

Editorial of the Day – 06.12.2025

Index

- | | |
|---|-----------|
| 1. Marked for Life- On Acid Attack Survivors(TH) | -1 |
| 2. Delhi HC Rejected Semaglutide Patent Suit(IE) | -2 |

1. Marked for Life- On Acid Attack Survivors(TH)

General Studies 1- Social Issues

TOPIC- Role of women and women's organization, social empowerment

Introduction

The Supreme Court of India has recently issued a strong critique regarding the sluggish pace of justice for acid attack survivors, highlighting a specific case that has dragged on for 16 years. Terming such delays as a "mockery of the system," the Court emphasized that perpetrators of such heinous crimes deserve no sympathy. The observations underscore an urgent need for systemic reforms, including day-to-day hearings, stricter laws, and comprehensive rehabilitation measures to restore dignity to survivors.

Judicial Observations and Stance

"Mockery of the System"- The Supreme Court expressed deep shock over the 16-year delay in concluding the trial of an acid attack survivor, labelling the administrative and judicial lethargy as a mockery of justice.

Zero Sympathy Doctrine- Chief Justice of India (CJI) Surya Kant explicitly stated that courts should not show any leniency or sympathy towards acid attackers.

Call for Firm Response- The Court urged the entire judicial ecosystem to respond with firmness and urgency to ensure that justice is not just theoretical but delivered in practice.

Case Study- The Struggle of Shaheen Malik

Timeline of Injustice

2009- Shaheen Malik was attacked at the age of 26 while pursuing her MBA.

2009-2013- The case saw zero progress, reflecting initial systemic apathy.

Current Status- The trial was transferred from Haryana to Rohini Court, Delhi. Despite the passage of 16 years, final arguments are still pending.

Physical and Social Toll- The survivor has undergone multiple reconstructive surgeries over the years to address severe disfigurement and health complications.

Advocacy and Rehabilitation- Turning her trauma into activism, Malik founded the NGO 'Brave Souls' in 2021 to provide medical and legal assistance to other survivors.

Issues Raised in the PIL (Public Interest Litigation)

Disability Recognition- The petition seeks the inclusion of acid attack survivors under the Rights of Persons with Disabilities (RPwD) Act, 2016.

Internal Injuries- The PIL highlighted a specific, often overlooked category of victims—those forced to ingest acid. These survivors suffer life-threatening internal injuries without visible external scarring, yet they struggle to receive formal acknowledgment and state support.

Demand for Dignity- The plea seeks formal recognition of the unique suffering of acid attack victims to ensure they receive adequate state-sponsored support and rehabilitation.

Supreme Court Directives and Government Response

Legislative Action- The CJI suggested that the Central Government consider bringing an ordinance to strengthen the legal response mechanism against acid attacks.

Government Support- Solicitor-General Tushar Mehta supported the petition, asserting that perpetrators of such "inhuman" acts should face equal ruthlessness from the law.

Data Collection- The Court directed the Registrar-Generals of all High Courts to compile and furnish data regarding the number of pending acid attack trials across India.

Special Courts- To tackle delays, the Court proposed the establishment of special courts to conduct **day-to-day hearings**, ensuring trials are concluded swiftly.

Legal and Policy Landscape

Precedent (Laxmi vs. Union of India)- The summary recalls this landmark judgment where the SC had previously ordered strict regulations on the sale of acid, along with mandatory compensation and rehabilitation for victims.

Current Legal Provisions- Section 124 of the Bharatiya Nyaya Sanhita (BNS) specifically outlines the punishment for acid attacks, replacing older provisions.

Implementation Gap- Despite the existence of these legal frameworks, conviction rates remain low, and trials are excessively lengthy.

Statistical Context (NCRB 2023 Data)

National Prevalence- The National Crime Records Bureau (NCRB) recorded 207 acid attack cases nationwide in 2023.

Regional Hotspots

West Bengal- Highest incidence with 57 cases.

Uttar Pradesh- Second highest with 31 cases.

Inference- The data indicates that despite legal deterrents, acid attacks remain a prevalent form of extreme gender-based violence.

Conclusion

Acid attacks persist as one of the cruellest forms of gender violence in India. While the legal framework exists, the ground reality is marred by delayed trials, low conviction rates, and inadequate victim support. The Supreme Court's latest intervention signals a critical pivot toward special courts and strictly enforced timelines. For justice to be meaningful, India must bridge the gap between policy and practice, ensuring survivors receive not just verdicts, but holistic rehabilitation and the dignity they are "marked for life" to be denied.

