

GENDER GAPS AND GAINS: A QUANTITATIVE STUDY OF WOMEN SENIOR ADVOCATES IN THE SUPREME COURT OF INDIA (1966–2025)

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Abstract

Despite increasing participation of women in legal education, their advancement into senior positions within India's judiciary remains limited. This study presents a quantitative analysis of gender disparity in Senior Advocate designations by the Supreme Court of India from 1966 to 2025, based on a dataset of 656 advocates compiled from official records.

*Using Power BI for visual analytics, the research employs longitudinal trend analysis and gender ratio comparisons to assess designation patterns across decades. Key judicial reforms—especially the *Indira Jaising v. Supreme Court of India* (2017) judgment—are examined for their influence on the institutional process. Recent diversity-promoting initiatives by Hon'ble Chief Justice Dr. D. Y. Chandrachud are also considered in evaluating shifts in women's representation.*

Additionally, the study explores women's leadership within the Supreme Court and High Court Bar Associations (2010–2024), highlighting persistent underrepresentation despite policy interventions such as seat reservations.

The findings underscore both long-standing gender inequities and emerging progress in legal recognition. This research contributes to empirical legal studies in India and calls for mandatory gender audits, transparent evaluation criteria, and sustained institutional reforms to embed gender equity within judicial and bar governance structures.

Keyword: Gender Audit, Gender Disparity, Underrepresentation Women's representation

INTRODUCTION

Background and Context

The Indian legal profession, historically shaped by colonial and patriarchal institutions, has long been marked by gendered access to power and prestige. Despite a growing number of women entering legal education and lower levels of legal practice, their presence in influential positions—especially in the higher judiciary and senior advocacy—remains disproportionately low. Among the most prestigious recognitions in Indian legal practice is the conferment of the title “Senior Advocate” under Section 16(2) of the Advocates Act, 1961, which is reserved for advocates acknowledged for their ability, standing at the Bar, or special knowledge or experience in law.

However, concerns have been raised about the historical opacity and subjectivity in the designation process, with scholars noting the potential influence of informal networks and structural hierarchies on decision-making outcomes. The observed gender disparity appears to stem not merely from pipeline limitations but also from systemic barriers that may have impeded equitable access to professional recognition and leadership. In the absence of

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codified evaluative standards, women advocates have often found themselves under-recognized, regardless of merit or experience.

Problem Statement

Despite progressive constitutional guarantees and increasing enrolment of women in law schools, women remain significantly underrepresented among those designated as Senior Advocates by the Supreme Court of India. From 1966 to the late 2010s, the number of women conferred with this designation has been strikingly low, with entire decades witnessing minimal or zero female appointments. Notably, the Senior Advocate designation affects not only status but also professional visibility, case access, and appointments to judicial positions, thereby reinforcing systemic inequities within the legal ecosystem.

This pattern is symptomatic of broader institutional barriers—ranging from opaque selection procedures to exclusion from elite legal networks—that prevent women from ascending to leadership and decision-making roles in the legal profession.

Relevance and Timing of the Study

The issue has gained renewed attention following the landmark Supreme Court judgment in *Indira Jaising v. Supreme Court of India* [(2017) 9 SCC 766], where the Court held that the designation process must be transparent, based on merit, and governed by published criteria. This led to the adoption of a "Committee for Designation of Senior Advocates" and formal guidelines. In recent years, under the leadership of Hon'ble Chief Justice Dr. D. Y. Chandrachud, the Court has publicly emphasized gender diversity and equitable professional recognition as institutional goals.

This study, therefore, arrives at a critical juncture, allowing for a retrospective evaluation of historical trends and an assessment of whether judicial reforms have produced meaningful outcomes in terms of women's representation.

Objectives of the Study

This paper seeks to:

- Provide a longitudinal, data-driven analysis of gender disparity in Senior Advocate designations by the Supreme Court of India (1966–2025).
- Evaluate temporal patterns, highlighting both stagnation and periods of reform.
- Assess the impact of legal and institutional changes, especially post-2017 guidelines, following *Indira Jaising*.
- Examine the representation of women in leadership positions in Bar Associations, focusing on the Supreme Court and major High Courts.
- Offer policy-relevant recommendations based on empirical evidence, contributing to ongoing efforts to institutionalize gender equity in the legal profession.

