNANIMITY* 131 (2013).

¹⁵ Michael Giles, Bethany Blackstone & Richard L. Vining Jr., *The Supreme Court in American Democracy: Unraveling the Linkages between Public Opinion and Judicial Decision Making*, 70(2) J. OF POL. 293 (2008); Christopher J. Casillas, Peter K. Enns & Patrick C. Wohlfarth, *How Public Opinion Constrains the US Supreme Court*, 55(1) AM. J. POL. SCIENCE 74 (2011).

Two kinds of salience in the judicial context have been identified: political salience and legal salience.¹⁶ Political salience refers to the importance of the case to the judges because of the issues or actors involved or the political context in which the case needs to be decided. Legal salience, on the other hand, refers to the importance of the case in terms of legal principle: for instance, if the court is faced with deciding a novel legal question, overturning settled precedent, or carving out an exception from a well-established rule. These categories may overlap. It is easy to see why the legal salience of a case may impact upon its political salience: for instance, a case may be considered politically salient precisely because of the nature of the legal questions that the court is faced with answering.¹⁷

The size of the bench or panel of judges deciding a case often provides a useful endogenous indicator of the salience of the case.¹⁸ This endogenous indicator is naturally absent for courts that sit *en banc* or in uniform panels of judges.¹⁹ In the Indian Supreme Court, bench size is underscored by two rules. First, Article 145(3) of the Constitution requires all substantial questions of law involving interpretation of the Constitution (an expression that is not defined by the text) to be decided by benches of no less than five judges (known as ‘constitution benches’). Second, for all cases (whether or not they are constitutional), larger benches of the Court bind smaller benches²⁰, and a judgment of the Court can only be overruled by a bench of a larger size. The Chief Justice plays the leading role in setting rosters and making decisions

¹⁶ Collins & Cooper, *supra* note 11. (It may also be possible to envisage a third form of salience: economic salience, which covers those cases that have important costs-implications or effects on redistribution of wealth. Cases that are economically salient need not be politically salient. A good example is *Manchester City Council v. Pinnock*, (2011) 2 AC 104 : (2011) 2 WLR 220 : (2011) 2 All ER 586, before the UK Supreme Court. This case was not considered politically salient, but was economically salient because it tasked the judges with deciding whether to allow Human Rights Act arguments into county court housing eviction cases, which would clog up the courts).

¹⁷ It is also possible (though less likely) for the political salience of a case to influence its legal salience. For instance, if the importance of the actors involved exaggerate the importance or novelty of the questions that arise for the court’s consideration.

¹⁸ DONALD R. SONGER, SUSAN W. JOHNSON, C.L. OSTBERG & MATTHEW E. WETSTEIN, LAW, IDEOLOGY AND COLLEGIALLY: JUDICIAL BEHAVIOUR IN THE SUPREME COURT OF CANADA 161 (2012); Benjamin R.D. Alarie & Andrew Green, *Education, Administration, and Justice: Essay in Honour of Frank Iacobucci*, 57 UTLJ 195 (2007) (in the context of the Supreme Court of Canada, ‘The Chief Justice determines the panel size and composition for each case based on a number of considerations, including (but not limited to) the nature and perceived public importance of the case...’); Burton M. Atkins, *Communication of Appellate Decisions: A Multivariate Model for Understanding the Selection of Cases for Publication*, 24 L. & SOC. REV. 1171, 1187 (1990).

¹⁹ Perhaps this is one of the reasons for the extensive scholarship on case salience in the US Supreme Court, whose nine judges sit *en banc*.

²⁰ Chintan Chandrachud, *The Supreme Court’s Practice of Referring Cases to Larger Benches: A Need for Review*, 1 SCC (J) 37 (2010) (This holds true irrespective of the number of dissents, which means that dissenting opinions are effectively devalued).

about bench composition.²¹ This effectively means that constitution benches form a subset of benches of five or more judges. All constitution benches consist of five or more judges, but not all benches with five or more judges are constitution benches.²² For example, if a question of statutory interpretation decided by a bench of three judges requires reconsideration, it may need to be referred to a bench of five judges.

It is unclear whether constitution benches are an indication of legal salience, political salience, or both.²³ This is primarily because the Supreme Court has failed to articulate any authoritative criteria for the composition of constitution benches.²⁴ The textual requirement – that ‘substantial’ questions of law as to interpretation of the constitution be referred to such benches – makes it seem like a marker of legal salience. The Supreme Court has, on occasion, confirmed this by indicating that questions that have already been ‘finally or authoritatively decided’ will not be referred to constitution benches.²⁵ On other occasions though, the Court has lent credence to the notion that constitution benches should also decide questions that are politically salient.²⁶ Much depends on the level of abstraction at which questions are posed. A politically difficult or controversial question, for instance, which can be answered with the help of existing precedent covering the field, may be treated as a discrete question – and therefore, one which requires consideration by a constitution bench of the Supreme Court.

In spite of these ambiguities, bench size was an important filter of salience (both in the legal and political sense) for constitutional scholarship.

²¹ Robinson, *supra* note 2, at 173.

²² On occasion, the Supreme Court has referred to any bench of five or more judges as a constitution bench, irrespective of whether it had to decide any constitutional questions [*Bharat Aluminium Co. v. Kaiser Aluminium Technical Services Inc.*, (2012) 9 SCC 552]. This is clearly a mischaracterisation.

²³ Contrast this with the United Kingdom, where the criteria for cases being heard by larger benches of the Supreme Court makes it clear that such cases are indicators of both legal and political salience. The following are the criteria listed on the UK Supreme Court website:

- If the Court is being asked to depart, or may decide to depart from a previous decision.
- A case of high constitutional importance.
- A case of great public importance.
- A case where a conflict between decisions in the House of Lords, Judicial Committee of the Privy Council and/or the Supreme Court has to be reconciled.
- A case raising an important point in relation to the European Convention on Human Rights.

See also Lorne Neudorf, *Intervention at the UK Supreme Court*, 2(1) CJICL 16, 28 (2013) (‘A larger panel size may be a way for the UK Supreme Court to send a signal, even if passively, to potential interveners of the importance of the case’).

²⁴ Nick Robinson et al., *supra* note 6, at 27, 28.

²⁵ *State of J&K v. Thakur Ganga Singh*, AIR 1960 SC 356, ¶ 8; *People’s Union for Civil Liberties v. Union of India*, (2003) 4 SCC 399 : AIR 2003 SC 2363, ¶ 31-35.

²⁶ *Ravindra Kumar Dutta v. Union of India*, (1986) 3 SCC 587; *Madras Bar Assn. v. Union of India*, (2014) 10 SCC 1, ¶ 94.

Scholars could be certain that by focusing on constitution bench decisions, they were analyzing the cases that mattered most to elite actors in general, and judges in particular. However, the phenomenon of the constitution bench has been in sharp decline in the recent past. Anecdotally, several scholars have lamented that two or three judge benches are now making important decisions that would previously have been assigned to constitution benches.²⁷ Cases concerning the constitutional validity of federal sodomy legislation²⁸, freedom of information legislation²⁹, as well as compulsory education legislation³⁰ were all decided by non-constitution benches. Empirical research confirms this claim. Robinson and others have found that the percentage of constitution benches on the Supreme Court dipped from 45.6% in the period between 1950 and 1954 to 6.4% in the period between 2005 and 2009.³¹ As the authors note, ‘many cases, perceived to involve a ‘substantial question’ of constitutional law, have been settled by two or three-judge benches, especially in recent years’.³² This means that constitution bench decisions can no longer be a conclusive indicator of case salience, in the legal or political sense. At best, they may constitute a starting point for determining salience. But the fall in the number of constitution benches requires us to examine other measures of salience for decisions taken by the Supreme Court.

III. DEVELOPING A MEASURE OF POLITICAL CASE SALIENCE: THE TIMES OF INDIA MEASURE

Since constitution bench cases are no longer an adequate measure of salience, we need to consider alternatives. One major benefit of constitution benches as a measure of salience is that it emanates from the Court itself, implying that we do not require any proxy or surrogate for narrowing down to those cases which the elite actors in question are likely to consider salient. Indian Supreme Court judges consider it inappropriate to publicly discuss pending or recently concluded cases. In 1997, the Chief Justice circulated a statement of values amongst the judges, which specified that a judge is expected to let his judgments ‘speak for themselves’ and shall not give

²⁷ Pratap Bhanu Mehta, *India's Judiciary: The Promise of Uncertainty*, in THE SUPREME COURT VERSUS THE CONSTITUTION 167 (Pran Chopra ed., 2006); Nick Robinson, *Bigger bench, please*, THE INDIAN EXPRESS, June 8, 2012; Tarunabh Khaitan, *Koushal v. Naz: Judges Vote to Recriminalise Homosexuality*, 78(4) MLR 672 (2015); T.R. Andhyarujina, *Restoring the Supreme Court's Exclusivity*, THE HINDU, February 28, 2014.

²⁸ Indian Penal Code 1860, § 377; see *Suresh Kumar Koushal v. Naz Foundation*, (2014) 1 SCC 1 : AIR 2014 SC 563.

²⁹ Right to Information Act 2005; see *Namit Sharma v. Union of India*, (2013) 1 SCC 745; *Union of India v. Namit Sharma*, (2013) 10 SCC 359.

³⁰ Right of Children to Free and Compulsory Education Act 2009; see *Society for Unaided Private Schools of Rajasthan v. Union of India*, (2012) 6 SCC 1 : AIR 2012 SC 3445.

³¹ Robinson et al., *supra* note 6, at 27, 28.

