

PLANNED OBSOLESCENCE IN WEARABLE HEALTH DEVICES: LEGAL GAPS AND SUSTAINABLE DEVELOPMENT IN INDIA

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Wearable health devices such as fitness trackers and smartwatches are generally helpful in the promotion of preventive healthcare in India. However, these devices are affected by planned obsolescence, which reduces the lifespan of the devices to 2 to 3 years even though the technical potential is 3 to 5 years. This narrative review explores India's legal provisions on addressing obsolescence of wearable health devices. The study based on 38 peer-reviewed articles, government documents, and legal sources has identified significant gaps in the regulation of the issue. India does not have any specific law that prohibits planned obsolescence or provides a statutory right to repair. The Consumer Protection Act 2019 is not enforced as no cases have been brought to court. Patent and trademark laws hinder repair work by limiting software access and making it difficult for third-party services. These practices are inconsistent with India's SDG commitments as they result in the maximum generation of waste, the increase of emissions from the manufacturing process, and the creation of barriers to health equity for the lower-income groups. It is imperative to have a complete overhaul of the legal system that would feature among other things, enforceable Right to Repair laws, compulsory disclosures, repairability standards, copyright exceptions, and stronger Extended Producer Responsibility provisions to promote healthcare ecosystems that are sustainable and equitable.