LITERATURE REVIEW

A. Gender in the Legal Profession – Global and Indian Perspectives

Gender disparities in the legal profession are a well-documented global phenomenon. Across jurisdictions, women face barriers to recognition, promotion, and leadership despite

increasing entry into legal education. Scholars such as Deborah Rhode (2001)¹ and McGlynn (2003)² argue that legal institutions often mirror patriarchal power structures, where informal norms and male-dominated networks hinder women's advancement.

In the Indian context, early feminist legal scholars such as Flavia Agnes (1999),³ Lotika Sarkar (1984),⁴ and Upendra Baxi (1982)⁵ brought attention to the structural inequalities embedded within Indian legal education, practice, and adjudication. Agnes, in particular, critiqued the assumption of formal equality under law and called for examining institutional cultures and practices that marginalize women. More recent contributions, such as those by Nivedita Menon (2012),⁶ emphasize that gender exclusion is not merely numerical but embedded in the hierarchies of legal knowledge and status.

While numerous studies focus on women's underrepresentation in the judiciary, there is limited empirical scholarship specifically examining their absence in the designation of Senior Advocates, a domain that operates at the intersection of legal merit, professional recognition, and institutional discretion.

B. Senior Advocate Designation: Institutional Process and Power Dynamics

The designation of Senior Advocates by the Supreme Court and High Courts in India is governed by Section 16(2) of the Advocates Act, 1961, which empowers constitutional courts to recognize advocates of exceptional ability and standing.⁷ However, until 2017, the criteria and procedures for such designations were largely opaque, discretionary, and undocumented.

In the landmark judgment of *Indira Jaising v. Supreme Court of India*, [(2017) 9 SCC 766], the Court addressed these concerns by laying down the requirement for a transparent, objective, and merit-based process.⁸ The Court directed that a "Committee for Designation of Senior Advocates" be constituted, and specified parameters such as years of practice, publications, pro bono work, and interview performance. This marked a pivotal shift from informal selection to codified procedures.

Legal scholars and commentators, including Suhrith Parthasarathy⁹ and Abhinav Chandrachud,¹⁰ have observed that while the 2017 guidelines marked progress, Implementation gaps and implicit biases. The concern remains that women—especially those outside elite chambers or without senior male mentors—struggle to meet informal expectations that dominate even formalized processes.

C. Bar Associations and Gendered Leadership Gaps

¹ Deborah L. Rhode, *The Unfinished Agenda: Women and the Legal Profession* (American Bar Association, 2001).

² Clare McGlynn, *The Woman Lawyer: Making the Difference* (Butterworths, 2003).

³ Flavia Agnes, *Law and Gender Inequality: The Politics of Women's Rights in India* (Oxford University Press, 1999).

⁴ Lotika Sarkar, "The Position of Women in Indian Law and Society", CWDS Occasional Paper Series (1984).

⁵ Upendra Baxi, *The Crisis of the Indian Legal System* (Vikas Publishing House, 1982).

⁶ Nivedita Menon, *Seeing Like a Feminist* (Penguin Books India, 2012).

⁷ The Advocates Act, 1961, § 16(2), Government of India.

⁸ *Indira Jaising v. Supreme Court of India*, (2017) 9 SCC 766.

⁹ Suhrith Parthasarathy, "Senior Designations: Beyond Formal Criteria", *The Hindu*, Nov. 1, 2017, available at: <https://www.thehindu.com> (last visited on July 21, 2025).

¹⁰ Suhrith Parthasarathy, "Senior Designations: Beyond Formal Criteria", *The Hindu*, Nov. 1, 2017, available at: <https://www.thehindu.com> (last visited on July 21, 2025). Abhinav Chandrachud, "How Judges and Lawyers Become Senior Advocates", *Bar & Bench* (2020), available at: <https://www.barandbench.com> (last visited on July 21, 2025).

Bar Associations—particularly the Supreme Court Bar Association (SCBA) and state High Court associations—play a critical role in shaping professional hierarchies and public legal discourse.¹¹ However, these institutions have long mirrored the gendered exclusions seen in courtroom recognition. Although the presence of women in the legal profession has grown steadily, their representation in bar association leadership remains disproportionately low. Reports from the SCBA between 2010 and 2023 show that very few women have held posts such as President, Secretary, or Treasurer.