³² Robinson et al., *supra* note 6, at 27, 28.

interviews to the media.³³ The Bar Council of India Rules forbid advocates from engaging in private communications with a judge relating to a pending case.³⁴ Thus, no comparable endogenous indicator of salience is available. As Epstein and Segal observe, since judges cannot be surveyed or interviewed about current cases, this is a problem that judicial scholars face that their counterparts in mass behaviour do not.³⁵ Some US Supreme Court scholars have relied on transcripts of oral arguments to determine salience³⁶: a resource that is simply unavailable for the Indian Supreme Court. The only other possible endogenous measure of salience is citation (by way of approval or otherwise) of a case in future decisions. This measure is inappropriate, because it is heavily contingent on the nature of cases that arise before the court going forward. In the age of search engines³⁷, where legal research tends to be highly targeted, placing reliance on future citations would stack the odds in favour of the cases that have analogues in the near future.

We therefore need to use an exogenous measure for case salience: one that acts as a proxy for the views of the judges. As with most other recent studies on case salience, I focus on political salience rather than legal salience. Media-based measures are the most common proxy for political case salience, since the views of newspaper editors, as elite actors, are likely to correspond with those of the judges.³⁸ Epstein and Segal's 'New York Times measure'³⁹ is the most widely accepted measure of political case salience for the US Supreme Court. According to this measure, political case salience is to be ascertained based on whether a decision (that is orally argued and decided with an opinion) is reported on the front page of the New York Times: (i) the day after it is handed down and (ii) as the lead (headlined) case in the story. Epstein and Segal note that since the New York Times is the most nationally oriented newspaper, this measure minimises regional biases. Further, it provides an indication of contemporaneous salience (salience as evaluated by the actors at the time of the event) rather than retrospective salience (an assessment of salience by elite actors with the benefit of hindsight).

³³ CHIEF JUSTICE OF INDIA, *RESTATEMENT OF VALUES OF JUDICIAL LIFE* (1997).

³⁴ Bar Council of India Rules, part VI, ch II, s I.

³⁵ Lee Epstein & Jeffrey A. Segal, *Measuring Issue Salience*, 44(1) AM. J. POL. SCIENCE 66, 67 (2000).

³⁶ Ryan C. Black, Amanda C. Bryan & Timothy R. Johnson, *An actor-based measure of issue salience: Information acquisition and the case of the United States Supreme Court*, in *ISSUE SALIENCE IN INTERNATIONAL POLITICS* 246 (Kai Opperman et al. eds., 2011).

³⁷ See Marina Lao, *Search, Essential Facilities, and the Antitrust Duty to Deal*, NORTHWESTERN J. OF TECH. & INTELL. PROPERTY 275, 280 (2013) ('...search engines help users locate information on the Internet on practically any topic [read case] no matter how obscure').

³⁸ Of course, as Lewis and Rose observe, '[i]f the broader public considers a case important, it is likely that the justices do as well' –Lewis & Rose, *supra* note 14, at 27, 28; See also Michael P. Fix, *Does Deference Depend on Distinction? Issue Salience and Judicial Decision-Making in Administrative Law Cases*, 35(2) JUSTICE SYSTEM J. 122, 128 (2014).

³⁹ Epstein & Segal, *supra* note 35, at 66.

Nevertheless, scholars have discovered inadequacies in the New York Times measure. The measure provides a binary account of salience: it only tells us whether or not a case is politically salient, and avoids questions of degree. It suffers from a ‘multiple case day’ bias: when the US Supreme Court hands down more than one decision on a single day, the decisions compete for the front page.⁴⁰ Then, there is the ‘big news day’ bias: on the day following a major national event or catastrophe, cases that would have otherwise made it to the front page would struggle to do so.⁴¹ There also remain concerns about whether the measure is biased towards cases affecting regional interests.⁴²

The Times of India, an English daily, is the most widely circulated newspaper in India amongst newspapers of all languages.⁴³ I will use the ‘Times of India measure’ for ascertaining the political salience of Indian Supreme Court decisions. By this measure, political case salience is determined according to the number of citations of a decision in all editions of the Times of India within one year from the date of the decision. Citation of a case may be in the form of a headline or an incidental citation. In other words, a news piece bearing the title ‘The majoritarian Supreme Court’ (citing a number of cases) and one bearing the title ‘Supreme Court upholds anti-gay law’ (citing one of those cases), would both be counted (equally) as a citation of the case which is common to the two articles. Citation anywhere across the newspaper, and whether in a ‘news’ piece or in an ‘opinion’ piece, is assigned equal weight. Further, citation may not necessarily be (and very often, is not) by the formal case name as it is found in the law reports.⁴⁴ Several citations of a case within the same news article are treated as a single citation. There are fifty city editions of the Times of India and very often, the same article is printed in multiple city editions. Therefore, ‘duplicate’ articles are excluded from the analysis: in other words, when the same article citing a Supreme Court decision is printed in several city editions, they are treated as a single citation.

This measure satisfies the six conditions laid down by Collins and Cooper for establishing a good measure of salience.⁴⁵ First, it is based on *contemporaneous* salience, since it considers citations of a case within a relatively short period of the event. By not considering citations after one year following

⁴⁰ Saul Brenner & Theodore S. Arrington, *Measuring Salience on the Supreme Court: A Research Note*, 43(1) JURIMETRICS 99, 103 (2002).

⁴¹ *Id.*, 104. See also Vanessa Baird, ANSWERING THE CALL OF THE COURT: HOW JUSTICES AND LITIGANTS SET THE SUPREME COURT AGENDA 91 (2008).

⁴² Black et al., *supra* note 36, at 242.

⁴³ This figure comes from the last report of the Audit Bureau of Circulations for 2013, which is available here: <http://www.auditbureau.org/news/view/17> (last visited May 5, 2015). The second and third positions belong to Hindi newspapers.

⁴⁴ For example, the case reported as *Nandini Sundar v. State of Chhattisgarh*, (2011) 13 SCC 46 (where the Supreme Court declared a state-aided civilian militia called ‘salwa judum’ unconstitutional and is generally referred to as the salwa judum case).

⁴⁵ Collins & Cooper, *supra* note 11, 3-4.

the decision, it avoids retrospective analyses made with the benefit of a long period of hindsight.⁴⁶ Second, it is *replicable*, since researchers have fairly easy access to the archives of the Times of India.⁴⁷ Third, it is easily *transportable* across different types of studies. Fourth, it reflects a *range of salience*. By employing a one-year (rather than a one-day) time scale, this measure avoids the problem faced by the New York Times measure. It allows us not only to determine whether a case is politically salient, but also how politically salient it is in comparison to other cases. Fifth, it reflects the *national mood*, a factor that judges anticipate in the decision-making process.⁴⁸ Sixth, it is free from *systematic biases*. The ‘big news day’ bias is largely avoided by considering citations not just on the front page, but also across the rest of the newspaper. The ‘multiple case day’ bias is also mitigated by the fact that decisions delivered on the same day have not a single page, but the whole of the newspaper to compete for - in other words, the pie is larger. Regional biases are restricted by the breadth of the Times of India’s coverage compared to that of other English newspapers.

In the Indian context, any media-based measure of this kind confronts an additional challenge: linguistic diversity. India is amongst the most linguistically diverse nations in the world. The Indian Constitution refers to 22 languages⁴⁹, each of which has several dialects. This may lead us to question why an English newspaper should be used to measure political case salience. Yet, this difficulty does not seriously impact the Times of India measure. The proceedings of the Supreme Court are conducted, and its judgments delivered, exclusively in English. As a prominent journalist observed, English is ‘effectively the official language of the central government’.⁵⁰ English has traditionally been considered the language of the elites⁵¹, and thus, it is not inappropriate to consider citation in an English language newspaper as a proxy for cases that judges consider politically salient.

IV. APPLYING THE MEASURE: SALIENT CONSTITUTIONAL CASES FROM 2010-2013

I applied the Times of India measure to ascertain politically salient constitutional cases in the Supreme Court for four calendar years, from 2010 to 2013. My focus was on those constitutional cases that were not decided by

⁴⁶ Of course, considering citations over a longer period of time may be useful for a different kind of project – for example, one that looks at political salience in the historical context.

⁴⁷ The Times of India archives from 1986 onwards are available on Factiva. Archives from 2001 onwards are available on the Times of India website.

⁴⁸ Collins & Cooper, *supra* note II, at I, 4.

⁴⁹ INDIA CONST. Eighth Sched.

⁵⁰ Mark Tully, *Will English Kill Off India’s Languages?*, BBC NEWS, November 29, 2011.

⁵¹ Krishna Sen, *Post-Colonialism, Globalism, Nativism: Reinventing English in a Post-Colonial Space*, in *IDENTITY IN CROSSROAD CIVILISATIONS* 117 (Erich Kolig et al. eds., 2009).

constitution benches. In order to do this, I used the Manupatra legal search engine's classification to shortlist 'constitutional' cases. The more appropriate methodology would have been to look at all the Supreme Court decisions during this period and to self-classify the 'constitutional' amongst them based on specific criteria. This was, however, unfeasible because of the enormous case load of the Supreme Court. Manupatra results shows over 97000 decisions taken by the Supreme Court in this period, and this is almost certainly an underestimate. The best alternative, therefore, was to rely on Manupatra's classification of constitutional cases as a starting point. This did cause some problems associated with excluding cases that might have been considered constitutional⁵² and including others whose link to constitutional law was tenuous. Nevertheless, such cases were mostly marginal, and it is unlikely that the 'mistaken' exclusions or inclusions would significantly affect my findings. My research takes into account both judgments and orders of the Supreme Court during this period. The reason for not focusing on judgments of the Supreme Court alone is that the Court deals with many cases by passing short interim orders rather than final, conclusive judgments - a strategy which enables it to supervise implementation of its decisions.⁵³ Excluding this category would have amounted to overlooking an important part of the Court's constitutional activity.

