Code Book: Constitution Benches of the Supreme Court of India (2010-22)

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Dataset available online here.

Description

This dataset contains information on the judgements passed by constitution benches of the Supreme Court of India, between 2010 and 2022. It seeks to capture the following data points:

- Litigant characteristics;

- Subject matter;

- Procedural history;

- Precedential value;

- Composition of benches;

- Seniority of judges;

- Voting and alignment patterns;

- Authorship;

- Use of foreign precedents;

- Pendencies in Constitution Bench matters.

List of sources for data curation

1. **Judgements**
   - **Supreme Court of India:** https://main.sci.gov.in/
   - **Manupatra**
   - **SCC Online**

2. **Judge Information**
   - **(Dataset) *Justices of the Supreme Court of India (1950-2019),* by Gyan Prakash Tripathi:**
     https://justicehub.in/dataset/justices-of-the-supreme-court-of-india-1950-2019
   - **Handbook of the Department of Justice:**
     https://doj.gov.in/appointment-of-judges/list-of-supreme-court-and-high-courts-judges
   - **(Dataset) *Background of Indian Supreme Court Judges*, by Prof. Rangin Pallav Tripathy:**

https://justicehub.in/dataset/background-of-indian-supreme-court-judges

3. **Pendency Statistics**

- **Statistics, Monthly Pending Cases:**

  https://main.sci.gov.in/statistics

- **Working Strength of Supreme Court:**

  https://doj.gov.in/list-of-supreme-court-judges/

Data Codes

Column A: Case Title

Definition: Name of the case

Type: Text

Column B: Citation

Definition: SCC Citation of the case.

Type: Alphanumeric Text

Column C: Diary Number

Definition: Diary Number, as it appears on the Supreme Court website.

Type: Alphanumeric Text

Column D: Judgement Link

Definition: Link to the original copy of the Supreme Court judgement.

Column E: Case Number

Definition: Case number, as it appears on the Supreme Court website.

Type: Alphanumeric

Column F: Case Origin

Definition: Manner of origin of the case.

Format: Appeal/SLP: Civil; Appeal/SLP: Criminal; Writ Petition: Civil; Writ Petition: Criminal; Other Original Jurisdiction: Civil; Other Original Jurisdiction: Criminal; Review or Curative: Civil; Review or Curative: Criminal; Other

Type: Categorical

Column G: Appeal From

Definition: Name of High Court/ Tribunal from where the case came on appeal to the Supreme Court.

Type: Text

Column H: Date of Judgement from Previous Court/ Tribunal

Definition: Date on which the High Court/ Tribunal passed its judgement. Where judgements were passed by both Division Bench and Full Bench of the concerned High Court, only the date of the Full Bench judgement is considered. Sourced from Manupatra and independently verified.

Format: DD-MM-YYYY / Left Blank

Type: Date

Column I: Time Taken from HC/ Tribunal to SC Reference Order

Definition: Time taken (in number of days) from the final judgement of the High Court/ Tribunal till the Supreme Court Division Bench order referring case to a Constitution Bench.

Type: Number

Column J: Date of SC Reference Order

Definition: Date on which a Division Bench of the Supreme Court referred the case to the Court Registry to be listed before a Constitution Bench.

Format: DD-MM-YYYY

Type: Date

Column K: Time Taken from Reference Order to Constitution Bench

Definition: Time taken (in number of days) from the date of Reference Order till the final judgement by the Constitution Bench.

Type: Number

Column L: Date Decided by Constitution Bench

Definition: Date on which the Constitution Bench passed the final judgement.

Format: DD-MM-YYYY

Type: Date

Column M: Total Time taken from HC/ Tribunal till Final Judgement

Definition: Time taken (in number of days) from the date of judgement by the concerned High Court/ Tribunal till final judgement of the Constitution Bench.

Type: Number

Column N: Judgement of Previous HC/ Tribunal Confirmed or Reversed

Definition: Whether the judgement of the High Court/ Tribunal was confirmed or reversed on appeal by the Constitution Bench.

Format: Confirmed/ Reversed

Type: Categorical

Column O: Whether Judgement Overruled

Definition: Whether the judgement of the Constitution Bench continues to be good law, i.e., not overruled by a larger bench of the Supreme Court. Last updated on 16th August 2021. Sourced from Manupatra's Case Analytics Feature.

Format: Yes/ No

Type: Categorical

Column P: Times Cited by Supreme Court

Definition: Number of times the present judgement has been cited by the Supreme Court. Last updated on 16th August 2021. Sourced from Manupatra's Case Analytics Feature.

Type: Number

Column Q: Times Cited by High Courts/ Tribunal

Definition: Number of times the present judgement has been cited by High Courts/ Tribunals. Last updated on 16th August 2021. Sourced from Manupatra's Case Analytics Feature.

Type: Number

Column R: Total Times Cited

Definition: Total number of times the present judgement has been cited by the Supreme Court, High Courts, and Tribunals. Last updated on 16th August 2021. Sourced from Manupatra's Case Analytics Feature.

Type: Number

Column S: Precedents Overruled

Definition: Number of cases overruled by the precedent judgement. Where the judgement overrules a precedent, and also indicates that all the cases based on such precedent also stand overruled, a '+' sign is added.

Type: Numeric

Column T: Petitioner Type

Definition: Background characteristic of the petitioner.