Studies by legal researchers such as Dr. Kalpana Kannabiran¹² and Arvind Narrain¹³ note that women often face systemic exclusion from informal decision-making spaces, networks, and bar politics. Moreover, the absence of institutional support—such as maternity policies, safety measures, and inclusive leadership training—further restricts participation.

While some recent reforms have proposed reserved seats for women candidates in bar associations, their impact remains limited and under-researched. The broader scholarly consensus is that without structural and cultural shifts, such representation will remain symbolic rather than substantive.

METHODOLOGY

A. Research Design

This study adopts a quantitative, empirical, and descriptive research design to assess gender disparity in the conferment of the “Senior Advocate” designation by the Supreme Court of India between 1966 and 2025. The objective is to uncover longitudinal trends in gender representation and assess whether institutional reforms have influenced the inclusion of women in the apex professional tier of Indian legal practice.

The research is built upon a single-source dataset drawn entirely from publicly available records published on the official website of the Supreme Court of India. The use of a government-authenticated source ensures accuracy, institutional reliability, and legal integrity.

B. Data Collection

1. Primary Dataset: Senior Advocate Designations

Source: Official website of the Supreme Court of India (<https://main.sci.gov.in>).

Data Type: Lists of designated Senior Advocates published over the years as part of court bulletins and press releases.

Period Covered: 1966 to 2025 (inclusive).

Total Entries: 656 Senior Advocate designations.

2. Data Fields Extracted

Year of designation

¹¹ Supreme Court Bar Association, Reports and Election Data (2010–2023).

¹² Kalpana Kannabiran, “Gender and Access to Justice in India”, *Economic and Political Weekly*, Vol. 44, No. 44 (2009).

¹³ Arvind Narrain, “Professionalism, Politics, and Gender in the Indian Bar”, *Indian Journal of Gender Studies*, Vol. 25, No. 2, pp. 231–246 (2018).

Name of advocate

Gender (classified based on verifiable public information)

3. Gender Identification Method

Names were classified into gender categories through triangulation using:

Supreme Court judgments (SCC Online)

Ambiguous entries (e.g., initials or uncommon names) were manually verified using publicly accessible sources.

C. Tools and Analytical Framework

1. Data Preparation- The raw data was cleaned and standardized using Microsoft Excel, including:

- Removal of duplicates or incomplete entries
- Correction of spelling inconsistencies
- Categorization by gender and decade

2. Visualization and Analysis Tools: Power BI (Microsoft) was employed to:

- Generate line charts depicting year-wise designation trends
- Construct bar graphs for decade-wise gender distributions
- Calculate gender ratios and highlight gaps (e.g., years with zero female designations)

3. Analytical Focus Areas

- Total number of Senior Advocate designations by year
- Gender distribution across decades
- Identification of zero-designation years for women
- Comparison of pre- and post-reform periods (notably, post-Indira Jaising, 2017)
- Highlight of outlier years (e.g., 2023: unprecedented number of women designated)

D. Limitations

The following limitations are acknowledged:

- Scope Restricted to Supreme Court: The study does not include High Court data or any bar association records, thus limiting generalization across the judiciary.
- Gender Identification Constraints: Although most entries were verifiable, some names required manual inference due to a lack of gender-neutral identifiers. All gender assignments were based on publicly available, non-speculative sources.
- No Access to Committee Proceedings: The actual deliberations of the Designation Committee—especially post-2017 reforms—are not publicly accessible, which limits insight into evaluative reasoning.
- Limited to Quantitative Trends: The study focuses on numerical trends and does not include qualitative interviews or subjective experiences of women Senior Advocates.

RESULTS AND ANALYSIS

A. Overview of Designation Trends (1966–2025)

The analysis of 656 Senior Advocate designations by the Supreme Court of India over 59 years (1966–2025) reveals a clear pattern of gender disparity. Two line charts—one depicting total designations and the other showing designations of women only—expose a wide and persistent gap in gender representation.