Before moving to the findings of my research, it is worth considering another methodological issue. As I mentioned earlier, the Times of India measure *counts* references to cases through terminology other than the reported case title. This is essential, since the Times of India reports cases for public consumption, and often does not refer to them by their formal case names. This meant that the process of searching for Times of India citations was far from linear. Depending on the case being searched for, combinations of search terms, and very often multiple searches, were relied upon. The process was relatively straightforward for some cases. For example, it seemed implausible that the judgment⁵⁴ in which the Supreme Court declared a state-aided civilian militia called 'salwa judum' unconstitutional could be reported without the words 'Supreme Court' and 'salwa judum'. It was undoubtedly more challenging for other cases which did not afford such obvious search terms - in such cases, I relied on multiple searches with different search term combinations in order to minimise inaccuracies.

⁵² The notable exclusion was the Supreme Court's judgment in the narco-analysis case *Selvi v. State of Karnataka*, (2010) 7 SCC 263), which Manupatra does not classify as constitutional.

⁵³ Well known examples are the right to food case (see *People's Union for Civil Liberties v. Union of India*, (2011) 14 SCC 561), the night shelters case (see *People's Union for Civil Liberties v. Union of India*, (2011) 15 SCC 289) and the exploitation of children in orphanages case (see *Exploitation of Children in Orphanages in State of T.N., In re*, (2011) 15 SCC 348). For commentary, see SANDRA FREDMAN, *HUMAN RIGHTS TRANSFORMED* ch 5 (2008).

⁵⁴ *Nandini Sundar v. State of Chhattisgarh*, (2011) 13 SCC 46.

Results on Manupatra showed that, excluding constitution bench decisions, the Supreme Court decided 251 cases classified as constitutional between 2010 and 2013. These cases are set out in Table 1 of the Appendix. Of these, a vast majority (209) were decided by two-judge benches and 42 were decided by three-judge benches. My findings show that there are significant variations in the number of Times of India citations for the decisions examined (and thus, major variations in the levels of political salience). Perhaps the first important statistic to note, however; is that a majority of Supreme Court constitutional decisions (58%) were never cited. This indicates that a majority of the Court's small-bench constitutional decisions fall into obscurity, without notice or acknowledgement. The Indian Supreme Court's huge caseload suggests that cases are not salient merely because they have reached that Court.⁵⁵ Thus, in a relative sense, the 58% of cases that were never cited need to be considered in this context.

On the other hand, the decisions that were most politically salient, at the top end of the scale, were cited remarkably often – in some cases, by more than one article a day on average. Four cases, less than 2% of the sample set, received more than 100 citations. The '2G Spectrum Case'⁵⁶, in which the Supreme Court cancelled several telecom licenses on the basis that they were awarded arbitrarily, received the most citations, at 477. This is unsurprising, since the wrongdoing brought to light by the case became an intensely political election issue running up to the general elections of 2014. The Supreme Court's anti-gay rights judgment in *Suresh Kumar Koushal v. Naz Foundation*⁵⁷ (reversing a Delhi High Court decision reading down sodomy legislation) came in second, with 386 cites. The third most salient case from the sample set was *Devender Pal Singh Bhullar v. State (NCT of Delhi)*⁵⁸, one of the most well-funded death penalty cases in the Supreme Court. This was another politically charged case in which the Court refused to commute the death sentence of a convicted terrorist, holding that, for those convicted of terrorist offences, undue delay in the execution of a death sentence could not be one of the factors to be taken into consideration for commutation. The fourth most politically salient case, and the last case with over a hundred cites, was the decision⁵⁹ upholding the constitutional validity of the Right to Free and Compulsory Education Act 2009, with 114 cites.

⁵⁵ Contrast this with the US Supreme Court – Tom S. Clark, Jeffrey R. Lax & Douglas Rice, *Measuring the Political Salience of Supreme Court Cases*, 3(1) J. L. & COURTS 37 (2015).

⁵⁶ Reported as *Centre for Public Interest Litigation v. Union of India*, (2012) 3 SCC 1 : AIR 2012 SC 3725.

⁵⁷ (2014) 1 SCC 1 : AIR 2014 SC 563.

⁵⁸ (2013) 6 SCC 195 : AIR 2013 SC 1975.

⁵⁹ *Society for Unaided Private Schools of Rajasthan v. Union of India*, (2012) 6 SCC 1 : AIR 2012 SC 3445.

Overall, 40 decisions (about 16%) of the 251 examined were cited on five or more occasions in the Times of India within one year – these are set out in Table 2 of the Appendix. Some of these were orders rather than judgments, including: (i) a decision issuing directions for regulating the sale of acid (cited 24 times)⁶⁰ (ii) a decision prohibiting the President of the Cricket Board from assuming responsibilities in the event of his re-election (cited 10 times)⁶¹ (iii) a decision requiring the central government to reserve food grains for distribution to districts most affected by poverty (cited 5 times).⁶²

I also examined the regional distribution and subject-wise distribution of politically salient cases. In order to do this, my focus was on comparing the distribution within the 40 most politically salient cases, cited on five or more occasions, with that in the whole sample set. This technique was used in order to minimise possible biases associated with Manupatra’s classification of constitutional cases.

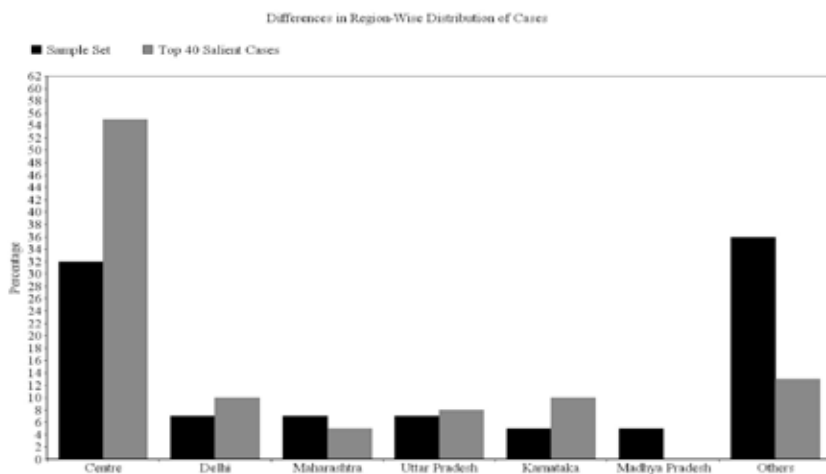


Figure 1: Difference in Region-Wise Distribution of Cases

The sample set contained 81 cases (32%) which I classified as ‘central’, dealing with federal issues or matters affecting more than a single state.⁶³ Delhi (7%) and large states (Maharashtra – 7%, Uttar Pradesh – 7%, Madhya Pradesh – 5%, Karnataka – 5%) were next in line. However, amongst the 40

⁶⁰ *Laxmi v. Union of India*, (2014) 4 SCC 427.

⁶¹ *Cricket Assn. of Bihar v. Board of Control for Cricket in India*, (2014) 7 SCC 394.

⁶² *People’s Union for Civil Liberties (PDS Matters) v. Union of India*, (2013) 2 SCC 684.

⁶³ Where the Supreme Court was hearing an appeal from a single High Court, I classified the case as belonging to the state from which the appeal arose. Where appeals from more than one High Court were clubbed together, I classified the case as central.

most politically salient cases, 22 (55%) were central cases – a sharp proportionate rise from the sample set. While cases from other regions constituted 36 percent of the sample set, they were only 13 percent of the top 40 salient cases. These figures suggest that the Supreme Court considers those matters that affect wider national interests most politically salient. Other regional distribution figures remained relatively stable, except that not a single of the top 40 cases was from Madhya Pradesh, while the proportion of Karnataka cases in the top 40 doubled. A tabular representation of the region wise distribution of cases can be found in Table 3 of the Appendix.

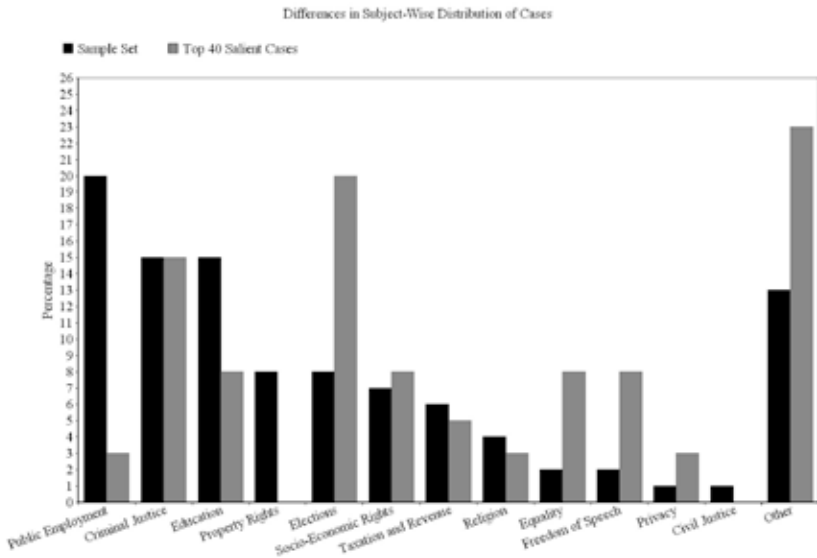


Figure 2: Differences in Subject-Wise Distribution of Cases

The cases in the sample set were also classified by subject. The subject-wise distribution of politically salient cases gave rise to some interesting findings (a tabular representation of these can be found in Table 4 of the Appendix). The highest proportion of cases in the sample set were in the public employment category – often labelled as “service law” cases (20%), followed by criminal justice and education (15% each). The sample set was replete with cases filed by employees of government departments or government-controlled companies about their appointment, promotion and terms of service. However, the proportion of public employment cases in the top 40 salient cases was drastically lower, at just 3%. These figures indicate that although

public employment cases form a staple part of the Supreme Court's constitutional docket, a large proportion of them tend not to be politically significant or garner public attention. This resonates with the Supreme Court's description of such cases many years previously: "questions concerning wages and the like, mundane they may be, are yet matters of vital concern to [those that bring] them and it is there, if at all that the equality clauses of the Constitution have any significance to them."⁶⁴ The proportion of property rights cases and education cases also fell from the sample set to the top 40 salient cases.