Source- <https://www.thehindu.com/opinion/editorial/marked-for-life-on-acid-attack-survivors/article70362175.ece>

2. Delhi HC Rejected Semaglutide Patent Suit (IE)

General Studies 2- Social Justice

Topic- Issues relating to development and management of Social Sector/Services relating to Health

Introduction

The Delhi High Court has delivered a significant verdict allowing Dr. Reddy's Laboratories (DRL) to manufacture and export generic versions of Semaglutide, a breakthrough drug used for Type 2 diabetes and obesity. The Court rejected the plea of the patent holder, Novo Nordisk, which sought to restrain DRL based on a formulation patent. This ruling reinforces India's strict stance against "evergreening"—the practice of extending patent monopolies through minor modifications—thereby prioritizing public health and affordable access to essential medicines.

Key Details of the Case

The Drug Involved

Name- Semaglutide (a GLP-1 receptor agonist).

Market Names- Sold by Novo Nordisk as Ozempic (for diabetes) and Wegovy (for weight loss).

Function- It mimics the GLP-1 hormone to stimulate insulin secretion, inhibit glucagon, and suppress appetite.

The Patent Conflict

Patent No. 275964 (Composition Patent)– This covered the original chemical compound. It expired in September 2024, theoretically opening the market to generics.

Patent No. 262697 (Formulation Patent)– Novo Nordisk held this secondary patent on the specific delivery/formulation method, valid until March 2026.

The Dispute

Novo Nordisk's Argument– They claimed the formulation was novel and offered significantly higher efficacy, thus deserving protection.

DRL's Argument– They challenged the second patent, arguing it lacked "inventive step" and "novelty." DRL contended this was a classic case of evergreening prohibited under Indian law, as the changes were minor modifications of the known substance.

The Delhi High Court's Ruling

Verdict– The Court refused to grant an injunction against DRL, effectively allowing them to manufacture and export the drug.

Rationale– The Court found DRL's challenge to the patent to be *prima facie* (on the face of it) valid. It observed potential double patenting by Novo Nordisk, attempting to extend exclusivity beyond the expiry of the primary molecule patent.

Restriction– While manufacturing for export is allowed, domestic sales in India are restricted until the original composition patent issues are fully resolved or the patent term ends (though the primary patent has already expired in Sept 2024, the legal nuance lies in the formulation patent's validity).

Legal Context– Combating Evergreening

Section 3(d) of the Patents Act, 1970– This is the cornerstone of India's IPR regime regarding pharmaceuticals. It prevents the patenting of "mere use of a known substance" or "mere discovery of a new form of a known substance" unless it results in significantly enhanced efficacy.

Purpose– To stop pharmaceutical giants from making trivial changes to existing drugs just to keep generics off the market.

Constitutional Duty– The ruling aligns with Article 47 of the Indian Constitution, which mandates the State to raise the level of nutrition and the standard of living and to improve public health.

Precedent– This decision strengthens the jurisprudence established in the landmark Novartis vs. Union of India (Glivec case, 2013), where the Supreme Court rejected a patent for a cancer drug on similar grounds.

Implications for the Pharma Industry & Economy

Boost for Generics– Strengthens India's reputation as the "Pharmacy of the World." Encourages other major players like Cipla, Sun Pharma, and Mankind Pharma to enter the GLP-1 market.

Economic Impact

Exports– Allows Indian companies to tap into the massive global demand for obesity and diabetes drugs, contributing to the trade surplus.

Make in India– Reinforces domestic manufacturing capabilities and the *Atmanirbhar Bharat* initiative.

Market Dynamics– Promotes competition, which inevitably drives down the cost of life-saving drugs for both domestic and international consumers.

Public Health & Science Perspective

Disease Burden– India faces a rising burden of Non-Communicable Diseases (NCDs) like diabetes and obesity. Affordable access to advanced drugs like Semaglutide is critical for management.

Healthcare Access– Lower costs mean these drugs can potentially be included in broader public health programs under the National Health Mission. Aligns with WHO standards that advocate for access to generic versions of essential medicines.

Way Forward

Regulatory Vigilance– The Patent Office must remain vigilant to identify and reject frivolous patent applications that aim to "evergreen" monopolies.

Balance of Interests– India must continue to balance its TRIPS compliance (protecting genuine innovation) with its public health obligations.

Domestic Innovation– While promoting generics, policy frameworks should also incentivize genuine R&D within India to move from being a "volume" leader to a "value" leader in pharma.

Conclusion

The Delhi High Court's decision is a victory for public health over corporate monopoly. By enforcing strict checks against evergreening, the judiciary has ensured that patent laws serve their true purpose—rewarding genuine innovation without blocking access to essential, life-saving treatments. This ruling not only benefits Indian patients but also reinforces India's pivotal role in the global pharmaceutical supply chain.

Source– <https://indianexpress.com/article/explained/explained-law/why-delhi-hc-rejected-semaglutide-patent-suit-10405013/>

