

MCQ Question · mcqquestion.com

Women in the Higher Judiciary: Representation and the Road Ahead

Free · Share

Women in the Higher Judiciary: Representation and the Road Ahead

Women remain a small minority in India’s higher judiciary, six decades after the first woman High Court judge took the bench. The Supreme Court has never had a woman Chief Justice. 2027 may finally change that.

Women in the Higher Judiciary

Polity0375

The Numbers

~13%

Women on High Court benches

Roughly 13% of High Court judges were women as of 2024.

~10%

Peak women's share of the Supreme Court

The apex bench has never crossed about a tenth.

11

Women appointed to the SC since 1950

Only about eleven women have ever been appointed.

1 in 3

Women among district court judges

District courts fare better, with around a third.

Timeline of Firsts

1959 — Justice Anna Chandy

First woman High Court judge in India — sworn in at the Kerala High Court.

1989 — Justice M. Fathima Beevi

First woman Supreme Court judge — also the first Muslim woman on the Court.

1991 — Justice Leila Seth

First woman Chief Justice of a High Court — Himachal Pradesh.

2018 — Justice Indu Malhotra

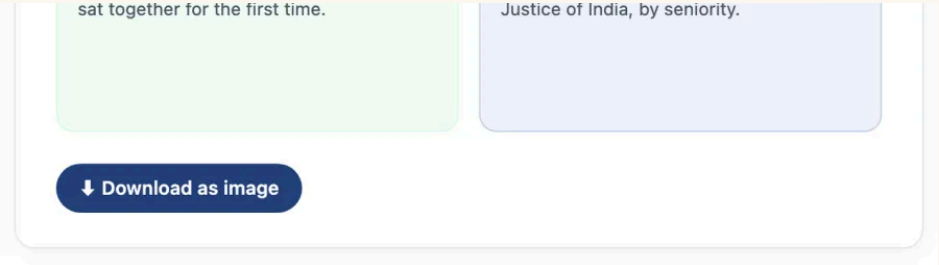
First woman elevated directly from the bar to the Supreme Court.

2021 — All-women bench of nine

All nine women judges then on the Court

2027 FIRST WOMAN CJI — Justice B.V. Nagarathna

Set to become the first woman Chief



Women in the higher judiciary: numbers and firsts.

> **~13%** Women among High Court judges, 2024.
> **11** Women appointed to the Supreme Court since 1950, about.
> **1 in 3** Women among district court judges, roughly.
> **2027** Expected year of the first woman CJI.

Collegium: Senior judges who recommend appointments to the higher judiciary.

NJAC: National Judicial Appointments Commission, struck down in 2015.

Seniority convention: The senior-most judge becomes Chief Justice.

SCBA: Supreme Court Bar Association.

1 Part 1: Few Women, a Long History

Must Know

The reality

- Women have never been more than about a tenth of the Supreme Court bench since 1950.
- Only about eleven women have been appointed to the Supreme Court in over seven decades.

- The High Courts are only slightly better off. Women are still a small minority.
- The scarcity is systemic. The pipeline from district courts and the bar has long been tilted against women.

The two firsts

- Justice Anna Chandy became India's first woman High Court judge in 1959, on the Kerala High Court.
- Justice Fathima Beevi joined the Supreme Court in 1989 as its first woman judge.
- Both opened doors that had stayed shut for decades.
- Their appointments showed that merit and the bench were not a male preserve.

Why representation matters

- A diverse bench enjoys greater public trust and legitimacy.
- Women judges bring lived experience to gender-justice cases, like custody and workplace rights.
- Diversity, equity and inclusiveness are constitutional goals, not concessions.
- When the bench mirrors society, its rulings are more credible and its reasoning more complete.

The collegium's role

- A collegium of senior judges controls appointments to the higher judiciary.
- Critics call the system closed and self-perpetuating.
- They say it keeps the bench overwhelmingly male, because the same narrow pool recommends itself.

- A 2015 attempt to replace it with the National Judicial Appointments Commission (NJAC) was struck down by the Supreme Court.
- See Article 124A: The National Judicial Appointments Commission.

Remember: 1959 Anna Chandy (HC). 1989 Fathima Beevi (SC). 1991 Leila Seth (first woman HC Chief Justice). 2018 Indu Malhotra (direct from the bar).

> **Quick check 1.** Fathima Beevi was India's first woman High Court judge. *(True or False?)* See answer ↓

2 Part 2: Milestones and Numbers

Good to Know

1959: Anna Chandy's Kerala milestone

- Justice Anna Chandy took oath as a Kerala High Court judge in 1959.
- She was the first woman High Court judge in India.
- She was also among the first women judges in the British Commonwealth.
- Her appointment ended the assumption that judging was a role reserved for men.