On the other hand, the proportion of election cases rose drastically from the sample set, of which they were 8%, to the top 40 politically salient cases, of which they were 20%. These figures give us a useful glimpse of the Supreme Court's role in the Indian political context. Although the Court's education and socio-economic rights jurisprudence is widely acclaimed, it still remains central to democratic discourse in India – deciding, for example, whether elections are valid, who can contest them, and how they ought to be contested. The numbers suggest that the Supreme Court's electoral jurisprudence tends to figure very prominently amongst the politically salient cases that the Court decides. Free speech cases, which comprised only 2% of the sample set, figured more prominently amongst the top 40 politically salient cases (8%).

V. CONCLUSION

The Indian Supreme Court is no longer transparent about which cases on its docket are, in a relative sense, salient. The absence of a measure of salience - legal or political - has been an impediment to scholarly research on the Supreme Court, particularly since the decline of constitution benches. This article has sought to devise a measure to ascertain the political salience of Indian Supreme Court judgments. There is, of course, no uniform measure for salience and the measure that researchers rely on should depend on the nature and purpose of the project undertaken. Experience from United States also shows that developing a robust measure of salience is an incremental exercise, so this article may be a step in that direction.

Measuring political case salience will effectively enable us to better understand the Indian Supreme Court. Political case salience based on the Times of India measure bears the potential of being an important heuristic tool for constitutional scholarship. It will open up a universe of possibilities for both 'intra' and 'inter' studies. 'Inter' studies could consider, for example, whether legal argument plays a greater or lesser role in salient cases, whether precedents are harder or easier to dislodge in salient cases, whether unanimity is more (or less) likely in salient cases, and whether the Chief Justice's participation proportionately increases for salient cases. 'Intra' studies, on the

⁶⁴ *Randhir Singh v. Union of India*, (1982) 1 SCC 618 : AIR 1982 SC 879, ¶ 8.

other hand, could examine matters such as whether judges behave differently amongst salient cases across different subjects. To avoid the charge of cherry picking that is now only too familiar to the Indian constitutional scholar, contemporary research that develops a narrative of the Supreme Court's functioning must take the Court's politically salient decisions into account.

VI. APPENDIX

Table 1: Sample Set

Case	Subject	State/ Region	Times of India Cites ⁶⁵
2010			
<i>A.D.N. Bajpai v. State of M.P.</i> , Civil Appeal No. 471 of 2010, decided on 12-1-2010 (SC)	Education	Madhya Pradesh	0
<i>Union of India v. Rakesh Kumar</i> , (2010) 4 SCC 50 : AIR 2010 SC 3244	Other	Jharkhand	1
<i>Sharda Kailash Mittal v. State of M.P.</i> , (2010) 2 SCC 319 : AIR 2010 SC 3450	Other	Madhya Pradesh	0
<i>State of Uttaranchal v. Balwant Singh Chauhal</i> , (2010) 3 SCC 402 : AIR 2010 SC 2550	Public Employment	Uttaranchal	0
<i>G. Vallikumari v. Andhra Education Society</i> , (2010) 2 SCC 497 : AIR 2010 SC 1105	Public Employment	Delhi	0
<i>Manish Goel v. Robini Goel</i> , (2010) 4 SCC 393 : AIR 2010 SC 1099	Religion	Delhi	0
<i>Sarva U.P. Gramin Bank v. Manoj Kumar Sinha</i> , (2010) 3 SCC 556 : AIR 2010 SC 2491	Public Employment	Uttar Pradesh	0
<i>Dr. Zakir Hussain Primary Teachers Training College v. State of Bihar</i> , (2010) 12 SCC 517	Education	Bihar	0
<i>M. Nagaraj v. Union of India</i> , (2010) 12 SCC 526	Public Employment	Karnataka	0
<i>Mohd. Shahabuddin v. State of Bihar</i> , (2010) 4 SCC 653	Criminal Justice	Bihar	3
<i>Exploitation of Children in Orphanages in State of T.N., In re</i> , (2010) 15 SCC 297	Criminal Justice	Tamil Nadu	0
<i>Jenany J.R. v. S. Rajeevan</i> , (2010) 5 SCC 798 : AIR 2010 SC 1622	Public Employment	Kerala	0
<i>MRF Ltd. v. Manohar Parrikar</i> , (2010) 11 SCC 374	Taxation and Revenue	Maharashtra	0

⁶⁵ Source: Factiva.

Case	Subject	State/ Region	Times of India Cites ⁶⁵
<i>Goa Glass Fibre Ltd. v. State of Goa</i> , (2010) 6 SCC 499	Taxation and Revenue	Maharashtra	0
<i>State of Orissa v. State of A.P.</i> , (2010) 5 SCC 674	Property Rights	Centre	0
<i>A.K. Behera v. Union of India</i> , (2010) 11 SCC 322	Public Employment	Centre	0
<i>Mohd. Ashif v. State of Bihar</i> , (2010) 5 SCC 475	Public Employment	Bihar	0
<i>All India Railway Recruitment Board v. K. Shyam Kumar</i> , (2010) 6 SCC 614	Public Employment	Andhra Pradesh	1
<i>Cannanore District Muslim Educational Assn. v. State of Kerala</i> , (2010) 6 SCC 373 : AIR 2010 SC 1955	Education	Kerala	0
<i>Union of India v. B. Anil Kumar</i> , (2010) 6 SCC 419	Public Employment	Andhra Pradesh	0
<i>T. Narasimhulu v. State of A.P.</i> , (2010) 6 SCC 545	Public Employment	Andhra Pradesh	0
<i>Neeti Malviya v. Rakesh Malviya</i> , (2010) 6 SCC 413	Religion	Centre	0
<i>Rajasthan Pradesh Vaidya Samiti v. Union of India</i> , (2010) 12 SCC 609 : AIR 2010 SC 2221	Other	Centre	1
<i>Fuljit Kaur v. State of Punjab</i> , (2010) 11 SCC 455 : AIR 2010 SC 1937	Property Rights	Punjab and Haryana	1
<i>Indu Bhushan Dwivedi v. State of Jharkhand</i> , (2010) 11 SCC 278 : AIR 2010 SC 2472	Public Employment	Jharkhand	0
<i>U.P. Land Development Corpn. v. Mohd. Khursheed Anwar</i> , (2010) 7 SCC 739 : AIR 2010 SC 2287	Public Employment	Uttar Pradesh	0
<i>Charanjit Lamba v. Army Southern Command</i> , (2010) 11 SCC 314 : AIR 2010 SC 2462	Public Employment	Maharashtra	0
<i>Union of India v. Jagdish Pandey</i> , (2010) 7 SCC 689 : AIR 2010 SC 3019	Public Employment	West Bengal	0
<i>Sanatan Naskar v. State of W.B.</i> , (2010) 8 SCC 249 : AIR 2010 SC 3570	Criminal Justice	West Bengal	0
<i>Malayala Manorama Co. Ltd. v. CCT</i> , (2010) 11 SCC 758	Taxation and Revenue	Kerala	0
<i>Amicus Curiae v. Prashant Bhushan</i> , (2010) 7 SCC 592	Freedom of Speech	Centre	1

Case	Subject	State/ Region	Times of India Cites ⁶⁵
<i>Mohd. Ayub Dar v. State of J&K</i> , (2010) 9 SCC 312 : AIR 2010 SC 2864	Criminal Justice	Jammu and Kashmir	2
<i>Mahatma Gandhi University v. Sherin</i> , Civil Appeal No. 5894 of 2010, decided on 23-7-2010 (SC)	Education	Kerala	0
<i>Musamiya Imam Haiderbux Rizvi v. State of Gujarat</i> , (2010) 13 SCC 752	Property Rights	Gujarat	0
<i>State of Karnataka v. M.L. Kesari</i> , (2010) 9 SCC 247 : AIR 2010 SC 2587	Public Employment	Karnataka	0
<i>Satimbla Sharma v. St Paul's Senior Secondary School</i> , (2011) 13 SCC 760	Public Employment	Himachal Pradesh	0
<i>State of Assam v. Union of India</i> , (2010) 10 SCC 408	Other	Centre	2
<i>Exploitation of Children in Orphanages, In re</i> , (2014) 2 SCC 180	Criminal Justice	Tamil Nadu	1
<i>M. Chandra v. M. Thangamuthu</i> , (2010) 9 SCC 712 : AIR 2011 SC 146	Elections	Tamil Nadu	1
<i>Punjab National Bank v. K.K. Verma</i> , (2010) 13 SCC 494 : AIR 2011 SC 120	Public Employment	Punjab and Haryana	0
<i>Voice of India v. Union of India</i> , Writ Petition (Civil) 263 of 2010, decided on 20-9-2010 (SC)	Socio-economic rights	Centre	1
<i>Villayati Ram Mittal (P) Ltd. v. Union of India</i> , (2010) 10 SCC 532 : AIR 2011 SC 301	Taxation and Revenue	Delhi	0
<i>R.D. Gardi Medical College v. State of M.P.</i> , (2010) 10 SCC 225	Education	Madhya Pradesh	0
<i>Samjuben Gordhanbhai Koli v. State of Gujarat</i> , (2010) 13 SCC 466	Criminal Justice	Gujarat	0
<i>State of Uttaranchal v. Sandeep Kumar Singh</i> , (2010) 12 SCC 794	Public Employment	Uttaranchal	0
<i>Mahamudul Hassan v. Union of India</i> , (2010) 15 SCC 239	Criminal Justice	Centre	0
<i>State of Punjab v. Viney Kumar Khullar</i> , (2010) 13 SCC 481	Education	Punjab and Haryana	0
<i>State of U.P. v. Bhupendra Nath Tripathi</i> , (2010) 13 SCC 203 : AIR 2011 SC 63	Education	Uttar Pradesh	0
<i>Prakash Singh v. Union of India</i> , (2011) 14 SCC 26	Criminal Justice	Centre	1
<i>Mehtar Singh Saini, In re</i> , (2010) 13 SCC 586	Public Employment	Centre	0