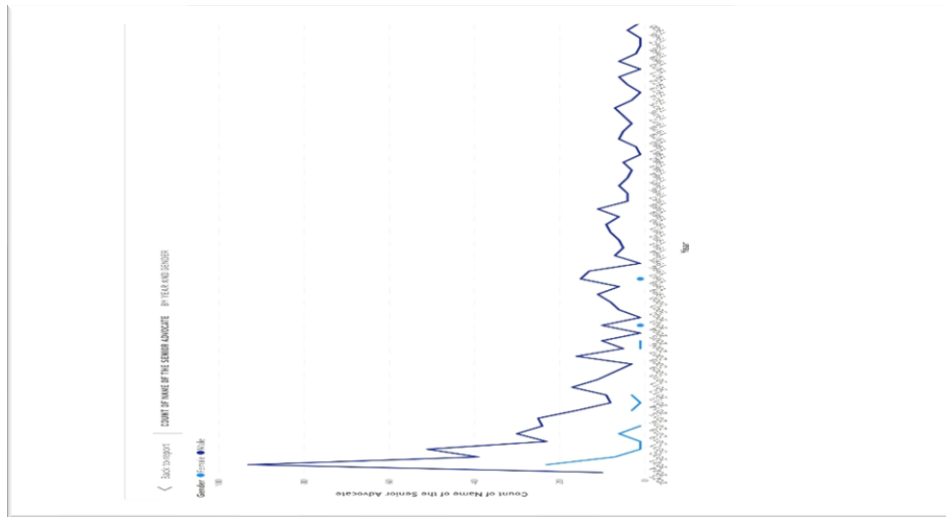


Figure 1: Line Chart Showing Total Senior Advocate Designations by Year (1966–2025)
(Source: Supreme Court of India Official Website; Visualized in Power BI)¹

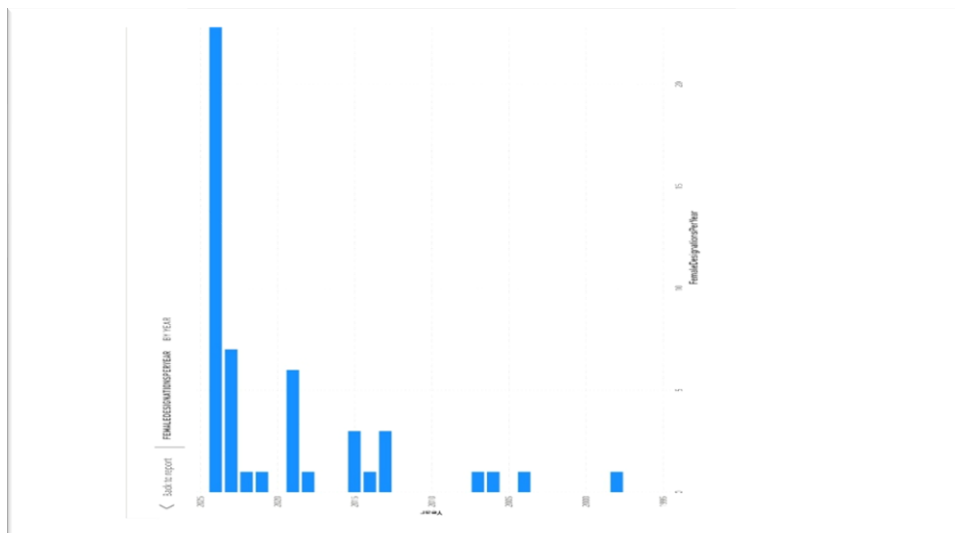


Figure 2: Line Chart Showing Female Senior Advocate Designations by Year (1966–2025)
(Source: Supreme Court of India Official Website; Visualized in Power BI)²

¹ Supreme Court of India, Official Website, available at: <https://main.sci.gov.in>

² *ibid*

Chart Interpretation:

The total designations chart shows a fairly stable trend, with annual designation activity occurring consistently since the late 1960s.

In stark contrast, the female designation chart remains flat and near-zero for several decades, with occasional spikes in specific years.

A significant breakthrough is observed in 2023, where the number of women designated reaches an all-time high.

These trends indicate that although the institution has consistently conferred the honor of Senior Advocate designation, female advocates have historically been underrepresented within this recognition framework.

