LOK SABHA

UNSTARRED QUESTION NO. 4970
TO BE ANSWERED ON FRIDAY, THE 01.04.2022

Women Representation on Benches

4970. SHRI V.K. SREEKANDAN:

Will the Minister of **LAW AND JUSTICE** be pleased to state:

(a)   whether the Supreme Court Collegium has sought representation of more women judges, if so, the details thereof;

(b)   whether the demand for higher representation beyond 50 percent on the Bench in view of low representation of women is under consideration, if so, the details thereof;

(c)   whether only 17 of the 37 women recommended by the Supreme Court Collegium were appointed as judges in High Courts; and

(d)   if so, the reason therefor?

ANSWER

MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJIJU)

(a) to (d): Appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India, which do not provide reservation for any caste or class of persons. In the present system of appointment of Judges to the constitutional courts through the Collegium system, the onus to provide social diversity and representation to all sections of the society including SC/ST/OBC/Women/Minorities primarily falls on the Judiciary. Government cannot appoint any person as a High Court Judge who is not recommended by the High Court Collegium/Supreme Court Collegium.

However, the Government remains committed to social diversity in the appointment of Judges in the Higher Judiciary and has been requesting the Chief Justices of High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and Women to ensure social diversity in appointment of Judges in High Courts.

From 01.01.2021 to 30.03.2022, Supreme Court Collegium has recommended 39 women for appointment as High Court Judges, out of which 27 women were appointed and remaining 12 cases are under various stages of processing.

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