Case	Subject	State/ Region	Times of India Cites ⁶⁵
<i>Transport & Dock Workers Union v. Mumbai Port Trust</i> , (2011) 2 SCC 575	Public Employment	Maharashtra	1
<i>Ram Deo Chauhan v. Bani Kanta Das</i> , (2010) 14 SCC 209 : AIR 2011 SC 615	Criminal Justice	Centre	0
<i>Budha Prathmik Technical Training College v. State of Bihar</i> , (2010) 13 SCC 572	Education	Bihar	0
<i>Geeta v. State of U.P.</i> , (2010) 13 SCC 678 : AIR 2011 SC 414	Elections	Uttar Pradesh	0
<i>State of U.P. v. Sangam Nath Pandey</i> , (2011) 2 SCC 105	Public Employment	Uttar Pradesh	0
<i>Centre for Environment and Food Security v. Union of India</i> , (2011) 5 SCC 668	Socio- economic Rights	Centre	3
<i>D.N. Jeevaraju v. D. Sudhakar</i> , (2010) 14 SCC 69 : AIR 2011 SC 1158	Elections	Karnataka	1
2011			
<i>People's Union for Civil Liberties v. Union of India</i> , (2011) 14 SCC 349	Socio- economic Rights	Centre	0
<i>Shanker Raju v. Union of India</i> , (2011) 2 SCC 132	Public Employment	Centre	0
<i>People's Union for Civil Liberties (I) v. Union of India</i> , (2011) 14 SCC 721	Socio- economic rights	Centre	0
<i>Exploitation of Children in Orphanages in State of T.N., In re</i> , (2011) 15 SCC 348	Education	Centre	0
<i>People's Union for Civil Liberties v. Union of India</i> , (2011) 14 SCC 561	Socio- economic Rights	Centre	0
<i>Environmental & Consumer Protection Foundation v. Delhi Admn.</i> , (2011) 13 SCC 48	Education	Centre	0
<i>Bhim Singh v. Union of India</i> , (2011) 13 SCC 94	Criminal Justice	Centre	0
<i>Safai Karamchari Andolan v. Union of India</i> , (2011) 15 SCC 606	Equality	Centre	1

Case	Subject	State/ Region	Times of India Cites ⁶⁵
<i>People's Union for Civil Liberties v. Union of India</i> , (2011) 15 SCC 289	Socio-economic rights	Centre	0
<i>Nandini Sundar v. State of Chhattisgarh</i> , (2011) 13 SCC 46	Criminal Justice	Chhattisgarh	1
<i>Centre for PIL v. Union of India</i> , (2011) 15 SCC 533	Religion	Centre	0
<i>Aruna Ramachandra Shanbaug v. Union of India</i> , (2011) 4 SCC 524	Other	Centre	1
<i>Prafull Goradia v. Union of India</i> , (2011) 2 SCC 568	Religion	Centre	1
<i>National Council for Teacher Education v. Shri Shyam Shiksha Prashikshan Sansthan</i> , (2011) 3 SCC 238 : AIR 2011 SC 932	Education	Rajasthan	0
<i>Joydeep Mukharjee v. State of W.B.</i> , (2011) 2 SCC 706 : AIR 2011 SC 1169	Property Rights	West Bengal	0
<i>State of Orissa v. Mamata Mohanty</i> , (2011) 3 SCC 436	Public Employment	Orissa	0
<i>Zafruddin Khan v. Aligarh Muslim University</i> , (2011) 14 SCC 127	Education	Uttar Pradesh	0
<i>Narayan Dutt v. State of Punjab</i> , (2011) 4 SCC 353 : AIR 2011 SC 1216	Criminal Justice	Punjab and Haryana	4
<i>Exploitation of Children in Orphanages in State of T.N., In re</i> , (2011) 15 SCC 350	Education	Centre	0
<i>People's Union for Civil Liberties v. Union of India</i> , (2011) 12 SCC 673	Socio-economic Rights	Centre	0
<i>State of U.P. v. Bharat Singh</i> , (2011) 4 SCC 120	Public Employment	Uttar Pradesh	0
<i>LIC v. Suresh Kumar</i> , (2011) 7 SCC 491	Civil Justice	Rajasthan	0
<i>Ranjana Mishra v. State of Bihar</i> , (2011) 4 SCC 192 : AIR 2011 SC 1383	Education	Bihar	0
<i>Centre for Environment & Food Security v. Union of India</i> , (2011) 14 SCC 252	Other	Orissa	0
<i>People's Union for Civil Liberties v. Union of India</i> , (2011) 14 SCC 393	Socio-economic Rights	Centre	0
<i>Suraz India Trust v. Union of India</i> , (2012) 13 SCC 497	Public Employment	Centre	2

Case	Subject	State/ Region	Times of India Cites ⁶⁵
<i>State of Uttaranchal v. Golden Forest Co. (P) Ltd.</i> , (2011) 15 SCC 127 : AIR 2011 SC 1723	Property Rights	Uttar Pradesh	0
<i>Union of India v. Tantia Construction (P) Ltd.</i> , (2011) 5 SCC 697	Property Rights	Bihar	0
<i>Afjal Imam v. State of Bihar</i> , (2011) 5 SCC 729	Public Employment	Bihar	0
<i>Amrik Singh Lyallpuri v. Union of India</i> , (2011) 6 SCC 535	Civil Justice	Delhi	0
<i>NOIDA Entrepreneurs Assn. v. NOIDA</i> , (2011) 6 SCC 508 : AIR 2011 SC 2112	Criminal Justice	Uttar Pradesh	2
<i>People's Union for Civil Liberties v. Union of India</i> , (2011) 14 SCC 556	Socio-economic rights	Centre	0
<i>State of M.P. v. Narmada Bachao Andolan</i> , (2011) 7 SCC 639 : AIR 2011 SC 1989	Property Rights	Madhya Pradesh	3
<i>APM Terminals B.V. v. Union of India</i> , (2011) 6 SCC 756	Taxation and Revenue	Maharashtra	1
<i>Amar Singh v. Union of India</i> , (2011) 7 SCC 69	Right to Privacy	Centre	11
<i>Indian Medical Assn. v. Union of India</i> , (2011) 7 SCC 179 : AIR 2011 SC 2365	Education	Delhi	3
<i>Balchandra L. Jarkiholi v. B.S. Yeddyurappa</i> , (2011) 7 SCC 1	Elections	Karnataka	41
<i>Democratic Youth Federation of India v. Union of India</i> , (2011) 15 SCC 530	Socio-economic rights	Centre	17
<i>People's Union for Civil Liberties v. Union of India</i> , (2013) 2 SCC 684	Socio-economic rights	Centre	5
<i>State of Punjab v. Nirbhay Singh</i> , (2011) 15 SCC 494	Other	Punjab and Haryana	2
<i>Rahul Kumar v. State of Jharkhand</i> , SLP (Crl.) CRLMP No. 11342 of 2011, decided on 1-6-2011 (SC)	Criminal Justice	Jharkhand	0
<i>Ajay K. Agrawal v. Manmohan Singh</i> , (2011) 14 SCC 700	Freedom of Speech	Delhi	16
<i>Ram Jethmalani v. Union of India</i> , (2011) 8 SCC 1	Right to Privacy	Centre	63
<i>Nandini Sundar v. State of Chhattisgarh</i> , (2011) 7 SCC 547 : AIR 2011 SC 2839	Criminal Justice	Chhattisgarh	68