B. Period-Wise Analysis of Female Designations**1. 1966–1990: The Era of Total Exclusion**

The female designation chart shows that during the first 25 years of the designation process, there were multiple years with zero women designated, and no discernible upward trend. This era reflects an institutional framework that did not account for or enable women's recognition, despite their increasing presence in legal education.

2. 1991–2016: Sporadic Inclusion without Momentum

While a few women were designated during this period, the chart shows isolated spikes rather than a steady rise. The lack of sustained upward movement indicates that the designation process remained largely male-centric, likely shaped by subjective nomination practices and informal networks.

3. 2017–2022: Post-Reform Plateau

Following the landmark *Indira Jaising v. Supreme Court of India* [(2017) 9 SCC 766] judgment, which mandated a transparent and criteria-based designation process, only marginal improvement is visible in the female designation line. There is no major spike or consistent increase during this period, indicating either:

- Slow implementation of reforms,
- Persistent informal gatekeeping, or
- A lag in structural change despite procedural clarity

4. 2023–2025: Breakthrough Period

The year 2023 marks a watershed moment. The female designation chart shows a dramatic increase—the highest number of women designated in any single year in Supreme Court history. This rise continues into 2024 and 2025, suggesting a new institutional direction aligned with reform and gender equity.

This period coincides with the tenure of Hon'ble Chief Justice Dr. D. Y. Chandrachud, under whose leadership the Court has shown clear commitment to diversity, transparency, and inclusion.

C. Comparative Interpretation: Total vs Female Designations

When read together, the total designation chart and the female-only chart illustrate a clear divergence:

Table 1: Designation Chart

Aspect	Observation
Consistency	Total designations occur nearly every year; female designations are sporadic and often absent.
Magnitude	Female designations never match male designations numerically in any given year (until 2023).
Temporal Shift	A clear institutional shift begins only post-2022.

The visual gap between the two charts underscores the historical invisibility of women in the formal processes of professional recognition. The data confirms that women were not designated in proportion to their presence or competence, but instead remained peripheral to recognition systems—until very recently.

D. Summary of Key Findings

Table 2: Data Representation

Indicator	Result
Total Designations(1966–2025)	656
Female Designations (1966–2025)	Significantly under 10%
Peak Year for Women	2023
Zero-Women Years	Numerous (especially pre-2010)
Effect of Indira Jaising (2017)	Modest improvement, delayed impact
Post-2022 Trend	Significant progress under CJI Chandrachud

DISCUSSION

A. Interpreting the Trends: A Data-Backed Narrative of Exclusion

The empirical analysis of 656 Senior Advocate designations between 1966 and 2025 reveals a sustained pattern of gender disparity in one of the most prestigious forms of professional recognition in the Indian legal system. The Power BI-generated line charts — particularly the one tracking female designations — visually confirm what feminist legal scholars have long argued: the legal profession, despite formal equality, operates within structures that marginalize women in substantive ways.

The minimal representation of women designees during the initial decades may suggest that institutional mechanisms for professional recognition did not adequately reflect the evolving participation of women in the legal field. This suggests that nomination practices, informal mentorship networks, and visibility in high-profile litigation — often dominated by male lawyers — played a greater role in designations than objective assessments of merit.

B. Legal Reforms and Delayed Institutional Response

The landmark judgment in *Indira Jaising v. Supreme Court of India* [(2017) 9 SCC 766]¹ mandated that designations be based on objective criteria, including years of experience, publication record, pro bono work, and interview performance. A Designation Committee and a scoring rubric were instituted in response to concerns over arbitrariness and bias in the earlier nomination-based model.

However, as the charts demonstrate, no immediate or significant rise in female designations followed the 2017 reform. The persistence of gender imbalance until a marked shift in 2023 suggests that while procedural reforms were a positive development, their full effect may have been delayed by deeper institutional and cultural dynamics. Rather, implementation gaps, Persistent reliance on informal norms, and subjective interpretations of 'merit' may have contributed to continued challenges in enhancing women's access to senior recognition.

C. The Role of Judicial Leadership: CJI Chandrachud and Institutional Shifts

The most notable upward inflection in women's designations aligns with the tenure of Hon'ble Chief Justice Dr. D. Y. Chandrachud, who has explicitly supported representational justice and judicial inclusivity. Under his leadership, the Supreme Court emphasized diversity not only in judgments but also in internal processes.²

The 2023 designation list, which includes the highest number of women ever designated as Senior Advocates in a single year, signifies that judicial leadership plays a pivotal role in operationalizing equity. This supports the view that institutional reform is not self-executing — it must be coupled with top-level commitment to accountability and change.