Format: Individual; State: Union Govt.; State: State Govt.; State: Local Govt.; State: Other Authority; Company: Govt. Corporation; Company: Private Company; Political Party; Religious Organisation; Non-Governmental Organisation; Union or Association; Others

Type: Categorical

Column U: Respondent Type

Definition: Background characteristic of the respondent.

Format: Individual; State: Union Govt.; State: State Govt.; State: Local Govt.; State: Other Authority; Company: Govt. Corporation; Company: Private Company; Political Party; Religious Organisation; Non-Governmental Organisation; Union or Association; Others

Type: Categorical

Column V: Whether Amicus Appointed

Definition: Whether an amicus curia was appointed by the Supreme Court in the present matter.

Format: Yes/ No

Type: Categorical

Column W: Name of Amicus Appointed

Definition: Name of the amicus curia appointed.

Type: Text

Column X: Nature of Challenge

Definition: Basis of constitutional challenge. Framework borrowed from Chandra, Hubbard, Kalantry, *The Supreme Court of India – An Empirical Overview of the Institution*.

Format: Const. Amendments/Legislations: Basic Structure; Legislations: Fundamental Rights; Legislations: Other; Executive Action: Basic Structure; Executive Action: Fundamental Rights; Executive Action: Other; Precedents; Other.

Type: Categorical

Column Y: Subject Matter

Definition: Subject matter of the case, per the indicative list provided by the Supreme Court of India, available here.

Type: Categorical

Column Z: Bench Size

Definition: Number of judges sitting on Constitution Bench.

Format: 5; 7; 9; 11; 13

Type: Categorical

Column AA: CJI in Tenure

Definition: Name of the Chief Justice of India at the time of judgement.

Type: Text

Column AB: Whether CJI on Bench

Definition: Whether the Chief Justice appeared on the bench hearing the present case.

Format: Yes/ No

Type: Categorical

Columns AC, AE, AG, AI, AK, AM, AO, AQ, AS: Judges on Bench

Definition: Names of the judges on the bench.

Type: Text

Columns AD, AF, AH, AJ, AL, AN, AP, AR, AT: Seniority of Judge as on

Definition: Seniority of the judge (in days) as on date of judgement. Calculated as number of days between the date of appointment as Supreme Court judge and date of the judgement.

Type: Numeric.

Column AU: Whether Unanimous Verdict

Definition: Whether the verdict in the present matter was unanimous.

Format: Yes/ No

Type: Categorical

Note: Where the judges have agreed on the overall outcome, but have disagreed on the reasoning, it has been counted as a unanimous verdict.

Column AV: Majority Verdict in Favour of

Format: Const. Amendments/Legislations: Basic Structure; Legislations: Fundamental Rights; Legislations: Other; Executive Action: Basic Structure; Executive Action: Fundamental Rights; Executive Action: Other; Precedents; Other.

Type: Categorical

Column AW: Dissenting Vote in Favour of

Format: Const. Amendments/Legislations: Basic Structure; Legislations: Fundamental Rights; Legislations: Other; Executive Action: Basic Structure; Executive Action: Fundamental Rights; Executive Action: Other; Precedents; Other.

Type: Categorical

Column AX: Whether Solo Dissent

Definition: Whether the dissenting judge marked his dissent alone.

Format: Yes/ No/ NA

Type: Categorical

Column AY: Majority Opinion Author

Definition: Name of the judge authoring the majority opinion.

Type: Text

Columns AZ, BA, BB, BC, BD, BE, BF: Judges in Majority

Definition: Names of the judges who signed the majority opinion.

Type: Text

Column BG: Concurring Opinion 1 – Author

Definition: Name of the judge authoring the first concurring opinion.

Type: Text

Column BH, BI, BJ: Judges Signing Concurring Opinion 1

Definition: Names of judges who signed the first concurring opinion.

Type: Text

Column BK: Concurring Opinion 2 – Author

Definition: Name of the judge authoring the second concurring opinion.

Type: Text

Columns BL, BM: Judges Signing Concurring Opinion 2

Definition: Names of judges who signed the second concurring opinion.

Type: Text

Column BN: Concurring Opinion 3 – Author

Definition: Name of the judge authoring the third concurring opinion.

Type: Text

Columns BO, BP: Judges Signing Concurring Opinion 3

Definition: Names of judges who signed the third concurring opinion.

Type: Text

Column BQ: Concurring Opinion 4 – Author

Definition: Name of the judge authoring the fourth concurring opinion.

Type: Text

Column BR, BS: Judges Signing Concurring Opinion 4

Definition: Names of judges who signed the fourth concurring opinion.

Type: Text

Column BT: Dissenting Opinion 1 – Author

Definition: Name of the judge authoring the first dissenting opinion.

Type: Text

Columns BU, BV: Judges Signing Dissenting Opinion 1

Definition: Names of judges who signed the first dissenting opinion.

Type: Text

Column BX: Dissenting Opinion 2 – Author

Definition: Name of the judge authoring the second dissenting opinion.

Type: Text

Columns BY, BZ: Judges Signing Dissenting Opinion 2

Definition: Names of judges who signed the second dissenting opinion.

Type: Text

Column CA: Jurisdiction of Foreign Precedents

Definition: Jurisdiction of foreign courts/ tribunals cited in the judgement.

Type: Text