Case	Subject	State/ Region	Times of India Cites ⁶⁵
<i>Barot Vijaykumar Balakrishna v. Modh Vinaykumar Dasrathlal</i> , (2011) 7 SCC 308 : AIR 2011 SC 2829	Public Employment	Gujarat	0
<i>P.D. Dinakaran v. Hon'ble Judges Inquiry Committee</i> , (2011) 15 SCC 402 : AIR 2011 SC 3711	Public Employment	Karnataka	7
<i>Delhi Jal Board v. National Campaign for Dignity & Rights of Sewerage & Allied Workers</i> , (2011) 8 SCC 568	Other	Delhi	1
<i>Mohd. Hamid v. Badi Masjid Trust</i> , (2011) 13 SCC 61	Other	Maharashtra	2
<i>Narmada Bachao Andolan v. State of M.P.</i> , (2011) 12 SCC 333 : AIR 2011 SC 3199	Property Rights	Madhya Pradesh	0
<i>Eastern Coalfields Ltd. v. Tetulia Coke Plant (P) Ltd.</i> , (2011) 14 SCC 624	Taxation and Revenue	West Bengal	0
<i>Exploitation of Children in Orphanages in Tamil Nadu, In re</i> , (2011) 15 SCC 500	Education	Tamil Nadu	0
<i>Puneet Gulati v. State of Kerala</i> , (2011) 12 SCC 722 : AIR 2011 SC 3571	Education	Kerala	0
<i>P.V. Indiresan (2) v. Union of India</i> , (2011) 8 SCC 441	Education	Delhi	4
<i>Prakash Jha Productions v. Union of India</i> , (2011) 8 SCC 372	Freedom of Speech	Uttar Pradesh	13
<i>P. Parthasarathy v. State of Karnataka</i> , (2011) 12 SCC 183	Property Rights	Karnataka	0
<i>Federation of A.P. Minority Educational Institutions v. Admission & Fee Regulatory Committee</i> , (2011) 12 SCC 358	Education	Andhra Pradesh	0
<i>State of Rajasthan v. Sanyam Lodha</i> , (2011) 13 SCC 262	Criminal Justice	Rajasthan	0
<i>P.D. Dinakaran (2) v. Judges Inquiry Committee</i> , (2011) 8 SCC 474 : AIR 2011 SC 3777	Public Employment	Karnataka	2
<i>Mohd. Murtaza v. State of Assam</i> , (2011) 12 SCC 413	Property Rights	Gauhati	3
<i>State of Maharashtra v. Vijay C. Puljal</i> , (2012) 10 SCC 599	Property Rights	Centre	0
<i>Union of India v. J.D. Suryavanshi</i> , (2011) 13 SCC 167 : AIR 2011 SC 3605	Other	Madhya Pradesh	0

Case	Subject	State/ Region	Times of India Cites ⁶⁵
<i>Friends of Victoria Memorial v. Hourah Ganatantrik Nagarik Samity</i> , (2011) 13 SCC 55	Other	West Bengal	3
<i>State of Punjab v. State of Haryana</i> , (2011) 12 SCC 726	Property Rights	Punjab and Haryana	0
<i>Ram Jethmalani v. Union of India</i> , (2011) 9 SCC 751	Taxation and Revenue	Centre	4
<i>State of H.P. v. Union of India</i> , (2011) 13 SCC 344	Other	Centre	6
<i>Sampurna Behura v. Union of India</i> , (2011) 9 SCC 801	Criminal Justice	Centre	0
<i>Union of India v. Nitdip Textile Processors (P) Ltd.</i> , (2012) 1 SCC 226	Taxation and Revenue	Gujarat	1
2012			
<i>V.K. Naswa v. Union of India</i> , (2012) 2 SCC 542	Other	Centre	6
<i>Virendra Pratap v. Union of India</i> , (2012) 11 SCC 764	Elections	Centre	4
<i>West U.P. Sugar Mills Assn. v. State of U.P.</i> , (2012) 2 SCC 773	Other	Uttar Pradesh	1
<i>Rameshbhai Dabhai Naika v. State of Gujarat</i> , (2012) 3 SCC 400	Religion	Gujarat	2
<i>People's Union for Civil Liberties v. Union of India</i> , (2012) 12 SCC 357	Socio-economic rights	Centre	1
<i>Bangalore Development Authority v. Aircraft Employees' Coop. Society Ltd.</i> , (2012) 3 SCC 442	Other	Karnataka	0
<i>Sudhakar (2) v. D.N. Jeevaraju</i> , (2012) 2 SCC 708	Elections	Karnataka	6
<i>Jeevan Chandrabhan Idnani v. Divl. Commr.</i> , (2012) 2 SCC 794 : AIR 2012 SC 1210	Elections	Maharashtra	0
<i>Centre for Public Interest Litigation v. Union of India</i> , (2012) 3 SCC 1 : AIR 2012 SC 3725	Taxation and Revenue	Centre	477
<i>Ramlila Maidan Incident, In re</i> , (2012) 5 SCC 1	Freedom of speech	Delhi	45
<i>K.B. Nagur v. Union of India</i> , (2012) 4 SCC 483 : AIR 2012 SC 1774	Other	Centre	0

Case	Subject	State/ Region	Times of India Cites ⁶⁵
<i>Postmaster General v. Living Media India Ltd.</i> , (2012) 3 SCC 563 : AIR 2012 SC 1506	Other	Delhi	1
<i>Karuna Singh v. State (NCT of Delhi)</i> , (2012) 5 SCC 407 : AIR 2012 SC 2814	Criminal Justice	Delhi	0
<i>Society for Unaided Private Schools of Rajasthan v. Union of India</i> , (2012) 6 SCC 1 : AIR 2012 SC 3445	Education	Centre	114
<i>U.P. Power Corpn. Ltd. v. Rajesh Kumar</i> , (2012) 7 SCC 1 : AIR 2012 SC 2728	Employment	Uttar Pradesh	33
<i>Avishek Goenka v. Union of India</i> , (2012) 5 SCC 321	Criminal Justice	Centre	79
<i>Tejas Constructions & Infrastructure (P) Ltd. v. Municipal Council, Sendhwa</i> , (2012) 6 SCC 464	Property Rights	Madhya Pradesh	0
<i>Union of India v. Rafique Shaikh Bhikan</i> , (2012) 6 SCC 265 : AIR 2012 SC 2453	Religion	Centre	27
<i>State of M.P. v. Rakesh Kohli</i> , (2012) 6 SCC 312 : AIR 2012 SC 2351	Property Rights	Madhya Pradesh	1
<i>Village Panchayat, Calangute v. Director of Panchayat</i> , (2012) 7 SCC 550 : AIR 2012 SC 2697	Other	Maharashtra	5
<i>Andaman & Nicobar Admn. v. Bare Foot Inns & Leisure (P) Ltd.</i> , (2012) 11 SCC 709 : AIR 2012 SC 2548	Other	West Bengal	5
<i>Subhash Popatlal Dave v. Union of India</i> , (2012) 7 SCC 533 : AIR 2012 SC 3370	Criminal Justice	Centre	1
<i>Rashid Kapadia v. Medha Gadgil</i> , (2012) 11 SCC 745	Criminal Justice	Maharashtra	0
<i>Union of India v. Rafique Shaikh Bhikan</i> , (2013) 4 SCC 804	Religion	Centre	3
<i>Bar Council of India v. Union of India</i> , (2012) 8 SCC 243 : AIR 2012 SC 3246	Equality	Centre	3
<i>Rajoo v. State of M.P.</i> , (2012) 8 SCC 553 : AIR 2012 SC 3034	Criminal Justice	Madhya Pradesh	1
<i>Bhopal Gas Peedith Mahila Udyog Sangathan v. Union of India</i> , (2012) 8 SCC 326 : AIR 2012 SC 3081	Socio- economic rights	Madhya Pradesh	2
<i>Ranjan Dwivedi v. CBI</i> , (2012) 8 SCC 495 : AIR 2012 SC 3217	Criminal Justice	Delhi	2

Case	Subject	State/ Region	Times of India Cites ⁶⁵
<i>State of Kerala v. Tribal Mission</i> , (2012) 8 SCC 775	Education	Kerala	2
<i>Baba Tek Singh v. Union of India</i> , (2012) 12 SCC 623	Religion	Punjab	0
<i>Arvind Gupta v. Union of India</i> , (2013) 1 SCC 393	Other	Centre	4
<i>Environmental & Consumer Protection Foundation v. Delhi Admn.</i> , (2012) 10 SCC 197 : AIR 2013 SC 1111	Education	Centre	10
<i>Usha Mehta v. Govt. of A.P.</i> , (2012) 12 SCC 419 : AIR 2013 SC 132	Property Rights	Andhra Pradesh	0
<i>Sabeeha Faikage v. Union of India</i> , (2013) 1 SCC 262	Other	Centre	0
<i>Medha Kotwal Lele v. Union of India</i> , (2013) 1 SCC 297 : AIR 2013 SC 93	Criminal Justice	Centre	4
<i>Ayaaubkhan Noorkhan Pathan v. State of Maharashtra</i> , (2013) 4 SCC 465 : AIR 2013 SC 58	Public Employment	Maharashtra	0
<i>State of Punjab v. Gian Chand</i> , (2012) 13 SCC 505 : AIR 2013 SC 599	Public Employment	Punjab	0
<i>Amarnath Shrine, In re</i> , (2013) 3 SCC 247	Criminal Justice	Jammu and Kashmir	5
<i>Indian Oil Corpn. Ltd. v. Ashok Shankarlal Gwalani</i> , (2012) 13 SCC 260	Property Rights	Maharashtra	0
2013			
<i>Orissa Legislative Assembly v. Utkal Kesbari Parida</i> , (2013) 11 SCC 794 : AIR 2013 SC 1181	Elections	Orissa	0
<i>Kshiti Goswami v. Subrata Kundu</i> , (2013) 11 SCC 618	Public Employment	West Bengal	0
<i>Vijay Kumar Thakur v. State of Karnataka</i> , 2013 SCC OnLine SC 194 : (2013) 5 Kar LJ 32	Criminal Justice	Karnataka	0
<i>J. Sundramma v. State of Karnataka</i> , (2014) 15 SCC 350	Property Rights	Karnataka	0
<i>State of Uttarakhand v. Amita Singh</i> , (2013) 4 SCC 129	Public Employment	Uttarakhand	0
<i>Manoj H. Mishra v. Union of India</i> , (2013) 6 SCC 313 : AIR 2013 SC 2809	Public Employment	Gujarat	0

