

1. CRITICALLY EXAMINE THE REASONS BEHIND LOW FEMALE JUDGE RATIO IN INDIA. CAN RESERVATION FOR WOMEN IN JUDICIARY SOLVE THIS PROBLEM? JUSTIFY.

Although there is a visible representation of women in important services like defence and administration in India today, judiciary – a core area – is left underrepresented with female judges and practitioners. Out of 33 judges (including CJI) of Supreme Court at present, there are only two women judges and there are only 73 women judges out of a total 670 judges in high courts. The phenomenon of negligible presence of women members across the judicial service in India persists despite unforeseen changes in socio-economic conditions of women in India; the reasons for the same are not far to seek.

Traditional mindset of the Indian families towards women, marital status, caste and religious identity of women play no insignificant role in demoralizing the new entrants to judicial service. The age-old lacuna of gender discrimination and sexual harassment even in the profession of law further adds to their woes and plight on the court premises. Even if there has been an increase in the number of women into the domain of judiciary, such increase is only quantitative not qualitative. Women legal professionals get lower number of cases and have low earnings. This also distracts women in joining legal profession.

Reserving judicial positions for women can only lead to a quantitative gain as reservation system is flawed to have fundamentally overlooking merit and efficiency in recruitment. Measures need to be taken to fight out insecurity and suspicion faced by women in the prestigious and powerful profession of law. Materialising a qualitative improvement in the practice of women lawyers, therefore, is the most pressing issue to focus on in order to realise a substantial representation of women in realm of law in India.