1989 and 1991: the Supreme Court and a first Chief Justice

- Justice M. Fathima Beevi became the first woman Supreme Court judge in 1989.
- She was also the first Muslim woman to sit on the apex court.
- She retired in 1992 after a short tenure.

- In 1991, Justice Leila Seth became the first woman Chief Justice of a High Court, in Himachal Pradesh.

2018 and 2021: more firsts

- In 2018, Justice Indu Malhotra became the first woman elevated directly from the bar to the Supreme Court.
- In September 2021, a record four women judges sat on the Supreme Court together. Three of them were sworn in on the same day.
- The old page of this article said nine women judges sat together on an all-women bench. That was wrong, and has been removed.

2027: a woman Chief Justice at last?

- Justice B.V. Nagarathna is the senior-most woman judge on the Court.
- By convention, the senior-most judge becomes Chief Justice.
- She is set to become the first woman Chief Justice of India, expected in 2027.
- Because elevation follows seniority, her ascent would break the highest glass ceiling in the judiciary.

The numbers

- Women made up roughly 13 per cent of High Court judges as of 2024.
- The Supreme Court has never crossed about a tenth of its bench.
- In 2021, the then Chief Justice said 11 per cent was reached “with great difficulty.”
- District courts fare better, with women around a third of judges.
- These figures matter because the bench’s makeup shapes whether gender-justice cases are heard with adequate lived perspective.

Quick check 2. Justice B.V. Nagarathna is in line to be the first woman Chief Justice of India. *(True or False?)* See answer ↓

3 Part 3: The Quota Debate and Reform

Great to Know

The demand for reservation

- In 2023, a former bar body president asked the Chief Justice for a 33 per cent quota for women.
- The demand echoed the Women's Reservation Bill for legislatures.
- Some now want the same quota logic applied to judges.
- Critics note that elevation already follows seniority, so a quota would change who ranks where.

The case for quotas

- Quotas would correct decades of slow, voluntary progress.
- Supporters cite places that used temporary reservations and lifted them once the pipeline normalised.
- A gender-balanced bench would strengthen gender-justice case law.
- The State already reserves seats for women in panchayats and legislatures.

The case against

- Critics fear quotas would compromise merit and invite litigation.
- A quota could taint every woman judge's appointment, which can discourage the very candidates it aims to help.
- They prefer to widen the candidate pool at the source. More women must rise through district courts and the bar.

Reform ideas and recent steps

- More transparency in collegium deliberations could check bias.
- Appointing more women directly from the bar widens the pool.
- Direct elevation breaks the bottleneck that waits only for sitting and former judges.

4 Part 4: Current Affairs, the Road Ahead

Great to Know

Seniority makes history

- By convention, the senior-most Supreme Court judge becomes Chief Justice. Justice Nagarathna's elevation in 2027 is all but assured.
- She would be the first woman to head India's judiciary since 1950.

Appointments are accelerating

- Since 2014, 170 women judges have joined the High Courts, including 96 in the last five years. (Union Law Ministry data; I could not re-check the figures.)
- This suggests recent transparency and pipeline efforts are starting to work.

Representation is still thin

- Women form about a seventh of High Court judges.
- Eight High Courts have only one woman judge each.
- The Supreme Court has one woman among its 33 working judges today.
- The Supreme Court Bar Association (SCBA) has flagged women's low representation in the higher judiciary.
- A former bar president earlier sought a one-third quota for women judges.

> **Think it through: Why is a woman CJI in 2027 almost certain?**
> Because the Chief Justice is chosen by seniority, and Justice Nagarathna is the senior-most in line at that time.

5 Previous Year Questions

A Mains question on this exact debate.

Quick Q&A

- **First woman High Court judge?** Anna Chandy, 1959.
- **First woman Supreme Court judge?** M. Fathima Beevi, 1989.

- **First woman HC Chief Justice?** Leila Seth, 1991.
- **First woman elevated directly from the bar?** Indu Malhotra, 2018.
- **Expected first woman CJI?** B.V. Nagarathna, 2027.

Practice MCQs

Answer Key

Quick-check answers

1. **False.** ↑ 1
2. **True.** ↑ 2

Curated by Arsalan Zuberi · mcqquestion.com



Scan to read online

https://mcqquestion.com/articles/polity0375-women-in-the-higher-judiciary-representation-and-the-road-ahead/