Case	Subject	State/ Region	Times of India Cites ⁶⁵
<i>Rushi Guman Singh v. State of Orissa</i> , (2013) 11 SCC 266	Public Employment	Orissa	0
<i>Devender Pal Singh Bhullar v. State (NCT of Delhi)</i> , (2013) 6 SCC 195 : AIR 2013 SC 1975	Criminal Justice	Delhi	218
<i>Union of India v. Rafique Shaikh Bhikan</i> , (2013) 4 SCC 699	Religion	Bombay	0
<i>Jatya Pal Singh v. Union of India</i> , (2013) 6 SCC 452	Public Employment	Centre	0
<i>Sukhdev Singh v. Union of India</i> , (2013) 9 SCC 566 : AIR 2013 SC 2741	Public Employment	Multiple	0
<i>Markio Tado v. Takam Sorang</i> , (2013) 7 SCC 524	Elections	Arunachal Pradesh	0
<i>Sambhavana v. University of Delhi</i> , (2013) 14 SCC 781	Education	Delhi	2
<i>Isaac Isanga Musumba v. State of Maharashtra</i> , (2014) 15 SCC 357	Criminal Justice	Maharashtra	0
<i>Kalpana Dilip Bahirat v. Pune Municipal Corpn.</i> , (2014) 15 SCC 654	Elections	Maharashtra	0
<i>N. Sengodan v. State of T.N.</i> , (2013) 8 SCC 664	Criminal Justice	Tamil Nadu	0
<i>Kamal Jora v. State of Uttarakhand</i> , (2013) 9 SCC 396 : AIR 2013 SC 2242	Other	Uttarakhand	0
<i>Essar Teleholdings Ltd. v. Delhi High Court</i> , (2013) 8 SCC 1	Criminal Justice	Delhi	0
<i>Makarand Dattatreya Sugavkar v. Municipal Corpn. of Greater Mumbai</i> , (2013) 9 SCC 136	Property Rights	Maharashtra	0
<i>Vikram Singh v. Union of India</i> , (2013) 16 SCC 450	Criminal Justice	Punjab and Haryana	2
<i>K.C. Bajaj v. Union of India</i> , (2013) 14 SCC 533	Public Employment	Centre	0
<i>Maharishi Mahesh Yogi Vedic Vishwavidyalaya v. State of M.P.</i> , (2013) 15 SCC 677	Education	Madhya Pradesh	0
<i>State of Karnataka v. Associated Managements of Primary & Secondary Schools</i> , (2013) 11 SCC 72	Education	Karnataka	7
<i>S. Subramaniam Balaji v. State of T.N.</i> , (2013) 9 SCC 659	Elections	Tamil Nadu	8

Case	Subject	State/ Region	Times of India Cites ⁶⁵
<i>State of Gujarat v. PWD Employees Union</i> , (2013) 12 SCC 417	Public Employment	Gujarat	0
<i>Lily Thomas v. Union of India</i> , (2013) 7 SCC 653	Elections	Centre	11
<i>Basant Kumar Chaudhary v. Union of India</i> , 2013 SCC OnLine SC 600	Elections	Bihar	0
<i>Chief Election Commr. v. Jan Chaukidar</i> , (2013) 7 SCC 507	Elections	Bihar	7
<i>Khela Banerjee v. City Montessori School</i> , (2013) 7 SCC 615 : AIR 2013 SC 3776	Property Rights	Uttar Pradesh	0
<i>Modern Dental College & Research Centre v. State of M.P.</i> , (2013) 14 SCC 241	Education	Madhya Pradesh	0
<i>Kuchhbh Jal Sankat Nivaran Samiti v. State of Gujarat</i> , (2013) 12 SCC 226 : AIR 2013 SC 2657	Other	Gujarat	1
<i>State of Maharashtra v. Indian Hotel & Restaurants Assn.</i> , (2013) 8 SCC 519 : AIR 2013 SC 2582	Equality	Maharashtra	51
<i>State of Kerala v. R. Sudha</i> , 2013 SCC OnLine SC 627 : (2013) 3 WLN 144	Socio-economic Rights	Kerala	0
<i>Laxmi v. Union of India</i> , (2014) 4 SCC 431	Criminal Justice	Centre	3
<i>Manohar Lal Sharma v. Union of India</i> , (2014) 3 SCC 166	Taxation and Revenue	Centre	0
<i>Laxmi v. Union of India</i> , (2014) 4 SCC 427	Criminal Justice	Centre	24
<i>Union of India v. Rajesh Kumar Gond</i> , (2014) 13 SCC 588	Public Employment	West Bengal	0
<i>Sinhgad Technical Education Society v. Union of India</i> , (2013) 10 SCC 550	Education	Centre	0
<i>Ehsan Khalid v. Union of India</i> , (2014) 13 SCC 356	Other	Centre	0
<i>Nikhil Himthani v. State of Uttarakhand</i> , (2013) 10 SCC 237	Education	Uttarakhand	0
<i>Manohar Lal Sharma v. Principal Secy.</i> , (2014) 3 SCC 169	Taxation and Revenue	Centre	3
<i>Nihal Singh v. State of Punjab</i> , (2013) 14 SCC 65 : AIR 2013 SC 3547	Public employment	Punjab and Haryana	0

Case	Subject	State/ Region	Times of India Cites ⁶⁵
<i>Pt. Ravishankar Shukla University v. Gopal Mishra</i> , (2014) 14 SCC 680	Education	Chhattisgarh	0
<i>Rameshwar Prasad Goyal, Advocate, In re</i> , (2014) 1 SCC 572	Other	Centre	1
<i>State of Uttaranchal v. Shiv Charan Singh Bhandari</i> , (2013) 12 SCC 179	Public Employment	Uttar Pradesh	0
<i>Advocates Assn. v. Union of India</i> , (2013) 10 SCC 611	Other	Karnataka	2
<i>Swamy Devi Dayal Hospital & Dental College v. Union of India</i> , (2014) 13 SCC 506 : AIR 2014 SC 284	Education	Punjab and Haryana	0
<i>Manohar Lal Sharma v. Principal Secy.</i> , (2014) 2 SCC 711	Taxation and Revenue	Centre	0
<i>Aneesh D. Lawande v. State of Goa</i> , (2014) 1 SCC 554	Education	Goa	0
<i>Devendra Patel v. Ram Pal Singh</i> , (2013) 10 SCC 801 : AIR 2014 SC 404	Elections	Madhya Pradesh	0
<i>State of Maharashtra v. Namdeo</i> , (2013) 14 SCC 225	Public Employment	Maharashtra	0
<i>Kulmeet Kaur Mahal v. State of Punjab</i> , (2014) 13 SCC 756	Education	Punjab and Haryana	0
<i>Manohar Lal Sharma v. Medical Council of India</i> , (2013) 10 SCC 60	Education	Punjab and Haryana	0
<i>Mohd. Haroon v. Union of India</i> , (2013) 9 SCC 328	Socio- economic Rights	Uttar Pradesh	1
<i>Resurgence India v. Election Commission of India</i> , (2014) 14 SCC 189 : AIR 2014 SC 344	Elections	Centre	7
<i>H.P. Scheduled Tribes Employees Federation v. H.P. Samanaya Varg Karamchari Kalayan Mahasangh</i> , (2013) 10 SCC 308	Public Employment	Himachal Pradesh	0
<i>Educare Charitable Trust v. Union of India</i> , (2013) 16 SCC 474 : AIR 2014 SC 902	Education	Kerala	0
<i>Dr B.R. Ambedkar Medical College v. Union of India</i> , (2013) 10 SCC 280	Education	Centre	0
<i>University Grants Commission v. Neha Anil Bobde</i> , (2013) 10 SCC 519	Education	Maharashtra	3
<i>Mohd. Haroon v. Union of India</i> , (2013) 9 SCC 328	Socio- economic rights	Uttar Pradesh	6

Case	Subject	State/ Region	Times of India Cites ⁶⁵
<i>Ranjana Kumari v. State of Uttarakhand</i> , (2013) 14 SCC 710	Public Employment	Uttarakhand	0
<i>Eastern Coalfields Ltd. v. Bajrangji Rabidas</i> , (2014) 13 SCC 681	Public Employment	West Bengal	0
<i>Govt. of India v. S. Raju</i> , Transfer Petition (Civil) Nos. 47-48 of 2013, decided on 23-9-2013 (SC)	Other	Centre	0
<i>People's Union for Civil Liberties v. Union of India</i> , (2013) 10 SCC 1	Elections	Centre	74
<i>Cricket Assn. of Bihar v. Board of Control for Cricket in India</i> , (2014) 7 SCC 394	Other	Centre	10
<i>Govt. of Bihar v. Madheshwar Dhari Singh</i> , 2013 SCC OnLine SC 1216	Public Employment	Bihar	0
<i>Cricket Assn. of Bihar v. Board of Control for Cricket in India</i> , (2014) 7 SCC 394	Other	Centre	8
<i>Subramanian Swamy v. Election Commission of India</i> , (2013) 10 SCC 500 : AIR 2014 SC 18	Elections	Centre	6
<i>Ratan N. Tata v. Union of India</i> , (2014) 1 SCC 93	Other	Centre	5
<i>State of U.P. v. Jaiprakash Associates Ltd.</i> , (2014) 4 SCC 720	Taxation and Revenue	Uttar Pradesh	0
<i>Asharam Bapu v. Union of India</i> , (2013) 10 SCC 37	Criminal Justice	Centre	11
<i>Centre For Public Interest Litigation v. Union of India</i> , (2013) 16 SCC 279 : AIR 2014 SC 49	Socio- economic Rights	Centre	2
<i>Central Electricity Supply Utility of Odisha v. Dhobei Sahoo</i> , (2014) 1 SCC 161 : AIR 2014 SC 246	Public Employment	Orissa	0
<i>Chanda C. Kadam v. Collector</i> , (2013) 16 SCC 371 : AIR 2014 SC 363	Property Rights	Maharashtra	0
<i>Beenu Rawat v. Union of India</i> , (2013) 16 SCC 430 : AIR 2014 SC 538	Criminal Justice	Delhi	1
<i>State of Jharkhand v. Harihar Yadav</i> , (2014) 2 SCC 114	Public Employment	Centre	2
<i>K.C. Bajaj v. Union of India</i> , (2014) 3 SCC 777	Public Employment	Delhi	0
<i>Satish Chandra v. Lok Sabha</i> , (2014) 2 SCC 178	Elections	Centre	2