D. Structural Inequities and Cultural Gatekeeping

The historically uneven representation of women, despite their increasing presence in legal academia and practice, suggests that systemic and structural factors may have limited equitable access to high-level recognition. These include:

- Lack of access to elite litigation chambers and mentorship
- Gendered bias in courtroom dynamics (e.g., assertiveness perceived negatively in women)
- Overreliance on informal nominations prior to 2017
- Absence of institutional tracking or audits on diversity in professional recognitions

Even with the post-Indira Jaising scoring system, concerns remain about the subjectivity of certain criteria (e.g., “standing at the Bar” or courtroom visibility), which continue to privilege historically dominant demographics.

¹ *Indira Jaising supra* 1

² A. Chandrachud, “How Judges and Lawyers Become Senior Advocates”, *Bar & Bench* (2020),

E. Implications for the Legal System and Future Reform

The findings underscore the urgent need for institutional mechanisms that not only formalize criteria but also actively track and correct gender disparities. The recent positive trend is encouraging, but it must be sustained through:

- Transparent documentation of selection processes
- Periodic review of gender equity goals
- Integration of diversity metrics into court administrative evaluation systems

This research affirms that data-driven inquiry can expose blind spots in legal institutions and create evidence-backed momentum for reform. It contributes to broader efforts in feminist jurisprudence, judicial transparency, and institutional accountability in India's legal framework.

CONCLUSION AND POLICY RECOMMENDATIONS

A. Summary of Findings

This research presents a longitudinal, data-driven analysis of gender disparity in the designation of Senior Advocates by the Supreme Court of India from 1966 to 2025, using a dataset of 656 designations sourced entirely from official Supreme Court records.

The study finds that:

- Female representation remained minimal for decades, with many years recording zero women designees.
- Despite procedural reforms following the landmark *Indira Jaising v. Supreme Court* (2017) decision, visible progress in gender inclusion only emerged post-2022.
- 2023 marked a historic shift, recording the highest number of female designations, aligning with institutional efforts under Hon'ble Chief Justice Dr. D. Y. Chandrachud.

These findings suggest that while formal guidelines are foundational, sustained progress also requires implementation, institutional responsiveness, and leadership that prioritizes equity in practice.

B. Policy Recommendations

1. Institutionalize Annual Gender Audits

Introduce an annual, publicly available audit of Senior Advocate designations, disaggregated by gender, years of experience, and other diversity metrics. This will provide transparency and ensure continued scrutiny of the designation process.

2. Publish Scoring Metrics and Outcomes

Mandate public disclosure of evaluative criteria, weightages, and anonymized scores for each candidate (similar to civil service recruitment transparency). This fosters procedural fairness and public trust.

3. Establish Gender Inclusion Benchmarks

Adopt non-binding but ambitious gender representation benchmarks (e.g., a minimum proportion of women among designees annually) to address legacy gaps without compromising merit.

4. Mentorship and Pipeline Development

Collaborate with bar councils and legal institutions to establish structured mentorship programs for women litigators aimed at building visibility, courtroom presence, and confidence to apply for senior designation.

5. Formal Oversight Mechanism

Create an independent oversight or monitoring body within the judicial administration to track diversity in recognitions, elevations, and appointments, similar to equal opportunity commissions in other sectors.

C. Implications for Future Research and Legal Reform

This paper demonstrates the value of empirical legal research in identifying structural inequities within India's highest legal institutions. It opens pathways for further research into:

- Gender trends in High Court Senior Advocate designations
- Representation of women in judicial appointments
- Comparative studies with other jurisdictions (UK's Queen's Counsel, US's Senior Litigators, etc.)

Importantly, it also sets a precedent for data transparency in legal research — showing that open public data, when rigorously analyzed, can reveal systemic exclusion and also measure institutional progress.

This study is based solely on publicly available data and judicial documents. It does not attribute any direct intent or misconduct to any individual or institution. All references are made with academic objectivity and in good faith for research and legal reform.