Case	Subject	State/ Region	Times of India Cites ⁶⁵
<i>Laxmi v. Union of India</i> , (2014) 13 SCC 743	Criminal Justice	Centre	2
<i>Swami Achyutanand Tirth v. Union of India</i> , (2014) 13 SCC 314	Criminal Justice	Centre	0
<i>State of Rajasthan v. Basant Agrotech (India) Ltd.</i> , (2013) 15 SCC 1	Other	Rajasthan	0
<i>Rajeshwar Singh v. Subrata Roy Sahara</i> , (2014) 14 SCC 257 : AIR 2014 SC 476	Other	Centre	6
<i>Abbay Singh v. State of U.P.</i> , (2013) 15 SCC 435 : AIR 2014 SC 427	Equality	Centre	17
<i>Suresh Kumar Koushal v. Naz Foundation</i> , (2014) 1 SCC 1 : AIR 2014 SC 563	Equality	Delhi	386
<i>Samta Aandolan Samiti v. Union of India</i> , (2014) 14 SCC 745	Education	Centre	0
<i>A. Marx v. State of T.N.</i> , (2014) 13 SCC 329	Education	Tamil Nadu	0
<i>Exploitation of Children in Orphanages, In re</i> , (2014) 2 SCC 180	Criminal Justice	Tamil Nadu	2
<i>Manohar Lal Sharma v. Principal Secy.</i> , (2014) 2 SCC 532	Taxation and Revenue	Centre	4

Table 2: Cases with 5 or more cites (Top 40 Politically Salient Cases)

Case	Subject	Region	Times of India cites
<i>Centre for Public Interest Litigation v. Union of India</i> , (2012) 3 SCC 1 : AIR 2012 SC 3725	Taxation and Revenue	Centre	477
<i>Suresh Kumar Koushal v. Naz Foundation</i> , (2014) 1 SCC 1 : AIR 2014 SC 563	Equality	Delhi	386
<i>Devender Pal Singh Bhullar v. State (NCT of Delhi)</i> , (2013) 6 SCC 195 : AIR 2013 SC 1975	Criminal Justice	Delhi	218
<i>Society for Unaided Private Schools of Rajasthan v. Union of India</i> , (2012) 6 SCC 1 : AIR 2012 SC 3445	Education	Centre	114
<i>Avishek Goenka v. Union of India</i> , (2012) 5 SCC 321	Criminal Justice	Centre	79
<i>People's Union for Civil Liberties v. Union of India</i> , (2013) 10 SCC 1	Elections	Centre	74

Case	Subject	Region	Times of India cites
<i>Nandini Sundar v. State of Chhattisgarh</i> , (2011) 7 SCC 547 : AIR 2011 SC 2839	Criminal Justice	Chhattisgarh	68
<i>Ram Jethmalani v. Union of India</i> , (2011) 8 SCC 1	Right to Privacy	Centre	63
<i>State of Maharashtra v. Indian Hotel & Restaurants Assn.</i> , (2013) 8 SCC 519 : AIR 2013 SC 2582	Equality	Maharashtra	51
<i>Ramlila Maidan Incident, In re</i> , (2012) 5 SCC 1	Freedom of Speech	Delhi	45
<i>Balchandra L. Jarkiholi v. B.S. Yeddyurappa</i> , (2011) 7 SCC 1	Elections	Karnataka	41
<i>U.P. Power Corpn. Ltd. v. Rajesh Kumar</i> , (2012) 7 SCC 1 : AIR 2012 SC 2728	Employment	Uttar Pradesh	33
<i>Union of India v. Rafique Shaikh Bhikan</i> , (2012) 6 SCC 265 : AIR 2012 SC 2453	Religion	Centre	27
<i>Laxmi v. Union of India</i> , (2014) 4 SCC 427	Criminal Justice	Centre	24
<i>Abhay Singh v. State of U.P.</i> , (2013) 15 SCC 435 : AIR 2014 SC 427	Equality	Centre	17
<i>Democratic Youth Federation of India v. Union of India</i> , (2011) 15 SCC 530	Socio-economic rights	Centre	17
<i>Ajay K. Agrawal v. Manmohan Singh</i> , (2011) 14 SCC 700	Freedom of Speech	Delhi	16
<i>Prakash Jha Productions v. Union of India</i> , (2011) 8 SCC 372	Freedom of Speech	Uttar Pradesh	13
<i>Lily Thomas v. Union of India</i> , (2013) 7 SCC 653	Elections	Centre	11
<i>Asharam Bapu v. Union of India</i> , (2013) 10 SCC 37	Criminal Justice	Centre	11
<i>Amar Singh v. Union of India</i> , (2011) 7 SCC 69	Right to Privacy	Centre	11
<i>Cricket Assn. of Bihar v. Board of Control for Cricket in India</i> , (2014) 7 SCC 394	Other	Centre	10
<i>Environmental & Consumer Protection Foundation v. Delhi Admn.</i> , (2012) 10 SCC 197 : AIR 2013 SC 1111	Education	Centre	10
<i>S. Subramaniam Balaji v. State of T.N.</i> , (2013) 9 SCC 659	Elections	Tamil Nadu	8

Case	Subject	Region	Times of India cites
<i>Cricket Assn. of Bihar v. Board of Control for Cricket in India</i> , (2014) 7 SCC 394	Other	Centre	8
<i>State of Karnataka v. Associated Managements of Primary & Secondary Schools</i> , (2013) 11 SCC 72	Education	Karnataka	7
<i>Chief Election Commr. v. Jan Chaukidar</i> , (2013) 7 SCC 507	Elections	Bihar	7
<i>Resurgence India v. Election Commission of India</i> , (2014) 14 SCC 189 : AIR 2014 SC 344	Elections	Centre	7
<i>P.D. Dinakaran v. Hon'ble Judges Inquiry Committee</i> , (2011) 15 SCC 402 : AIR 2011 SC 3711	Public Employment	Karnataka	7
<i>Mohd. Haroon v. Union of India</i> , (2013) 9 SCC 328	Socio-economic rights	Uttar Pradesh	6
<i>Subramanian Swamy v. Election Commission of India</i> , (2013) 10 SCC 500 : AIR 2014 SC 18	Elections	Centre	6
<i>Rajeshwar Singh v. Subrata Roy Sahara</i> , (2014) 14 SCC 257 : AIR 2014 SC 476	Other	Centre	6
<i>V.K. Naswa v. Union of India</i> , (2012) 2 SCC 542	Other	Centre	6
<i>D. Sudhakar (2) v. D.N. Jeevaraju</i> , (2012) 2 SCC 708	Elections	Karnataka	6
<i>State of H.P. v. Union of India</i> , (2011) 13 SCC 344	Other	Centre	6
<i>Ratan N. Tata v. Union of India</i> , (2014) 1 SCC 93	Other	Centre	5
<i>Village Panchayat, Calangute v. Director of Panchayat</i> , (2012) 7 SCC 550 : AIR 2012 SC 2697	Other	Maharashtra	5
<i>Andaman & Nicobar Admn. v. Bare Foot Inns & Leisure (P) Ltd.</i> , (2012) 11 SCC 709 : AIR 2012 SC 2548	Other	West Bengal	5
<i>Amarnath Shrine, In re</i> , (2013) 3 SCC 247	Criminal Justice	Jammu and Kashmir	5
<i>People's Union for Civil Liberties v. Union of India</i> , (2013) 2 SCC 684	Socio-economic Rights	Centre	5

Table 3: Differences in Region-Wise Distribution of Cases

Subject	Sample Set		Top 40 Politically Salient Cases	
	Number	Percentage	Number	Percentage
Centre	81	32	22	55
Delhi	18	7	4	10
Maharashtra	18	7	2	5
Uttar Pradesh	17	7	3	8
Karnataka	13	5	4	10
Madhya Pradesh	13	5	0	-
Others	91	36	5	13

Table 4: Differences in Subject-Wise Distribution of Cases

Subject	Sample Set		Top 40 Politically Salient Cases	
	Number	Percentage	Number	Percentage
Public Employment	50	20	1	3
Criminal Justice	38	15	6	15
Education	38	15	3	8
Property Rights	20	8	0	-
Elections	19	8	8	20
Socio-economic Rights	17	7	3	8
Taxation and Revenue	14	6	2	5
Religion	9	4	1	3
Equality	5	2	3	8
Freedom of speech	4	2	3	8
Privacy	2	1	1	3
Civil Justice	2	1	0	-
Other	33	13	9	23